

- C.542. 1927.  
1. Conference of Press Experts. Memorandum by the Secretary-General. 1-10.
- C.565(2) 1927.  
2. Conference of Press Experts. Report by the Representative of Cuba. 11-15.
- C.231.2.93. (Conf.E.P.I) 1927. 1.  
3. Conference of Press Experts. Preparatory Documents. 16-31.
- C.352. M.126. (Conf.E.P.2) 1927.5.  
4. Conference of Press Experts, August 24th, 1927. Protections of Press Information. 32-45.
- A. 43. 1927. 8.  
5. Conference of Press Experts, August 24th-29th, 1927. Final Resolutions and various other documents. 46-57.
- A.77. 1927. 9.  
6. Conference of Press Experts. Report presented to the Assembly by the Sixth committee. 58-60
- A.93. 1927.11.  
7. Construction of an Assembly Hall and of New Buildings for the use of the Secretariat. Report submitted to the Assembly by the special committee. 59-61
- A.107. 1927. 12.  
8. Relations between the League of Nations and Institutes or Bodies set up under its Authority. Report of the second committee to the assembly. 60-61
- A.110. 1927. 13.  
9. Construction of an Assembly Hall and of New Buildings for the use of the Secretariat. Note by the fourth committee on the Report submitted to the Assembly by the special committee. 61-62
- A.128. 1925.  
10. Measures to help Refugees. Report of the fifth committee to the sixth assembly. 62-63.
- A.99.(1). 1926.  
11. Seventh ordinary session of the assembly of the League of Nations. Question of extending to other refugees the measures taken to assist Russian and Armenian Refugees. Report of the Fifth committee to the Assembly. Presented by the Belgian delegate. 64-65
- A.63. 1926. (a).  
12. Seventh ordinary session of the Assembly of the League of Nations. Annex to the report on the work of the Health organization. Draft Resolution. 65-66
- C.150.2.40. 1928. 1.  
13. Question of the proposed reduction in the Annual number of sessions of the council. 66-71.
- A.241. 1928. 2.  
14. Agenda of the Ninth ordinary session of the Assembly and supplementary list of items. 72-77.

20895

Pages.

- A.6. 1928. 3.  
15. Report to the Ninth ordinary session of the Assembly of the League on the work of the council, on the work of the Secretariat and on the measures taken to execute the decisions of the Assembly. 170-196.
- A.6.(a) 1928. 4.  
16. Supplementary Report to the Ninth ordinary session of the Assembly of the League on the work of the council, on the work of the Secretariat and on the measures taken to execute the decisions of the Assembly. 198-208.
- A.6.(a) 1928. 5.  
17. Annex to the supplementary Report on the work of the council and the Secretariat to the Ninth ordinary session of the Assembly of the League. 209-210.
- C.615.M.192. 1928. 6.  
18. Rules of procedure of the Assembly. 211-216.
- A.79. 1928.  
19. Construction of an assembly hall, of a new Building for the Secretariat, and of a new Library. Report submitted to the Assembly by the special committee appointed by the Assembly resolution of September 26th, 1927. 217-222.
- C.35.M.17. 1928.I.A. 1.  
20. Saar Basin. Thirty-Second periodical report of the Governing Commission. 223-227.
- C.659.L.220. 1928.II. 1.  
21. Convention on the execution of foreign - arbitral awards. September 26th, 1927. 228-234.
- C.666.L.224. 1928.II. 2.  
22. Comite Economique. Rapport Au conseil sur La vingt-troisieme session. 236-286.
- A.83. 1928.II. 5.  
23. Protocol on arbitration clauses . September 24th, 1923. 288-416.
- C.S.C.1. 1928.II. 6.  
24. Economic committee. International conference on Economic statistics. Preparatory Documents. 416-421.
- C.21.M.12. 1928.II. 7.  
25. International conference for the abolition of import and export prohibitions and restrictions. Proceedings of the Conference. 422-426.
- C.45.M.22. 1928.II. 8.  
26. Settlement of Bulgarian Refugees, Sixth Report of the commissioner of the League of Nations. 428-439.
- C.51.M.25. 1928. II.9. (F.474)  
27. Seventeenth Quarterly report of the Refugee - settlement commission. 428-439.
- C.116.M.30.(F.507.-1-) 1928.II. 10.  
28. Financial Committee. Report to the council on the work of the Thirtieth session of the committee. Resolutions adopted by the council at its 49th session. Report of the financial committee. 428-439.

- LEAGUE OF NATIONS -  
General & II. Part I. 1927 & 1928.  
-----

3.

Pages.

✓ C.149.M.39.1928.II.11.

29. International Convention for the abolition of import and export prohibitions and restrictions, November 8th, 1927. Execution of recommendation No.3 of the Final Act of the Conference. Protocols concerning the export of hides, skins and bones.

440 *lt*

✓ J.116.M.30.(F.507.-1-)1928.II.12.

30. Financial Committee. Final text of amendments to the statutes of the Bulgarian National Bank.

444 *lt*

✓ J.175.M.54.1928.II.13.

31. Economic Committee. Committee of Legal Experts on Bills of Exchange and Cheques. Report to the - Economic Committee.

449 *lt*

✓ J.174.M.53.1928.II.14.

32. Economic Committee. Draft Convention on the - Treatment of Foreigners.

463 *lt*

✓ C.180.M.56.(E.399.)1928.II.15.

33. Economic Committee. Application of the International convention relating to the simplification of customs Formalities. Measures taken by the Governments to give effect to the Provisions of the Convention.

483

✓ C.I.A.P.25.1928.II.17.

34. International Convention for the abolition of - import and export prohibitions and restrictions. Observations made by various Governments on the exceptions claimed in virtue of Article 6 of the Convention.

497 °

✓ C.214.M.70.1928.II.19.

35. Protocols concerning the export of Hides, Skins and Bones, drawn up by the meeting of representatives of states interested, from March 14th to 16th, 1928 Decisions communicated by the Governments with - regard to the agreement foreseen by these Protocols. 501

✓ C.215.M.71.(F.520.)1928.II.20.

36. Eighteenth Quarterly Report of the Refugee Settlement Commission.

505

LEAGUE OF NATIONS.

C.542.1927.

Geneva, November 4th, 1927.

CONFERENCE OF PRESS EXPERTS.

Memorandum by the Secretary-General.

In accordance with a suggestion put forward by M. URRUTIA, representative of Colombia, and adopted by the Council at its meeting on September 2nd, the Secretary-General has had the following memorandum prepared concerning those resolutions of the Conference of Press Experts, which the Council adjourned for discussion until its December session.

Below will be found an analysis of these resolutions, together with the supplementary information which the Secretariat has been able to collect regarding each of them.

The Secretariat has also prepared and forwarded to those who took part in the Conference and to the Press Organisations concerned a document containing the Conference's final resolutions, Lord BURNEAM'S closing speech, the report submitted to the Council at its meeting of September 2nd, and, as an annex, the list of those who took part in the Conference.

I. POSTAL SUBSCRIPTIONS TO NEWSPAPERS.

Resolution:

The Conference expresses the wish:

1. That the countries which have not adhered to the Stockholm Convention of 1924 concerning postal subscriptions to newspapers should do so as soon as possible.
2. That the countries which have adhered to this Convention should put it into force without delay.

The Universal Postal Convention of Stockholm dated August 28th, 1924<sup>1)</sup> regulates the question of subscriptions to newspapers and periodicals. This Convention aims at allowing persons who desire to subscribe to newspapers published in the Contracting States to do so through the post offices at a price which in principle must not be higher than that charged to subscribers in the publishing country, apart from the addition in some cases of certain costs.

This Convention entered into force on October 1st, 1925 and is to remain valid for an indefinite period.

The following is a list of the countries which have acceded to this Convention: Albania, the Argentine Republic, Austria, Belgium, Bolivia, Bulgaria, Chile, Republic of Colombia, Republic of Cuba, Czechoslovakia, Free City of Danzig, Denmark, Egypt, Estonia, Finland, France, Algeria, Germany, Greece, Republic of Honduras, Hungary, Italy, the whole of the Italian Colonies, Latvia, Lithuania, Luxemburg, Morocco (except the Spanish Zone), Morocco (Spanish Zone), Norway, Netherlands, Poland, Portugal, the Portuguese Colonies in Africa, the Portuguese Colonies in Asia and Oceania, Roumania, Saar Territory, Republic of San Marino, Kingdom of the Serbs, Croats and Slovenes, Spain, the Spanish Colonies, Sweden, Switzerland, Tunis, Turkey, Uruguay and the United States of Venezuela.

## II. PROTECTION OF NEWS.

### Resolutions:

The Conference adopted the following preamble and resolution

The Conference of Press Experts lays down as a fundamental principle that the publication of a piece of news is legitimate subject to the condition that the news in question has reached the person who publishes it by regular and unobjectionable means, and not by an act of unfair competition. No one may acquire the right of suppressing news of public interest.

---

1) See Treaty Series - Publication of Treaties and international engagements registered with the Secretariat of the League, Vol. XLI, 1925-1926, Nos. 1, 2, 3 and 4.

(a) Unpublished News.

The Conference is of opinion that full protection should be granted to unpublished news or news in course of transmission or publication in those countries in which such protection does not already exist.

It shall be illegal for any unauthorised person to receive for publication or to use in any way for the purpose of distribution through the Press, through broadcasting, or in any similar manner information destined for publication by the Press or through broadcasting.

There shall be no preferential right in official news issued by a Government or Government Department or by an official representing a Government or Government Department. All such news may be published without restriction in full or in part.

Newspapers, Press agencies, Press bureaux, and newspaper correspondents and representatives shall have free and equal opportunity of access to and transmission of such news.

(b) Published News.

In view of the widely differing conditions obtaining in various countries, the Conference is of opinion that the question of the protection of published news, whether reproduced in the Press or by broadcasting, is one for the decision of the respective Governments concerned, and recommends that any Government to whom application in this respect is made by its country's Press should sympathetically consider the advisability of granting suitable protection.

Such protection should, however, permit the reproduction of news within a specified period, subject to acknowledgment and payment

The Conference affirms the principle that newspapers, news agencies, and other news organisations are entitled after publication as well as before publication, to the reward of their labour, enterprise and financial expenditure upon the production of news reports, but holds that this principle shall not be so interpreted as to result in the creation or the encouragement of any monopoly in news.

... ..

In order to realise these principles, it is desirable that there should be international agreement and that the Council of the League of Nations, by resolution, should request the various Governments to give immediate consideration to the question involved.

This is one of the most important of the Conference's resolutions and also one of those which proved the most difficult to draw up owing to the novelty and complexity of the problem. It is the outcome of a compromise between different points of view.

It will be observed moreover that in accordance with this resolution: 1) the Conference considers that the question is one

for the decision of Governments; 2) the Conference recommends that any Government to whom application in this respect is made by its country's press should sympathetically consider the advisability of granting suitable protection.

The resolution therefore seems to indicate the kind of action which the Conference expects the Council to take.

### III. PROFESSIONAL FACILITIES FOR JOURNALISTS.

The Conference adopted the following preamble and resolutions:

The Conference does not ask for the granting or extension to journalists of any favour the acceptance of which would entail the risk of infringing the independence of the Press or the unbiased judgment of journalists.

On the other hand, it strongly urges that all possible facilities should in all circumstances be granted to journalists in pursuit of their calling so that they may fulfil their duties more thoroughly and rapidly both in acquiring and transmitting news.

The Conference further desires that similar and appropriate facilities should be granted to the national and international organisations of the Press in the discharge of their professional functions.

#### A. Travel Tours.

The Conference considers that collective travel tours for journalists in foreign countries can in certain circumstances be most useful and that the custom should not be discontinued.

Nevertheless, the serious disadvantages that the abuse or wrong use of these tours may involve are so evident that the Conference urgently recommends closer supervision of the methods by which such collective tours are organised.

This supervision should not be undertaken solely by Governments; but in so far as the carrying out of such tours necessitates the co-operation of Governments, the latter should previously ask for the opinion of competent Press organisations as to whether such tours are opportune or desirable.

#### B. Schools for Journalists.

The Conference, noting the fact that journalism is a profession the exercise of which demands special gifts and practice which can be obtained only by professional experience;

Considering, nevertheless, that general knowledge and a certain technical training are indispensable for the pursuit of this calling:

Declares itself in favour of the maintenance or establishment in universities or analogous institutions of such special courses as will enable journalists, during their available time and with due respect to their intellectual freedom, to supplement their knowledge of political, economic, or other subjects.

C. Scholarships for Journalists.

For the purpose of promoting the professional education of journalists, the Conference declares itself favourable to the establishment by Governments or private bodies of study or travel scholarships, which should be granted so far as possible after consultation with professional organisations of journalists.

D. Double Taxation of Journalists living Abroad.

The Conference expresses the hope that the Committee specially set up by the League of Nations to solve the general problem of double taxation, and particularly to determine what country is to receive the sole tax, will provide a satisfactory solution of this problem as quickly as possible.

It asks that Governments should meanwhile be requested to grant every facility compatible with their existing laws to journalists who are obliged to live outside their country of origin in the exercise of their profession.

E. Reductions of Railway Fares.

The Conference considers it desirable that, in countries where this practice exists, foreign journalists, on giving proof of their professional status, should be entitled to reductions of railway rates equivalent to those granted to nationals.

The same facilities should be granted, under the supervision of national and international organisations, to journalists obliged to travel for the purpose of representing their colleagues at meetings concerned with professional conditions.

.....

H. Repressive Measures against Foreign Journalists.

The Conference requests the League of Nations to make the most urgent representations to Governments in order that measures of expulsion or withdrawal of a permit to stay in a country on grounds concerned with the exercise by a journalist of his profession should never be taken without asking for the opinion of a committee of journalists, by which the journalist concerned could be heard.

I. Equality of Treatment for Foreign Journalists.

The Conference recommends that all official news should be communicated to all newspapers and news agencies, whether national or foreign, without distinction, and that rates, privileges and facilities for the transmission of news by telegraph, telephone, or wireless should be granted to all in equal measure.

J. Facilities for Enquiry afforded to Foreign Journalists.

The Conference expresses the wish that foreign journalists should be able, on the production of an official document, to obtain from the official Press bureau or from the local authorities concerned the same facilities as those accorded to their national journalists.



This group of resolutions is largely the work of the journalists themselves, who had been invited to meet at Geneva in a special Committee several months before the Conference to prepare this chapter dealing with the professional claims of the Press. All these questions were studied by the Committee and by the Conference itself with the greatest care.

The resolutions adopted are to some extent the result of the experience acquired by the journalists and are what they consider necessary to the exercise of their profession. A number of the facilities mentioned in the resolutions are already granted in a certain number of countries but the question is whether these facilities can be made general.

The application of these resolutions largely depends on the goodwill of the Governments and, in many European countries, on that of the Press Bureaux attached to the Foreign Ministries of those countries. The chiefs of these Press Bureaux who first met at Geneva in a Preparatory Committee and were then invited to the Conference in an advisory capacity displayed the keenest and most sympathetic interest in the demands contained in the above resolutions.

It should be observed:

1) That the resolution concerning the "double taxation of journalists living abroad" is partly addressed to the Committee of Experts on Double Taxation and Tax Evasion. This Committee has now finished its work; a conference is to meet in 1928 to draw up a Convention on the basis of the Committee's work.

2) That the resolution concerning "repressive measures against foreign journalists" was adopted by 29 votes against 15 with 8 abstentions.

#### IV. CENSORSHIP IN PEACE TIME.

The Conference adopted the following resolution:

Whereas the principal reason for the convocation of this Conference is that the unfettered and prompt interchange between nations of news of events and conditions promotes mutual understanding and peace;

Whereas it is obvious that news despatches, in order to be effective in the foregoing sense, must be generally accepted as true in the countries in which they are published;

Whereas the Conference declares itself opposed in principle to every restriction of the liberty of the Press, and considers that no form of censorship should be established or maintained except for vital reasons and in exceptional circumstances only;

Whereas, without wishing to interfere in the internal affairs of the various States, it nevertheless expresses a general desire for the re-establishment of normal intellectual communications between peoples by modifying or repealing laws relating to censorship wherever the situation permits;

Whereas it is the unanimous conviction of the Conference that censorship in peace-time, whether carried on openly or in a disguised form - which is open to greater objection - is a fundamental obstacle to the normal exchange of international information, and renders more difficult understandings between nations;

And whereas, not only, as recognised by the Preparatory Committees of News Agencies, and of Journalists, is censorship powerless to prevent the distribution of false and misleading news, but is also in fact injurious to the Governments by which it is maintained:

The Conference is of opinion that censorship in any form should quickly and finally be abolished.

So long, however, as censorship, contrary to the principle of the liberty of the Press, still exists in any country, the Conference asks for the following minimum guarantees:

(1) That telegrams submitted to censorship should be examined by specialists and despatched with the greatest promptitude possible;

(2) That journalists should be informed of the instructions given to these specialists so as to enable them to make their own dispositions;

(3) That they should be informed of the passages<sup>suppressed</sup> in their despatches as well as of exceptional delays in transmission, and that they should be given the option of sending or withholding telegrams which have been either censored or delayed;

(4) That the transmission charges paid in advance for telegrams which have been either censored or delayed should be refunded in proportion to the number of words suppressed.

(5) That complete equality of treatment should be granted to all journalists without exception.

This resolution, which was accepted unanimously, consists of two parts. In the first the Conference pronounced against censorship in peace time.

In the second part the Conference asks that where this censorship exists<sup>1)</sup> certain rules should be observed, notably in regard to press telegrams, and demands the observation of these rules as minimum guarantees.

#### V. MISCELLANEOUS RESOLUTIONS.

##### Resolutions:-

##### I. Publication or Distribution of Tendentious News.

Fully cognisant of the fact that the publication or distribution of obviously inaccurate, highly exaggerated, or deliberately distorted news or articles is calculated to cause undesirable misunderstandings among nations and suspicions detrimental to international peace;

And desiring to promote among peoples the growth of mutual understanding, necessary to world peace;

This Conference expresses the desire that the newspapers and news agencies of the world should deem it their duty to take stringent measures to avoid the publication or distribution of such news or articles, and should also consider the possibility of active international co-operation for the attainment of this purpose, which is in conformity with the spirit of the League of Nations.<sup>2)</sup>

##### 2. Courses for Journalists at Geneva.

Whereas it is important, from the point of view of consolidating peace and of ensuring reasonable criticism of the activities of the League of Nations, that the greatest possible number of journalists should become familiar with the organisation of the League of Nations;

This Conference recommends that preliminary consideration should be given to the question of organising at Geneva in connection with the League of Nations an international press centre or institute which could be attended by journalists

---

<sup>1)</sup> Article 7 of the International Telegraphic Conference of St. Petersburg of 1875, revised at Paris in 1925, stipulates that:  
"The High Contracting Parties reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the State or which may be contrary to the laws of the country or to public order or morality."

<sup>2)</sup> This resolution was adopted by 27 votes to 2.

throughout the year in order to obtain the necessary knowledge, and draws the attention of Governments to the advantage of affording every protection to such an organisation.

### 3. Establishment in Newspapers of a special Heading on the League of Nations.

This Conference expresses its gratitude to the League of Nations, and especially the Information Section of the Secretariat, for the support and facilities granted to its members and for the organisation of its meeting, and notes that the League has in no way attempted in this connection to make League propaganda in its favour, but simply to assist in the material and spiritual development of the Press;

And recognising that the work of the League is worthy of the closest attention, constituting as it does one of the most interesting movements of the century, recommends the establishment in the great newspapers of a permanent section, such as already exists in some papers, devoted to objective information on the work of the League.

### 4. Moral Disarmament.

The Conference makes a warm appeal to the Press of the world to contribute by every means at its disposal to the consolidation of peace, to combat hatred between nationalities and between classes which are the greatest dangers to peace, and to prepare the way for moral disarmament.

### 5. Regional Press Understandings.

This Conference, considering that regional agreements with the object of promoting international harmony concluded by the Press of groups of neighbouring States constitute not only one of the best means of facilitating the decisions of Governments on its improvements suggested by the Conference, but also, and above all, a permanent guarantee of pacification calculated to contribute in large measure to the prevention of misunderstandings between nations;

Recommends to the delegates of all countries that might benefit by agreements of this sort - in particular the Balkan countries - to confer immediately with each other in order to reach as soon as possible an amicable understanding which may draw closer the bonds between the Press of their countries and thus favourably influence public opinion.

The Conference grouped under this heading a series of resolutions which had not been discussed during the preparatory work and which were submitted spontaneously by the delegates in the course of the Conference itself.

None of these resolutions require technical study; they take the form of appeals or recommendations addressed not to the Governments but to the press itself and to its Organisations.

The Secretariat has already communicated these resolutions to the Press Organisations concerned.

#### VI. RIGHT OF REPLY.

##### Resolution:

The Conference decides to refer the consideration of the right of reply to a subsequent Press Conference; and requests that it be studied meanwhile by the League of Nations, with a view to issuing a report.

The right of reply is a very controversial question. It exists in certain countries, which have regulated it in various ways. In other countries it does not exist. A resolution on this subject was submitted to the Conference, which did not accept it, and confined itself to requesting the Secretariat of the League of Nations to study the question with a view to a future Press Conference.

#### VII. GENERAL RESOLUTION.

##### Resolution:

At the close of its session, the Conference adopted by acclamation the following resolution:

##### The Conference and Public Opinion.

Considering that all the resolutions which have been adopted will require the support and advocacy of the Press, this Conference requests all its delegates to undertake to forward the general interests of the Press in their newspapers in order favourably to influence the public opinion and the Governments of their respective countries.

This resolution is clearly addressed to the delegates who took part in the Conference. In sending to all those who took part in the Conference a pamphlet containing the principal texts, the Secretariat drew attention to this resolution in a covering letter.

LEAGUE OF NATIONS

C.565(2) 1927.

Geneva, November 16, 1927.

CONFERENCE OF PRESS EXPERTS

Report by the Representative of Cuba.

The Council, after taking note of the results of the Conference of Press Experts, decided on September 2nd last:

1) To ask the Organisation for Communications and Transit to continue, with the help of the press groups interested, the technical study of the first set of resolutions adopted by the Conference (press rates, coding of press messages, improvement of communications, transport of newspapers, identity cards for journalists);

2) To postpone to its December session the consideration of the action to be taken on the other resolutions. At the request of the representative of Colombia, the Council instructed the Secretary-General to study these resolutions in the meantime.

The questions regarding communications raised at the Press Conference were reconsidered by the Council at a previous session and forwarded for examination to the Organisation for Communications and Transit and there is no need to refer to them again. Since the last Council session, however, the Members of the Council have been informed, in a letter from the International Association of Journalists accredited to the League, of a typical case in which some progress might be made. It is the question of direct telegraphic communications between Geneva and London. The Council is certainly not in a position, at any rate at present, to form an opinion on the technical aspect of this question; it is, however, better qualified than anyone to realise the extreme international importance of prompt transmission to the press in distant countries of information on League debates. From this point

of view, very rapid communication between Geneva and London is of the greatest international importance, since London is one of the largest retransmission centres of news for America and the Far East. The Council will certainly wish to ask the Secretary-General to forward the letter from the International Association of Journalists accredited to the League of Nations to the Organisation for Communications and Transit, requesting that Organisation to make every effort to reach a quick solution of the question raised in the letter - a question which appears to be of great importance not only for the press but for the public and for the general circulation of League information.

The resolutions before us are numerous and varied. All of them deserve consideration with a view to further action because all of them mark an effort towards mutual understanding and co-operation which the Council will certainly wish to recognise, and all of them suggest improvements in the vast field of technical international press problems which it is right and proper that the Council should support with its full authority. The points referred to in these resolutions are: A wider and stricter application of the International Convention concerning postal subscriptions to newspapers; more efficient and more reliable protection of press news; greater facilities to journalists, while respecting their independence and freedom of criticism; the problem of censorship in peace-time; importance of regional press agreements; condemnation of tendentious news and an appeal to the Press "to prepare the way for moral disarmament."

In most cases the resolutions themselves indicate the kind of action which the Conference desires the Council to take. Certain of the resolutions are addressed through the Council to Governments; others contain recommendations or appeals addressed to the press itself by the Conference - the most representative and best qualified Conference for dealing with these questions that has ever met.

I would propose that this grouping of the Conference resolutions should be maintained and that the Council should make the following declaration and adopt the following resolutions:

## I. Declaration

The Council has been glad to note that the Conference was able to adopt unanimously a considerable number of resolutions which in its opinion give proof of work for the maintenance of peace and the development of international co-operation, which are the aims of the League of Nations; this work should help the press to play its important part in international life. It considers that the putting into effect of these resolutions would in a large measure reduce the possibilities of misunderstanding between the peoples, as the Sixth Assembly itself suggested when it invited the Council to consider the desirability of summoning the Conference of Press Experts.

The Council therefore considers it of the greatest importance that the competent organs and authorities (Governments, press bureaux) and press organisations should take these resolutions into most serious consideration.

## II. RESOLUTIONS

### 1) Subscription to newspapers through the post office.

The Council decides to forward the resolution of the Conference to the Governments.

2) Protection of Press News. The Council, considering that it cannot in the existing circumstances take immediate steps towards the conclusion of an international agreement, which the debates of the Conference itself show to be premature, decides to call the attention of the Governments to the resolution concerning protection of press news and to ask them to inform the Secretary-General what action they think could be taken.

3) Professional facilities for journalists. The Council decides to forward to the Governments the preamble of the resolutions concerning professional facilities for journalists.



together with the resolutions on travel tours, schools, scholarships for journalists, double taxation of journalists living abroad, reductions of railway fares, equality of treatment for Foreign journalists, facilities for enquiry afforded to foreign journalists.

It instructs the Secretary-General to draw the attention of the Governments to these resolutions and to invite them to inform the Secretariat of the action which they intend to take thereon.

4) Repressive measures against Foreign journalists. The Council decides to forward for the information of the Governments the resolution concerning repressive measures against foreign journalists (adopted by 29 votes against 15 and 8 abstentions).

5) Censorship in peace-time. The Council decides to forward to the Governments the resolution on censorship in peacetime and to draw their attention to the five recommendations with regard to the treatment of press telegrams.

6) Miscellaneous Resolutions. The Council decides to take note of the resolutions dealing with the publication or distribution of tendentious news, establishment in newspapers of a special column for the League of Nations, courses for journalists at Geneva, regional press understandings, moral disarmament

It expresses the hope that if the opportunity occurs for a further Conference of Press Experts the Press Organisations to which the Secretary-General has forwarded the Conference's resolutions will inform him of the action they have taken on this group of resolutions.

7) The Council requests the Secretary-General to study the question of the right of reply in the event of a further Conference of Press Experts.

8) The Council instructs the Secretary-General to forward to the Organisation for Communications and Transit the letter from the International Association of Journalists, accredited to the

League of Nations with regard to direct telegraphic communications between Geneva and London, together with an extract from the report to the Council on this question. The Council draws the attention of the Organisation for Communications and Transit to the general importance which it attaches to a rapid solution of this problem and requests the Transit Organisation to have it examined as soon as possible by experts from the countries concerned.

[Distributed to the Council and  
the Members of the League.]

**C. 231. M. 93.** 1927  
[Conf. E. P. I.]

Geneva, May 11th, 1927.

**LEAGUE OF NATIONS**

**CONFERENCE OF PRESS EXPERTS**

(Geneva, August 24th, 1927)

---

**Preparatory Documents.**

---

## TABLE OF CONTENTS

---

	Pages
PROVISIONAL AGENDA . . . . .	5
INTRODUCTION . . . . .	6
ANALYSIS OF THE QUESTIONS ON THE AGENDA . . . . .	8
 ANNEXES:	
(a) Report on the Work of the Committee of News Agencies, August 19th-21st, 1926.	16
(b) Report adopted by the Committee of Directors of Press Bureaux, October 28th-30th, 1926 . . . . .	18
(c) Summary of Replies to the Questionnaire prepared by the Committee of Directors of Press Bureaux . . . . .	20
(d) Report of the Committee of Journalists, January 24th-26th, 1927 . . . . .	28
(e) Report of the Belgian Representative on the Council, March 7th, 1927 . . . . .	30

---

## PROVISIONAL AGENDA.

---

- I. PRESS RATES:
    - A. Telegraph.
    - B. Telephone.
    - C. Wireless Telegraph.
    - D. Wireless Telephone.
  - II. CODING OF PRESS MESSAGES.
  - III. IMPROVEMENT OF COMMUNICATIONS.
  - IV. TRANSPORT OF NEWSPAPERS.
  - V. POSTAL SUBSCRIPTIONS TO NEWSPAPERS.
  - VI. PROTECTION OF NEWS.
  - VII. PROFESSIONAL FACILITIES FOR JOURNALISTS:
    - A. Travel Tours.
    - B. Schools for Journalists.
    - C. Scholarships for Journalists.
    - D. Double Taxation of Journalists living Abroad.
    - E. Reductions of Steamship and Railway Fares.
    - F. Passport Visas for Journalists.
    - G. Identity Cards for Journalists.
    - H. Repressive Measures against Foreign Journalists (Expulsion).
    - I. Equality of Treatment for Foreign Journalists.
    - J. Facilities for Enquiry afforded to Journalists.
  - VIII. CENSORSHIP IN PEACE-TIME.
  - IX. INFORMATION ON THE LATEST TECHNICAL IMPROVEMENTS OF INTEREST TO THE PRESS  
(Wireless Telephony, Television, etc.).
-

## INTRODUCTION.

---

The Conference of Press Experts originated in a resolution adopted by the Assembly of the League of Nations in September 1925, which the Council proceeded to carry into effect by consulting various Press interests and arranging for preparatory work to be done by a number of Committees.

To facilitate the work of those taking part in this Conference, which the Council has summoned for August 24th, 1927, it is perhaps desirable to recall its origin and object and to give a brief outline of the preparatory work which has enabled the Conference to be convened.

### ORIGIN AND OBJECT.

At the Sixth Ordinary Session of the Assembly of the League of Nations (1925), M. YANEZ, the delegate of Chile, submitted a proposal on September 16th asking the Council to consider the desirability of summoning a Committee of Experts representing the Press in different continents in order:

- (1) To enquire into means of ensuring more rapid and less costly transmission of Press news with a view to reducing the risks of international misunderstanding;
- (2) To discuss all technical problems the solution of which, in the opinion of experts, would be conducive to the tranquillisation of public opinion in various countries.

The view which the Assembly took of the proposal and the meaning and scope which it ascribed to it are shown in the report submitted to the Assembly on September 25th, 1925, by the Belgian representative, M. Paul HYMANS.

M. Hymans explained that, in undertaking this task, the League of Nations was not attempting to organise propaganda:

" The Chilian proposal is undoubtedly a bold one. The Press, like all great Powers, is rightly jealous of its independence. We must therefore approach the vast and delicate problem raised by this resolution with great circumspection. I wish to make it clear at the outset that the League of Nations does not wish to interfere in the affairs of the Press, and will only interest itself in them if the journalists themselves consider that its assistance would be valuable. "

Having made these reservations, M. Hymans outlined the procedure to be followed:

" It [the resolution] proposes that the Assembly should invite the Council to consider the desirability of convening a Committee of Experts representing the Press of the different continents. It will therefore be for the Council to decide at the start whether it is willing to deal with the question. If it does so, its task in the next few months, according to the procedure proposed, will merely be to prepare for a meeting of carefully selected experts. When these meet, they will be absolutely free to express their opinion on the advisability of giving further effect to your proposal and on the best method of doing so. "

Lastly, the Rapporteur clearly defined the part to be played by the League in this connection:

" In certain cases the League of Nations can undoubtedly do a great deal to assist co-operation between the Governments and the Press. Although an aggregate of private enterprises, the Press is frequently obliged to have recourse to various Government services. For example, it depends in a large measure on the Governments for the transmission of news by telegraph, telephone, cable and radiotelegraph; it also depends in every country on the national legislation in all questions connected with authors' rights, transport rates, etc. In directions like these, the friendly assistance of the League of Nations might often be of great value. "

The Assembly unanimously adopted M. Hymans' report.

Thus approved in principle by the Assembly, the proposal was discussed by the Council on September 26th, 1925. The Council considered it advisable, as a first step, to enquire of the interests concerned whether such a meeting was opportune and accordingly instructed the Secretary-General of the League to organise this consultation.

#### PREPARATORY WORK.

During the winter of 1925-26, the Secretary-General, in accordance with the Council's decision, started a comprehensive enquiry. Press groups belonging to some thirty different countries made known their views. A number of them added to their replies concrete suggestions for the programme of work, which served as a basis for a provisional agenda.

At its meeting in March 1926, the Council of the League, after having examined the replies received, decided that the summoning of a committee of experts was opportune.

The programme of work then remained to be established. The Council entrusted this duty to the Secretary-General, asking him to enlist the co-operation of those interested, and suggesting, as a means of so doing, that several preparatory committees, composed of persons connected with the different sections of the Press, such as directors of the telegraph agencies, heads of Press bureaux and journalists, should meet at Geneva.

The first of these preparatory meetings summoned by the Council took place in August 1926 and consisted of representatives of sixteen large agencies in America, Asia and Europe. It drew up a series of recommendations, dealing chiefly with rates for Press communications, the improvement of communications and the protection of property rights in Press news.

In October 1926, the Secretary-General invited the directors of sixteen European Press bureaux to meet at Geneva. After a general discussion of the questions on the agenda — such as tariffs for the transmission of telegraph and telephone news, news copyrights and facilities given to journalists — the Committee drew up a questionnaire with the object of collecting more detailed information on these different points. The replies to this questionnaire constitute a general report on these problems in Europe.

Finally, in January 1927, a number of journalists, chosen among those obliged by their profession to live abroad or travel frequently, met at Geneva at the invitation of the Secretary-General. They drew up recommendations regarding the facilities which they considered necessary for their work. Their report was subsequently forwarded to a large number of foreign Press associations in different countries.

After this last meeting, the preparatory work could be considered at an end.

Technical problems of an international character concerning the Press to which attention had not been drawn during this general consultation of the Press organisations had been examined from different points of view by the three committees.

For the programme of the Conference, all that was necessary was to draw up an agenda based on the results of this preparatory work.

In these circumstances, the Council, in March 1927, decided to summon the Conference of Press Experts for August 24th at Geneva. It appointed Lord BURNHAM as President and laid down the procedure to be followed by its Rapporteur (M. VANDERVELDE, of Belgium), in consultation with the Secretary-General, for selecting the members of the Conference.

Any resolutions which may be adopted by the Conference of Press Experts for international improvements regarding methods of news transmission and measures for assisting journalists in the discharge of their duties will be communicated to the Council, which may, through the technical organisations of the League, secure the methodical examination of these requests and eventually recommend them to the attention of the Governments.

## ANALYSIS OF THE QUESTIONS ON THE AGENDA.

(On all the questions on the Agenda, reference should be made to the Annexes.)

### I. — Press Rates.

#### A. TELEGRAPH.

##### PRESENT POSITION.

###### (a) *International Regulations.*

The International Telegraph Service is subject to the rules framed on the basis of the International Telegraph Convention of St. Petersburg. The present regulations were drawn up at a Conference of Telegraph Administrations held at Paris in 1925. The next Conference of Telegraph Administrations will be held in 1930. At present the revision of the St. Petersburg Convention by a conference of plenipotentiaries is not contemplated.

In accordance with these regulations, Press telegrams:

- (1) Are accorded, day and night, a reduction of 50 per cent in Europe and at least 50 per cent elsewhere;
- (2) Are not accorded any priority, as they are treated, both as regards transmission and delivery, on the same footing as ordinary private telegrams.
- (3) There are no special urgency rules for Press telegrams as such: if a journalist wishes to send an urgent telegram he must send it as a private urgent telegram and consequently pay the triple private rate.

###### (b) *Improvements already introduced by Certain Governments for Communications within Their Frontiers.*

Certain countries, for instance Italy and Czechoslovakia, give priority to Press telegrams over private telegrams. The same is the case for Press telegrams sent on the Franco-Algerian and Franco-Tunisian cables. In Greece, wireless Press messages for internal communications are given priority over private messages. In Roumania, there is a special law giving telegrams of the Rador Agency priority immediately after Government messages.

##### REQUESTS BY THE PRESS RESULTING FROM THE PREPARATORY WORK.

From the discussions of the *Committee of News Agencies* and from information supplied by the *Directors of Press Bureaux* the following suggestions arise:

###### (a) *Priority for Press Telegrams.*

For the purpose of international communications, Press telegrams should be given priority over ordinary private telegrams.

###### (b) *Urgent Press Telegrams.*

For the purpose of international communications, a category of telegrams known as urgent Press should be established at triple rates compared with ordinary Press telegrams, and urgent Press telegrams should have priority over urgent private telegrams.

###### (c) *Long-Distance Communications.*

In view of the excessively high rates that prevail for long-distance Press communications, the Governments concerned should be specially invited to take steps to facilitate the reduction of tariffs for such Press communications by cable, by wire or by wireless.

###### (d) *Regional Telegraphic Understandings.*

Regional telegraphic understandings might be established between neighbouring countries, taking as an example understandings of this kind concluded between the Scandinavian and between the Baltic States, establishing internal service rates for their communications with each other.



## B. TELEPHONE.

### PRESENT POSITION.

#### (a) *International Regulations.*

The International Telephone Service, like the Telegraph Service, is governed by the latest Regulations drawn up by the Paris Conference in 1925. According to these regulations, Press telephone conversations, newspapers and agencies enjoy merely the reductions and facilities available to the public generally (reduction of rates during the night conversations by subscription at certain fixed hours).

#### (b) *Improvements for Internal Conversations already introduced by Certain Governments.*

The telephone administrations of most countries have granted appreciable advantages to the Press for internal conversations in the shape either of priority without increase of rates or a substantial reduction of existing rates.

The following countries have granted important reductions on the normal rate for Press telephone conversations:

**DENMARK:** Reduction of 50 per cent for ordinary or urgent Press conversations.

**ESTONIA:** Reduction of 50 per cent for Press conversations.

**FINLAND:** Reduction of 25 per cent during the day, and 50 per cent during the night.

**GERMANY:** Urgent Press conversations are charged the ordinary private conversations rate.

**GREECE:** Reduction of 87.5 per cent.

**HUNGARY:** Reduction of 75 per cent between 7 p.m. and 8 a.m.

**LATVIA:** Reduction of 50 per cent.

**LITHUANIA:** Reduction of 50 per cent.

**NORWAY:** Reduction of 50 per cent during the night for ordinary and urgent conversations.

**POLAND:** Reduction of 50 per cent from 6 p.m. to 9 a.m.

**ROUMANIA:** Reduction of 50 per cent from 1 p.m. to 2 p.m. and from 6 p.m. to 8 a.m.

**KINGDOM OF THE SERBS, CROATS AND SLOVENES:** Reduction of 50 per cent.

**CZECHOSLOVAKIA:** Reduction of 50 per cent between 8 p.m. and 7 a.m., with priority over ordinary conversations.

For the purpose of international communications, before the new regulations (revised at Paris in 1925) came into force, the telephone services of certain States had concluded bilateral agreements granting to the Press of their respective countries the same facilities as those already existing in their internal services.

### REQUESTS BY THE PRESS.

The *Committee of News Agencies* proposed the establishment of an urgent Press telephone service which would pay one and a-half times the ordinary rates. This rate would be applied to both national and international traffic, and urgent Press telephone conversations would rank in order of priority immediately after Government conversations and before ordinary private communications.

The Director of the Polish Press Bureau, in his reply to the questionnaire of the *Committee of Directors of Press Bureaux*, announced that the postal and telegraph services of his country were ready to adopt a reduction of 50 per cent for international telephone conversations if other countries agreed.

From this preparatory work, the following considerations therefore arise:

The establishment for international conversations:

- (1) Of a reduction of 50 per cent on current rates, with priority for Press communications over ordinary private conversations.
- (2) Of a reduction of 50 per cent on urgent rates, with priority for urgent Press communications over urgent private conversations.

\* \* \*

The *Committee of News Agencies* points out in its report that in certain cases the amount charged for international telephone communications in accordance with the existing international rate is greater than what would result from adding the national rates of the countries through which the communication passes. Thus, for instance, a call from Geneva to Berlin might be more expensive than a call from Geneva to Loerrach and from Loerrach to Berlin.

It was the opinion of the Committee that a readjustment of tariffs in these special cases was desirable.

An agreement of this sort existed notably between Austria, Hungary, the Kingdom of the Serbs, Croats and Slovenes and Poland. The bringing into force of the International Regulations of 1925 had the effect of abolishing these Press arrangements, which enjoyed a reduction of rates and priority during certain hours. The Austrian journalists consider the abolition of these facilities exceedingly harmful to the Press, both from a material and moral point of view, and urge the re-establishment of certain special communications between these countries.

At the present time the Press is under the general regime established by the regulation of 1925, which provides for a reduction during the hours of light traffic (in most cases between 9 p.m. and 8 a.m.). The Austrian Press Bureau points out, however, that for telephonic conversations with Hungary and Czechoslovakia during the hours of light traffic the Press is favoured by the fact that ordinary Press conversations have priority over ordinary private conversations, and that urgent Press conversations have priority over urgent private conversations. The Press Bureau of the Kingdom of the Serbs, Croats and Slovenes points out that by a special agreement between that country and Roumania the Press enjoys a special reduction of 50 per cent during both day and night.

### C. WIRELESS TELEGRAPHY.

As identical rates have been adopted for telegraphy and wireless telegraphy, no special request has been made by the Preparatory Committee concerning the rates charged for wireless telegraph messages.

### D. WIRELESS TELEPHONY.

As wireless telephony has as yet only slight practical value for the Press except in a very small number of countries, the reports of the Preparatory Committees make no specific request on this point.

## II. — Coding of Press Messages.

### PRESENT SITUATION.

#### (a) *International Regulations.*

According to the International Regulations drawn up at the Paris Conference of 1925, Press telegrams must not be coded (Article 66).

#### (b) *Improvements already introduced by certain Governments.*

Certain countries (Austria, Czechoslovakia, Roumania, Switzerland) allow Press telegrams to be sent in code provided the code has been communicated in advance to the Telegraph Service and that its object is not to shorten the telegram.

The Telegraph Services of certain countries (*e.g.*, France) allow the introduction by the senders of a certain number of code words in a despatch, provided they obtain special authorisation for telegrams sent to a number of addresses by wireless. The number of code words must not exceed a tenth of the number of words charged, and the number of words in the telegram must not be diminished by the substitution of a code word for a word in clear.

The same rule obtains for Press telegrams sent by cable.

### REQUESTS BY THE PRESS ARISING FROM THE PREPARATORY WORK.

The *Committee of News Agencies* voted a resolution inviting demonstrations of the telegraph administrations in order to prevent the utilisation by non-authorised persons of Press news sent by wireless, to allow the Press to use an appropriate code, in whole or in part, at the ordinary Press rates, for the sending of Press news by wireless on the understanding that the code be communicated in advance to the Telegraph Administrations.

### III. — Improvement of Communications.

#### (a) COMMUNICATIONS OUTSIDE EUROPE.

The proceedings of the Preparatory Committees have not indicated any measures for the improvement of communications by wireless telegraph and telephone with regard to non-European countries.

#### (b) EUROPEAN COMMUNICATIONS.

In Europe, according to the information received, the western countries seem in general to possess satisfactory wireless telegraph and telephonic communications.

On the other hand, communications in Central and Eastern Europe are stated to be defective in many respects.

*GREECE and BULGARIA* have no telephonic communication with other countries.

*ROUMANIA* has telephonic communication only with Belgrade, although the cable to Sofia still exists.

*HUNGARY* is still inadequately equipped, although certain improvements have recently been made.

*CZECHOSLOVAKIA* is not connected by telephone with Eastern Europe. The *BALTIC COUNTRIES* draw attention to the unsatisfactory nature of their telephone communications with Germany, Poland, etc.

*FINLAND* has no telephonic communication with the Scandinavian States.

As regards communications by wireless, *GREECE* has no such communication, either for Press or private purposes, with other countries. *BULGARIA* and *ROUMANIA* draw attention to the difficulties they experience in obtaining communications by wireless with Western Europe.

A further note on possible reports for improvement will ultimately be communicated by the Transit and Communications Section of the League Secretariat.

### IV. — Transport of Newspapers.

A special note will be submitted later.

### V. — Postal Subscriptions to Newspapers.

The international side of this matter is governed by the terms of the Stockholm Convention of 1924 concerning subscriptions to newspapers and periodical publications. The object of this convention is to enable persons desiring to subscribe to papers published in any of the contracting countries to use the post offices for this purpose on payment of a sum which in principle must not be higher than that charged to subscribers within the country supplying the paper except in certain cases with the addition of certain expenses. The criteria for these expenses are the frequency of publication and the average weight of the paper in question; the rates are in any case considerably lower than the postal rates for sending the same papers through the mails.

This Convention has not been adopted by all countries.

### VI. — The Protection of News.

In view of the particular importance of this question, the Preparatory Committees asked the Secretariat of the League to prepare a memorandum which will be submitted later.

### VII. — Professional Facilities for Journalists.

Two declarations by the Preparatory Committees explain the spirit in which the requests for professional facilities are made;

(1) " Although journalists as a body are extremely grateful for any attention or courtesy shown them in pursuit of their calling, they are nevertheless of the opinion that they can only effectively contribute towards the cause of objective truth, and thus to the promotion of better international understanding, by strictly safeguarding their professional dignity

and independence. All favours, therefore, the acceptance of which might in any degree whatsoever enfeeble this independence, should, in the Committee's opinion, be firmly rejected.

“ On the other hand, their profession involves such great responsibilities that the Committee feels justified in claiming for journalists as a right the means to enable them to carry out their mission of information both abroad and at home, conscientiously and with the maximum facilities.

“ Thus what they ask for are not *favours*, but certain improvements which would enable them to present their information to the public with the greatest possible accuracy and speed.”

(Report of the Committee of Journalists-January 1927.)

(2) “ The Committee of News Agencies expresses its solidarity and fraternal sympathy with all journalists and utters the wish that they may receive from the various Governments the greatest possible facilities for the accomplishment of their work abroad.”

(Resolution of the Committee of News Agencies-August 1926.)

## A. TRAVEL TOURS.

### PRESENT POSITION.

In general, travel tours are organised by associations of journalists with the assistance of the Governments.

### REQUESTS BY THE PRESS.

The *Committee of Journalists*, while stating that it was only moderately favourable to group excursions by journalists in foreign countries, recognised that in certain cases, if these journeys are organised for a disinterested purpose and are under the control of professional organisations, they present a decided interest.

## B. SCHOOLS FOR JOURNALISTS.

Schools for journalists or special courses for journalists exist in a certain number of countries.

## C. SCHOLARSHIPS FOR JOURNALISTS.

A large number of countries have established scholarships to enable journalists to travel abroad and to study political and social conditions in neighbouring or distant countries (see the summary of the replies to the questionnaire of the Committee of Directors of the Press Bureaux).

The *Committee of Journalists* stated that it was in favour of the establishment of study or travel scholarships for writers on foreign affairs or for young people who intend to take up a journalistic career.

## D. DOUBLE TAXATION OF JOURNALISTS LIVING ABROAD.

This question is part of the general problem of double taxation which has been studied during the last few years by a Committee of the League of Nations. The results of this work, in the form of draft texts for bilateral conventions, will be communicated to the Council at its session of June 1927, in order subsequently, and if approved, to be sent to the Governments of the States Members of the League of Nations.

The *Committee of Journalists* associated itself with the request made by the Czechoslovak Press Association that journalists should not be subject to double taxation in their country of origin and in foreign countries where they are residing for the moment.

## E. REDUCTIONS OF STEAMSHIP AND RAILWAY FARES.

### PRESENT POSITION.

In a certain number of countries, the railway and steamship companies issue tickets at considerably reduced prices to journalists of the nationality of the country concerned. The same privileges are extended to foreign journalists who are duly recommended, generally on a reciprocal basis.

### REQUESTS BY THE PRESS.

#### *Resolution of the Committee of Journalists.*

"The Committee considers it desirable that, in countries where this practice exists, foreign journalists, giving proof of their profession, should be entitled to reductions of railway rates equivalent to those granted to nationals."

## F. PASSPORT VISAS FOR JOURNALISTS.

In a very large number of countries, the passports of foreign journalists are vised free of charge.

#### *Resolution of the Committee of Journalists.*

"It is absolutely necessary for a journalist to be able to move about rapidly, in case of necessity, in order to arrive on the spot without losing valuable time at frontiers, and to be able, with the least possible delay, to follow the vicissitudes of any event.

"At the present time, although a great number of countries have abolished the formality of passport visas — a frequent source of delay — others still maintain it. The Committee considers that journalists on giving proof of their profession should invariably be exempted from visa formalities."

## G. IDENTITY CARDS FOR JOURNALISTS.

### (a) *International Regulations.*

According to the terms of the Regulations for International Communications contained in the Annex to the St. Petersburg Telegraphic Convention revised at Paris in 1925, Press telegrams are accepted for sending only when the sender produces a special card issued and delivered to correspondents of newspapers, periodical publications or authorised agencies by administrations of countries in which these cards are used. Nevertheless the presentation of this card is not compulsory if the administration of the sending country decides otherwise.

(1) The *Committee of Journalists*, in its report, suggested the establishment of a uniform card delivered by the Universal Postal Union to journalists travelling abroad. This card should entitle the bearer, without further formalities, to Press rates on telegraphic, telephonic and wireless communications in all countries members of the Union.

(2) The same Committee suggested also a single document establishing identity of such standing as to enable the bearer to overcome all the obstacles that a foreign journalist may encounter in the execution of his duties.

This document recommending the bearer to the authorities of the various countries should, in order to obtain from them for the accomplishment of his task — so far as possible — the maximum facilities granted to national journalists, be issued by the Foreign Ministry of the journalist's (or his paper's) country of origin on the written request of the director or editor-in-chief of his paper and, if necessary, accompanied by the recommendation of the professional organisation to which the journalist belongs.

This document should be valid for one year and be renewable.

**PRESENT POSITION.**

**REQUESTS BY THE PRESS.**

The report points out that this official document would be an advantage not only for the journalist but also for the Governments, since it would prevent the latter from being imposed upon by so-called special correspondents who are mere impostors and who do not hesitate to ask for all sorts of favours.

On these two points a note will subsequently be communicated to the Conference by the competent section of the General Secretariat.

**H. REPRESSIVE MEASURES AGAINST FOREIGN JOURNALISTS (EXPULSION).**

The *Committee of Journalists* associated itself with a suggestion that a decree of expulsion made against a foreign journalist for some professional fault should be preceded by investigation of the matter by a committee of journalists.

**I. EQUALITY OF TREATMENT FOR FOREIGN JOURNALISTS.**

The *Committee of News Agencies* has expressed the desire that Governments which direct or operate telegraphic or telephonic systems, or cables or wireless telegraph or wireless telephone stations, should grant all news agencies, their correspondents, and the correspondents of newspapers equal facilities in respect of transmission of messages without any priority.

The *Committee of Journalists* declared that absolute equality of treatment should be observed in the distribution of official news to all journalists and agencies.

**J. FACILITIES FOR ENQUIRY AFFORDED TO JOURNALISTS.**

The *Committee of Journalists* expressed the wish that journalists should be able, on the production of an official document, to obtain from the Directors of official Press Bureaux or from the local authorities the same facilities as those accorded to journalists of the country concerned.

**VIII. — Censorship in Peace-Time.**

The *Committee of News Agencies* drew the attention of Governments to its earnest conviction that the interests of both Governments and the Press are best served by the abolition of censorship in time of peace. Censorship, while hindering the work of the Press, is

**PRESENT POSITION.**

**REQUESTS BY THE PRESS.**

most injurious to the countries in which it is maintained, because it does not prevent false or misleading despatches being sent across frontiers, or the invention of news by persons hostile to a Government maintaining a censorship.

The *Committee of Journalists* expressed the view that, so long as peace-time censorship, contrary to the principle of the liberty of the Press, still exists in any country, journalists must claim the following minimum guarantees:

- (1) That telegrams submitted for censorship should be examined by specialists and despatched with the greatest promptitude possible;
- (2) That journalists should be informed in advance of the instructions given to these specialists so as to enable them to make their own dispositions;
- (3) That they should be informed of the passages suppressed in their despatches as well as of any exceptional delay in transmission, and that they should be given the option of sending or withholding the message thus censored or delayed;
- (4) That transmission charges paid in advance on telegrams which are subsequently censored or delayed should be refunded in proportion to the number of words suppressed;
- (5) That complete equality of treatment should be granted all journalists without exception.

**IX. — Information on the Latest Technical Improvements of Interest to the Press (Wireless Telephony, Television, etc.).**

The results of the preparatory work indicate that recent progress in wireless telegraphy, telephony and photography may lead to important developments in the transmission of news.

As the question of news transmission was one of the points which the Assembly of the League of Nations had in mind when it received favourably the proposal to summon a Conference of Press Experts, the members of this Conference may perhaps find it useful to take this opportunity of pointing out the most important technical improvements realised in this direction and the consequences which might result from them for the Press.

---

## ANNEXES.

### (a) REPORT ON THE WORK OF THE COMMITTEE OF NEWS AGENCIES.

Geneva, August 31st, 1926.

The Committee of News Agencies met at Geneva in the Secretariat of the League of Nations from August 19th to 21st and held five plenary meetings.

M. MEYNOT (Havas Agency) was elected Chairman. It was decided to set up a liaison committee with the League Secretariat composed of M. Roy HOWARD (United Press), President; M. R. LUDI (Swiss Telegraphic Agency), Vice-President; M. A. GLARNER (Exchange Telegraph); and M. MEYNOT (Havas Agency).

Having examined, in a general discussion, all the points on the agenda, the Committee appointed two sub-committees to prepare draft resolutions, which were finally accepted in full session by the Committee.

The task of the Committee as defined by the resolution of the Council of the League of Nations dated June 10th, 1926, was to furnish the Council, from the point of view of the agencies, with indications for the establishment of a programme of work which might eventually be considered by the future Committee of Press Experts. Accordingly, the Committee of News Agencies drew up and adopted the attached resolutions. It requested the Secretary-General of the League of Nations to be good enough to communicate them to all the Press organisations with which the Secretariat had been in contact in the course of its enquiry, and to submit them ultimately to the future Committee of Press Experts. The Committee also stated that it would be glad if the Secretary-General could meanwhile submit, for the study of competent sections of the Secretariat, such of the resolutions as required a thorough technical examination.

\* \* \*

#### RESOLUTIONS UNANIMOUSLY ADOPTED BY THE COMMITTEE.

##### 1. *Tariffs and Improvement of Press Communications.*

The Committee of News Agencies expresses the conviction that it would be to the general interest to provide for the dissemination of Press news in the speediest manner possible and at reasonable rates.

The telegraph and telephone administrations should therefore be requested:

- (a) (1) To reserve for the service of the Press fixed hours not only by night but also by day for telegraphic and telephonic communications, wireless or otherwise;
- (2) To charge the customary Press rates for this service.
- (b) To allow the Press, in order to prevent unauthorised use of Press news sent by wireless, to make use, at the customary Press rates, of a suitable code for all or part of Press news sent by wireless. This code would be communicated beforehand to the postal, telegraph and telephone administrations.
- (c) To create a telegraphic and telephonic service, known as "Urgent Press", for which one and a-half times the ordinary Press rate would be charged. The telegraphic and telephonic communications of this service would come immediately after Governmental telegrams and telephone calls, and before urgent private communications. The rates for this service would apply to national and international communications.
- (d) The Committee expresses its great satisfaction at the efforts made by the various administrations to establish a special telephone system for long-distance communications. It expresses the wish that the construction of these lines may be carried out with the utmost rapidity.
- The Committee has been informed that in certain cases the international tariff applied to international telephone communications considerably exceeds that which would result from combining the national tariffs of the countries concerned. This question, which the Committee has not been in a position to consider, would seem to merit a more thorough study.
- (e) As the tariffs for long-distance Press communications are excessively high, the Governments concerned should be specially invited to take steps to facilitate the reduction of tariffs for such Press communications by cable, by wire, or by wireless.



2. *Facilities for Journalists.*

The Committee of News Agencies expresses its solidarity and fraternal sympathy with all journalists and utters the wish that they may receive from the various Governments the greatest possible facilities for the accomplishment of their work abroad.

3. *Equal Treatment.*

The Committee of News Agencies expresses the desire that Governments which direct or operate telegraphic or telephonic systems, or cables, or wireless telegraph or wireless telephone stations should grant all news agencies, their correspondents, and the correspondents of newspapers equal facilities in respect of transmission of messages, without any priority.

4. *Censorship in Time of Peace.*

The Committee of News Agencies desires to call the attention of Governments to its earnest conviction that the interests of both Governments and the Press are best served by the abolition of censorship in time of peace. This censorship, while hindering the work of the Press, is most injurious to the countries in which it is maintained, because it does not prevent false or misleading despatches being sent across frontiers or the invention of news by persons hostile to a Government maintaining a censorship.

5. *Resolutions concerning Property Right in Press News.*

The Committee of News Agencies earnestly trusts that the following resolutions will eventually be communicated by the League of Nations to the Governments of the various States, inviting them to introduce as promptly as possible into their legislation stipulations which meet the wishes expressed in these resolutions.

*Resolution A. — Concerning the Protection of Property Right in Press News.*

The Committee of News Agencies:

Considering, on the one hand: (1) that the question of property right in news has not yet been internationally settled, and (2) that in some countries property right in news is protected to such an extent that even after publication in a newspaper a third party cannot reproduce it or make use of it in any way whatever without authorisation;

While in other countries news is only protected until it becomes public property through the sale of a news-sheet or paper;

And while in yet other countries this form of property right does not appear to be recognised;

Considering, on the other hand, that various international conferences have not thought it possible to place news, in the strict sense of the word, on the same footing as a literary work unless such news has a personal character, but that the act of obtaining, collecting and presenting news to the public constituted a personal effort of organisation and a labour which ought to be protected;

Has adopted the following resolutions:

(1) It is desirable that endeavours should be made to secure an international understanding for the unification of legislation in the matter of property in news on the basis of the following principles: all news obtained by a newspaper or news agency, whatever its form or content and whatever the method by which it has been transmitted, shall be regarded as the property of such newspaper or agency for as long as it retains its commercial value.

(2) In particular, it is desirable that the next Conference of the International Union for the Protection of Industrial Property should undertake the revision of the Paris-Washington International Convention of 1883-1911 for the protection of industrial property, and should consider an amendment with a view to extending to the unauthorised use of Press news, the provisions of Article 10 (b), suppressing and penalising unfair competition, and with a view to including among the acts of unfair competition cited as examples, the reproduction and use, for purposes of gain, commercial, economic, financial and general news.

(3) The Committee of News Agencies considers that official news emanating from Governments of State institutions cannot be made the subject of any exclusiveness; on the other hand, all information obtained through the private initiative of newspapers or agencies must be considered as private property within the terms of the resolution.

*Resolution B. — Concerning the Copyright of Press News transmitted by Wireless Telegraph or Wireless Telephone.*

The Committee of News Agencies submits the following statement:

Legislation concerning the copyright of news transmitted by wireless telegraph or wireless telephone has not in all countries been adapted to the extremely rapid development of wireless telegraphy and telephony. Whereas in some countries very definite regulations have been issued

concerning the use of wireless receiving stations, in others the picking-up of wireless news is more or less easy owing to the absence of regulations or penalties for illegitimate picking-up.

This state of affairs has led to confusion in the organisation of wireless news services, which has had an unfortunate effect on the exchange of all kinds of information between various countries — an exchange which is so useful a factor in the system of international co-operation and understanding of which the League of Nations is the expression.

The Committee of News Agencies therefore hopes the League of Nations will be able to support it in this matter. It asks it to take steps with the various Governments and Administrations concerned in order to introduce, as soon as possible, into legislation public regulations concerning the establishment of receiving stations (regulations concerning licences, etc.) the following clause:

“ A licence for a wireless receiving station gives only the right to receive despatches from the public broadcasting stations (wireless concerts, lectures, weather news, exchange and stock exchange news, the time of day, news of the day, etc.) and despatches from trial stations. It is forbidden to holders of such licences to pick up wireless telegrams or messages of any kind whatever, or Press or economic messages, the reception of which is allowed only to subscribers of such services. If communications of this kind are unwittingly received, they should neither be reproduced in writing nor communicated to a third person nor used for any purpose whatever. The use for commercial purposes of news, etc., issued by a public broadcasting station is forbidden.”

This stipulation should be supported by a penalty modelled, for example, on that in force in a Central European State, which provides that cases coming under the above stipulation should be punished by imprisonment of from eight days to three months for the mere fact of picking-up and fourteen days' to six months' imprisonment for the publication of news thus picked up, or for its use to the detriment of the person to whom it is actually destined.

**(b) REPORT ADOPTED BY THE COMMITTEE OF DIRECTORS OF PRESS BUREAUX.**

October 29th, 1926.

In reply to the invitation which the Secretary-General of the League of Nations addressed to them on October 7th, 1926, the Directors of the Government Press Bureaux of Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Estonia, Finland, Greece, Hungary, Latvia, Norway, Netherlands, Poland, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Sweden, and, in the capacity of observer, the Secretary of the Lithuanian delegation to the League of Nations, met in the League Secretariat at Geneva to discuss questions to be submitted to a future Committee of Press Experts — questions which, from the technical point of view, were of special interest to the above-mentioned countries.

The Committee elected as Chairman M. GRABOWSKI, Director of the Polish Press Bureau, and as Vice-Chairmen, M. HENRIKSSON, Director of the Swedish Press Bureau, and M. LUDWIG, Director of the Austrian Press Bureau.

After laying down its procedure and adopting its agenda, the Committee appointed as members of its Agenda Committee M. BIHMANS, Director of the Latvian Press Bureau, and M. DIANO, Director of the Roumanian Press Bureau.

As a basis of discussion, it took the opinions which had been expressed by Press organisations, by representatives of international agencies, and by journalists personally.

The Committee examined successively all the questions which, in its opinion, seemed to merit the attention of the future Committee of Experts which the Council of the League proposed to convene.

The Directors of the Press Bureaux described the existing conditions in their countries with regard to:

- (1) Telegraph and telephone rates;
- (2) Property rights for Press news;
- (3) Facilities accorded to journalists;
- (4) Professional associations of journalists;
- (5) Various other questions.

This exchange of views showed that various mutual arrangements had already been concluded between the Press of several countries in regard to some of the questions under discussion (arrangements such as those in the Baltic and Scandinavian countries, the countries of the Little Entente, those between the Polish-Roumanian Press and the Polish-Czech Press). The Committee was of the opinion that these arrangements, which had hitherto been confined to certain regions in Europe, should be extended to other countries and finally be made the object of an international arrangement.

The main points elicited in the course of the general discussion were as follows:

1. There was a great difference in technical facilities for Press communications in different parts of Europe. In some countries, communications had been developed as widely as modern technical progress permitted, and the Directors of the Press Bureaux in these countries had but few improvements to suggest.

On the other hand, in certain other parts of Europe, communications were much inferior to what might be expected in the existing state of technical knowledge. One of the Directors made interesting statements as to the technical difficulties which the Press of certain countries encountered in the attempt to obtain for their readers information regarding the rest of Europe.

In some countries, indications were given of a high development of means of communication, and in some other countries encouraging improvements were reported. The importance of perfecting the means of communication throughout Europe could hardly be over-emphasised.

2. The general discussion further showed that most countries were in the habit of granting special privileges to foreign correspondents to facilitate their work. This practice was widely adopted in several countries and included free visas, special reductions or free passes on railways, etc. The opinion was expressed in several quarters that it would be difficult to go any further in this direction unless there were a commensurate improvement in the organisation of journalists. Several of the Directors of the Press Bureaux asserted that their work was facilitated when dealing with members of professional associations of journalists.

3. The members of the Committee expressed their conviction that it would be a great advantage to them all to meet in this manner and to maintain their personal relations. It was the general opinion that the contact established on this occasion between the Directors of the Press Bureaux of various European countries should be maintained, so that the exchange of views which had taken place at Geneva and which had been so profitable to them all might be continued in some form or other in the future.

In order to give more detailed examination to the problems submitted to it, the Committee broke up into three sub-committees. These sub-committees were instructed to draw up a questionnaire for the purpose of obtaining thoroughly detailed information with regard to tariffs, the improvement of Press communications, and professional facilities for journalists. The replies to this questionnaire will be sent by the Directors of the Press Bureaux who have taken part in the conference with as little delay as possible, and in any case before January 1st, 1927. In this way the Secretary-General of the League will be in a position to establish for the future Committee of Press Experts a survey of existing conditions in certain countries with regard to technical problems of interest to the Press, and to indicate the improvement which, from the point of view of the Directors of Press Bureaux, it would be desirable to make in existing conditions.

#### Appendix.

### VARIOUS RECOMMENDATIONS PRESENTED AFTER ADOPTION OF THE REPORT.

#### I. RECOMMENDATION PRESENTED BY M. BIHLMANS, *Director of the Latvian Press Bureau.*

The meeting of Directors of Press Bureaux recommends the conclusion between neighbouring States of conventions on the basis of reciprocity, according to Press messages of the signatory countries, the minimum tariff (that is, the internal tariff).

It further recommends the conclusion, *on the same basis, of analogous conventions* between groups of already organised neighbouring States (for instance, the conclusion of a convention between the Baltic, the Scandinavian, and the Petite Entente groups, etc.).

#### 2. RECOMMENDATION BY M. DIANO, *Director of the Roumanian Press Bureau.*

The meeting of the Directors of the Press Bureaux recommends that the regional agreements concluded, by direct negotiation between the Press of certain countries (Petite Entente de la Presse, Polish-Czechoslovak Press Entente, Baltic Press Entente, Scandinavian Press Entente) should be generally adopted and that the said groups should come to an agreement among themselves (for example, the conclusion of a convention between the Baltic and Scandinavian groups) in order to establish an international Press statute based on the same principles.

On their part, the Press Bureaux will do all in their power to enable their journalists to conclude such agreements.

The meeting further expressed the desire that the regional organisations may communicate to one another the principles of their constitution.

3. RECOMMENDATION PRESENTED BY M. BIHLMANS, *Director of the Latvian Press Bureau.*

The meeting of Directors of Press Bureaux recommends that a centre of documentation should be created in the Information Section which should collect from newspapers and periodicals of all the States Members of the League of Nations the following data: names of the paper, the proprietor or director and principal contributors; address of the paper; list of professional associations of journalists in each country, with the name of the Chairman and the address of the association. This information should be embodied in a publication to appear at least once a year.

4. RECOMMENDATION PRESENTED BY M. MILEC, *Chief of the Czech Press Bureau at Geneva.*

The meeting of Directors of Press Bureaux recommends that Governments should found travelling and study scholarships for foreign journalists. These scholarships should be the object of a special reciprocal arrangement between States. They may be granted by the Foreign Ministry, by the Ministry of Education, or by any other organisation.

5. RECOMMENDATION PRESENTED BY M. OLECHOWSKI, *of the Polish Press Bureau.*

A file of newspaper cuttings shall be constituted by each member present at the meeting upon return to his respective country. This file, containing all the telegrams and articles relating to the debates and questions discussed at the meeting, shall be sent to the Secretariat and to the other members of the meeting.

6. RECOMMENDATION SUBMITTED BY M. DIANO, *Director of the Roumanian Press Bureau.*

Before dispersing, the meeting of the Directors of Press Bureaux sends its greetings to the Press of the world, in whose service it considers itself to be working, assuring it that, in the work the Press has to do for the organisation of peace, it may count upon the wholehearted co-operation of the Directors.

(c) SUMMARY OF REPLIES TO THE QUESTIONNAIRE PREPARED  
BY THE COMMITTEE OF DIRECTORS OF PRESS BUREAUX.

(OCTOBER 1926.)

I. — PRESS RATES.

A. TELEGRAPH.

(a) *What Reductions are granted the Press on Ordinary Rates ?*

1. *For Foreign Communications.*

In accordance with the International Telegraphic Convention of St. Petersburg (revised regulations drawn up at Paris 1925), a Press telegram that is not urgent and has no priority is allowed a reduction of 50 per cent over ordinary rates in Europe and at least 50 per cent for communications outside Europe. Urgent Press telegrams are not allowed any reduction or privilege.

As a result of certain local agreements, for instance, between Sweden, Norway and Denmark, or between Estonia, Lithuania and Latvia, the telegraph rates for internal purposes and the reduction of 50 per cent for the Press are sometimes extended to a group of countries.

2. *For Internal Communications.*

Press telegrams which are not urgent and which have no priority are allowed a reduction over ordinary rates of at least 50 per cent in most countries.

(b) *Are one or more News Agencies given Special Privileges, and, if so, in what do they consist?*

The regulations covering international communications make no distinction between despatches of news agencies and Press despatches in general.

In GERMANY, special reductions are accorded to agencies which employ for the transmission of their telegrams certain technical processes which facilitate the work of the Telegraphic Administration.

## B. WIRELESS TELEGRAPH.

*Does the Press enjoy the Same Privileges for Wireless as it does for Telegrams ?*

In international communications, the rates for wireless telegraphy are governed by the same rules as applied to rates for messages by wire. The same appears to be the case for internal communications.

## C. TELEPHONE.

*(a) What are the Reductions granted to the Press on Ordinary Rates ?*

In international communications the Press is not allowed any reduction on ordinary rates.

However, as a result of local agreements between certain neighbouring States, such, for instance, as those between Estonia, Finland and Latvia, a reduction of rates of 50 per cent is allowed to newspapers and agencies for communications among these countries and between the Kingdom of the Serbs, Croats and Slovenes and Roumania.

• Attention should be drawn to the fact that the Polish Press Bureau declares in its reply that the Polish Telephone Service is prepared to allow the Press a reduction of 50 per cent on international rates on condition of reciprocity.

As regards internal telephone communications, the telephone services of certain countries have adopted different methods to give facilities to the Press. Sometimes they authorise consecutive conversations at certain times, sometimes they allow substantial reductions of rates during certain hours, sometimes they give priority without any increase of rates. A common factor of these different regulations is the necessity felt by most of the telephone services to allow the Press special facilities for internal communications, whereas existing international agreements do not allow for similar facilities for communications between countries.

**AUSTRIA:** The Austrian Telephone Administration has established two kinds of conversation for the Press:

- (1) What are known as newspaper conversations enjoy a reduction of 50 per cent, provided a monthly subscription of at least 50 units is taken. These conversations are confined to the hours of 9 p.m. to 8 a.m.
- (2) So-called Press conversations are not given any reduction on ordinary rates, but are given priority over private conversations from 6 a.m. to 9 a.m., from 12 noon to 3.30 p.m. and from 6 p.m. to 9 p.m.

As a result of special agreements with Hungary and Czechoslovakia, Press conversations with these countries are given priority over ordinary private conversations from 9 p.m. to 8 a.m. and urgent Press conversations are given priority over urgent private conversations.

For communications with Germany, there are only urgent Press conversations with priority over other urgent private conversations during the regulation hours (6 a.m. to 9 a.m., 12 noon to 2.30 p.m., 6 p.m. to 9 p.m.).

**BELGIUM:** The Press is given priority over ordinary communications without an increase of rates for both internal and foreign communications.

**BULGARIA:** Has no telephone communication with other countries. No reduction given to the Press on internal rates.

**CZECHOSLOVAKIA:** Priority is given the Press without an increase in rates between 8 p.m. and 7 a.m. (see Austria).

**DENMARK:** Reduction of 50 per cent over ordinary rates for ordinary and urgent internal communications. A reduction for subscribers, for Press conversations with Sweden and Norway, of 50 per cent (from 7 p.m. to 9 a.m. with a minimum of two periods of three minutes each of conversation) and even of 80 per cent (from 11 p.m. to 7 a.m. with a minimum of five periods of conversation).

**ESTONIA:** Reduction on ordinary rates of 50 per cent for newspapers and agencies for conversations with Finland and Latvia.

**FINLAND:** Reduction on internal rates for the Press of 25 per cent during the day and 50 per cent during the night.

**FRANCE:** No reduction is allowed the Press on ordinary rates.

**GERMANY:** In the internal service, urgent Press conversations are charged the rate for ordinary private conversations, and are also accorded priority over urgent private conversations.

For Press communications with Danzig, the German Administration applies the internal service rates. For communications with Austria, see Austria.

**GREAT BRITAIN:** No special reduction for the Press.

**GREECE:** No telephonic communication with other countries. For internal communications a reduction of 87½ per cent for newspapers and agencies (seven-eighths of the ordinary rate).

**HUNGARY:** A reduction on ordinary internal rates of 75 per cent during the hours when traffic is slack (7 p.m. to 8 a.m.). The reductions allowed for international Press conversations have been abolished since November 1st, 1926, as the result of the bringing into force of the new international regulations.

**ITALY:** A reduction on ordinary internal rates of 10, 20 and 30 per cent according to the time during the day, provided communications take place at times previously fixed; reduction during the night of 40, 50 and 60 per cent according to the time.

**LATVIA:** From 9 p.m. to 8 a.m. the Press and Agencies are granted a reduction of 50 per cent.

**LITHUANIA:** A reduction of 50 per cent for internal and foreign communications.

**NORWAY:** The Press is given a reduction on internal rates of 50 per cent from 9 p.m. to 9 a.m. Urgent Press conversations are charged at triple rates over ordinary Press conversations. A regional agreement with Sweden and Denmark gives the Press certain privileges in the form of subscribers' Press conversations (see Denmark).

**THE NETHERLANDS:** No special privilege for the Press.

**POLAND:** The Press is granted a reduction of 50 per cent over ordinary internal rates from 6 p.m. to 9 a.m.

**ROUMANIA:** A reduction is granted the Press of 50 per cent on ordinary internal rates between 1 and 2 p.m. and between 6 p.m. and 8 a.m.

**KINGDOM OF THE SERBS, CROATS AND SLOVENES:** Reduction of 50 per cent over ordinary internal rates.

**SWEDEN:** No special rates for the Press, but facilities for consecutive conversations at certain times. For communications with Norway and Denmark, see Denmark.

**SWITZERLAND:** No special rates for the Press.

During the Assembly and important Conferences of the League of Nations, the Swiss Telegraphic Administration treats ordinary Press telegrams handed in at Geneva as urgent telegrams, without payment of the triple rate.

#### D. WIRELESS TELEPHONE.

The Press as yet uses the wireless telephone only to a very limited extent. In countries where it does employ this means of communication, such as Great Britain, no reduction of rates is allowed.

## II. — PRIORITY.

### (a) For Press Telegrams.

For international communications, no priority is given to Press telegrams addressed to or coming from abroad. Such telegrams are classed with ordinary private telegrams both as regards despatch and delivery.

In internal communications, certain countries give priority to Press telegrams. This is the case in Italy and Czechoslovakia. Similar privileges are given to Press telegrams on the Franco-Algerian and Franco-Tunisian cables. In Greece, wireless Press messages for internal communications are given priority over private communications. In Roumania, by a special law, telegrams of the Rador Agency have priority immediately after State telegrams.

### (b) For Press Telephone Communications.

For international communications there is no priority given to Press conversations. As an exceptional case, however, the Swiss Telephone Administration accords to the Press at Geneva during the Assembly and important Conferences of the League of Nations priority over private conversations with Germany, Austria, Belgium, France, Great Britain, Holland, Italy and Czechoslovakia.

Between Germany and Austria, also, priority is accorded to urgent Press conversations over urgent private conversations, while, by an arrangement concluded between Austria on the one hand and Hungary and Czechoslovakia on the other, ordinary Press conversations between 9 p.m. and 8 a.m. have priority over ordinary private conversations, and during the same hours urgent Press conversations have priority over urgent private conversations.

For internal communications, certain countries allow the Press telephonic priority within their frontiers. In Czechoslovakia, Press communications are given priority over ordinary communications during the night. In Belgium, the Press is given priority day and night over private conversations. Similarly, in Poland, the Press is given telephonic priority on certain conditions for internal communications. In Germany, urgent Press conversations have priority over urgent private conversations.

### III. — CODING OF PRESS MESSAGES.

*Are news agencies and journalists authorised in your country to use a suitable code in whole or in part for telegrams sent at special Press rates, provided the code has been previously communicated to the Telegraphic Administration ?*

By the terms of the Regulations governing international communications based on the International Convention of St. Petersburg and revised at Paris in 1925, Press telegrams (Article 66) should be sent in French or in one of the languages indicated by the sending or receiving country. A telegram which has been even partly coded cannot, therefore, be classed as a Press telegram, and therefore cannot enjoy the reduction of 50 per cent over ordinary rates.

The result is that Press telegrams, as such, cannot be coded in most countries, namely, in Sweden, Greece, Poland, Belgium, the Netherlands, Estonia, Bulgaria, Lithuania, Latvia, Switzerland, Italy, Hungary, Finland, etc.

Nevertheless, a few countries accept Press telegrams in code on certain conditions. In Roumania, Press telegrams in code are accepted when the code has been previously communicated to the telegraphic administration. In Austria, partial coding is allowed provided the text is not abbreviated. In Denmark, it is used for certain kinds of communications; for instance, for operations on the Stock Exchange and wireless messages. In Czechoslovakia, coding is allowed although the Government retains the right to forbid it in exceptional circumstances.

In France, telegrams sent to several addresses by wireless may, when the senders have obtained special permission, include a few words of code in the text so as to make them unintelligible to other than the addressees, without it being possible to consider them as sent in a secret language. But the number of code words must not exceed one-tenth of the number of words taxed, and the number of words in the telegram must not be diminished by the substitution of a code word for a word in clear. In order to provide means of checking, the original of the telegrams filed at the sending station must contain the translation of the code words used.

### IV. — DESPATCH OF NEWSPAPERS.

*Are the newspaper offices of your country allowed to send their papers, through the mails or otherwise, by all trains ? Is the sending by trains de luxe, expresses or otherwise subject to the payment of a higher charge ?*

The replies, while pointing out some defects in detail, make no precise suggestions for improvement.

### V. — NEWSPAPER SUBSCRIPTIONS THROUGH THE POST.

*It is possible in your country to subscribe to newspapers through the post, and if so, what are the amounts charged by the postal administration ?*

Most countries are familiar with subscription to newspapers and periodicals through the post (the Stockholm Convention of August 28th, 1924).

### VI. — IMPROVEMENT OF COMMUNICATIONS.

The replies received from Western European countries show that telegraphic, wireless, and telephonic communications are considered to be fairly satisfactory. On the other hand, certain requests for improvement have been made from Central and Eastern Europe.

**BULGARIA:** No telephone communications with other countries. Wireless telegraph communications leave much to be desired.

**CZECHOSLOVAKIA:** No telephone communications with Eastern Europe.

**FINLAND:** Telephonic communication with Sweden would be desirable.

**GREECE:** No telephone communication with other countries.  
No Press or private communication by wireless with other countries.

**HUNGARY:** The telegraphic communications, and, above all, communications by telephone with other countries are insufficient.

**ROUMANIA:** Only telephone communication with other countries that is working is that with Belgrade.  
Communications by wireless telegraph with Western Europe are difficult.

## VII. — PROTECTION OF NEWS.

*Are there legislative measures or customs in your country that govern copyright in Press news as well as Press communications by telegraph, wireless and wireless telephone?*

**AUSTRIA:** At the present moment, neither literary nor professional property rights in news that has not yet appeared in a newspaper are sufficiently protected by law. The receiving of news for publication by wireless telephone is allowed only if the receiver proves that he is authorised to publish the news received.

**BELGIUM:** No.

**BULGARIA:** The copyright law allowed foreign news to be reproduced only 18 hours after it has been published and on condition that publication is accompanied by a note indicating the source.

**CZECHOSLOVAKIA:** The already existing Copyright Law will shortly be completed by an amendment.

**DENMARK:** The Danish Copyright and Artistic Rights Law (April 1st, 1912) allows a newspaper or a correspondent to secure for himself the sole right of reproducing his articles, telegrams or news. The fact that reproduction is forbidden is generally indicated by the words "Reproduction forbidden", at the head of the article or telegram, or column of foreign despatches. The journalists of Copenhagen state that this injunction is always respected.

There is a measure of protection for Press news received by wireless or wireless telephone, for the licence granting the right to set up a receiving apparatus includes an injunction against reproducing news when the sender has reserved the sole right of reproduction. Nevertheless, this protection, which extends also to communications from abroad, is not absolutely effective.

**ESTONIA:** Copyright in Press news does not exist in Estonia.

As regards communications by wireless telegraph or telephone, the decree of the Ministry of Ways and Communications (*Official Journal*, No. 61/1926) distinguishes between receiving apparatus for Press news and economic communications and receiving apparatus for general communications that have been broadcast. Press news and economic communications may be received by Press bureaux and by the institutions and persons concerned in conformity with the international conventions and regulations in force and by special authorisation of the postal administration. On the other hand, receiving apparatus for general communications may be utilised only for listening in to speeches, musical programmes and general communications whose publication has been authorised. The owners of receiving apparatus of this sort are forbidden to listen in to foreign communications. Press news and economic information that is sent to an address, to communicate such information to other persons and to use it in their own interests or in the interests of third persons.

**FINLAND:** A draft law on copyright recently put before the Diet contains certain provisions for forbidding the reproduction during a period of 24 hours after their reception of news from abroad contained either in special despatches of wireless messages.

**FRANCE:** No.

**GERMANY:** There is no special law for the protection of copyright in news. At the same time, legislation on unfair competition in commercial matters, constitutes a certain degree of protection in this respect.

**GREAT BRITAIN:** There is no special law for the protection of copyright in news. Nevertheless, it would appear that English common law enables any flagrant abuses to be dealt with more or less effectively.

**HUNGARY:** As regards the protection of copyright in Press news, the legislative measures and customs of Hungary distinguish between three kinds of cases:



- (1) Press news in the form of a communication by letter, telegram or telephone addressed to a person definitely indicated;
- (2) Press news that has been issued, collected and reproduced in order to be inserted in newspapers and news agency sheets;
- (3) Press news published in the newspapers.

Legal provisions to protect copyright in Press news in accordance with the type of case may be summed up as follows:

1. Press news sent by letter or telegram to a person or editorial office definitely indicated comes under the law of Letter or Telegraphic Service until this information is published and is protected against illegitimate acquisition and use by paragraphs 200, 201 and 327 of the Penal Code; in addition, whoever is guilty of the violation of these articles becomes responsible for the damage caused by his act in accordance with the stipulations of private law.

As regards Press news communicated by telephone (Telephone Secrecy) the Penal Code does not provide for any explicit penalty. On the other hand, Decree No. 3842 - 1923.B.I. of the Royal Supreme Court of Hungary, dated September 25th, 1923, expresses the legal conviction that the paragraphs mentioned above of the Penal Code apply equally to the secrecy of telephone communications. Consequently, the fact of violation of telephone secrecy may in the same way involve payment of damages in accordance with private law.

- If letters, telegrams or telephone communications, containing Press news are not only acquired in an illegal manner but, further, reproduced and circulated, such Press news may be protected by the Law of 1921/LIV concerning copyright so far as such news constitutes a work that comes under the protection granted by the copyright law.

According to the provisions of this law, the multiplication, publication or putting into circulation of a work without the authorisation of the author constitutes a usurpation of the rights of the author and is punishable as such; moreover, publications illegally produced may be seized and the guilty person condemned to pay damages.

2. In the case of Press news that has been received and multiplied for insertion in newspapers, illegitimate utilisation constitutes in all cases the usurpation of the rights of the author in accordance with paragraph 6 of the Law of 1921/LIV. It is above all lithographed news sheets and other forms of news bulletins that come under the protection of this copyright law.

3. The Hungarian law contains no provision explicitly forbidding the reproduction of news. On this head, paragraph 3 of Article 9 of the Law of 1921/LIV states that the reproduction of news items that have appeared in newspapers or reviews and containing mere statement of fact does not constitute an infraction of copyright.

*ITALY:* The copyright Law of November 7th, 1925, provides that newspaper articles are protected by the law — nevertheless, Article 4 states that information, news, etc., may be reproduced only if the source is quoted.

*LATVIA:* Press news is subject to the general laws concerning the secrecy of telegraphic, telephonic, etc., communications, as well as to the Civil Code (Copyright).

*LITHUANIA:* The Russian Law of March 20th, 1911, concerning copyright is still in force in Lithuania. Article 40 stipulates that "in newspapers, reviews and other periodical publications, reprinting from other periodicals of current events of the day, as well as of telegraphic and inter-urban telephonic communications, although received from special correspondents, is allowed."

"Other articles from periodical publications may be reprinted when the author has not forbidden such reproduction.

"Permanent reprinting from the same publication is forbidden.

"Inter-urban telephonic and telegraphic communications whose reproduction has been forbidden cannot be published in the local papers except after a delay of 18 hours from the time they have appeared."

This Article is of very limited application.

*THE NETHERLANDS:* There are no legal provisions aiming particularly at giving certain persons the sole rights in Press news. The same is the case with regard to Press telegraph communications. As regards the contents of wireless telegraphic and telephonic communications, Article 441 of the Penal Code tends in a certain measure to guarantee the exclusive rights in such news. In certain cases, the law punishes the publication and other acts that might lead to publication of news that has been caught on a receiving apparatus.

*NORWAY:* Articles, news and telegrams are protected by the Copyright Law. News may however, in practice be used by other newspapers when the source is indicated. Press circles in Norway are more and more inclined to think that the Copyright Law should be applied more rigidly to Press news.

*POLAND:* In 1924, the Polish Telegraph Agency tried to settle this question on the basis of a motion approved by the Allied Agencies at the Berne Conference. This motion recommends to the Governments of all countries to frame a law forbidding the reproduction of news. The text of this motion is drafted as follows: "All news obtained by a newspaper

or a news agency, whatever its form, contents and the method by which it has been communicated, should be considered as being the property of the paper or agency concerned so long as its commercial value remains."

Up to the present, no positive result has been obtained.

On the other hand, there is a Law in Poland of June 3rd, 1924, on Post, Telegraph and Telephone which formulates the measures for protecting news by wireless telegraph in the following terms: "Persons authorised to possess a private wireless telegraph or telephone apparatus are obliged to respect the secrecy of the news they may obtain and which is not addressed to them; they have not the right to make such news known except to the official authorities." In accordance with this special rule, the holders of listening licences in Poland have the right to receive only news destined for everyone, but have not in any case the right to intercept personal correspondence or correspondence addressed to news agencies (circular wireless service).

**ROUMANIA:** Up to the present there is no legal provision giving copyright to Press news. The Press Law being studied at present will contain a provision to this effect by a special Article which will give temporary copyright to Press news. The text of this provision is as follows:

"Newspapers, Press agencies or other organs of the Press will enjoy copyright on news concerning events that have taken place outside the frontiers of the country, *i.e.*, news obtained by newspapers, Press agencies or other organs of the Press which have paid the costs of transmitting such news or which have been formally conceded rights in this matter.

"The sender or other holder of such rights in Press news will enjoy copyright for 24 hours from the date of the publication by the sender or other holder of rights in such publication.

"Any person who can prove his lawful right either by a telegraphic bulletin issued by the Postal, Telegraph and Telephone Services or by some document proving that he holds a concession formally granted him by law or resulting from a contract, is authorised to take proceedings in case of violation of the present provision of the law.

"The person accused may defend himself against the action that has been taken only by the production of documents of the same nature.

"Whoever violates the provisions of the present article will be punished by a fine varying from 15,000 to 20,000 lei, besides the damages claimed by the plaintiff. In case of a repetition of the offence the fine will be doubled."

**KINGDOM OF THE SERBS, CROATS AND SLOVENES:** The question has been considered of submitting a copyright law to Parliament. However, many people are inclined to think that an international convention would be preferable.

## VIII. — PROFESSIONAL FACILITIES.

### A. TRAVEL TOURS.

1. *Are foreign tours for journalists (either individually or collectively) organised in your country? If so, in what circumstances and by whom? (By official or private bodies.)*
2. *Are there facilities (e.g., reduction of fares) granted to domestic or foreign journalists for travelling?*
3. *Are there facilities for journalists staying in the same place (for instance, reduction of hotel charges)?*
4. *To what authority must a journalist apply in order to obtain these facilities?*

Travel tours are generally organised by associations of journalists and sometimes with the help of Governments.

In several countries, railway administrations grant journalists of their own country substantial reductions of fares and sometimes even free tickets. The same facilities are accorded to foreign journalists who have been duly recommended.

Attention should be drawn to the system by which the railway administration of Sweden each year gives 10 free tickets, available throughout Sweden, on condition of reciprocity, to the German, British, French, Italian and Czechoslovak Associations of Journalists.

On the other hand, by a Press agreement between the Little Entente countries and Poland, Roumanian, Polish, Czech and Serb-Croat-Slovene journalists are given free railway tickets in these countries.

The Italian railway administration accords both Italian and foreign journalists a certain number of tickets a year at a reduction of 70 per cent.

Hardly any country grants reduced charges in hotels or health resorts.

The facilities enumerated above may be obtained according to the country either from the Press Association of the country concerned or from the Press Bureau of the Ministry of Foreign Affairs.

## B. SCHOOLS AND SCHOLARSHIPS FOR JOURNALISTS.

### 1. *Are there courses and lectures organised specially for Journalists ?*

In Lithuania, Switzerland, Finland, Germany, Sweden, Greece, Roumania, Poland, Hungary, Belgium, Estonia, Bulgaria, and the countries of the Little Entente, lectures for journalists have been organised.

### 2. *Are there in your country scholarships established either by the Government or by private organisations in order to enable journalists to make study tours abroad ?*

### 3. *Are there in your country, in the universities and other institutes of higher education, scholarships for either domestic or foreign journalists as well as for those who are preparing to become journalists ?*

**CZECHOSLOVAKIA:** The Ministry of Foreign Affairs distributes several scholarships to journalists for foreign tours for a period of from one to three months. The Ministry of Education gives scholarships for a duration of one to two months.

**DENMARK:** Every year the State grants several scholarships to journalists, of which one is to the Assembly of the League of Nations. These scholarships are distributed by the Central Committee of the Press. In addition, several Press organisations, notably the Copenhagen Federation of Journalists, grant travel scholarships to their members out of their own funds.

**ESTONIA:** Foreign study tours are organised by the Union of Estonian Journalists. The Government of the Republic subsidises the cost of such tours to the extent:

in 1923 and 1924	of 300,000 marks;
in 1925	of 600,000 marks;
in 1926	of 1,400,000 marks.

**FINLAND:** The State grants journalists annually about five scholarships of 15,000 marks for foreign tours in order to study the social and political position of various countries. Several private societies distribute further scholarships.

**LATVIA:** Journalists and writers receive scholarships for foreign tours from the State.

**NORWAY:** Public State scholarships for journalists were distributed during the period of 20 years, but have been abolished. The Norwegian Press Association distributes a few scholarships for study tours on funds supplied by private individuals. The Ministry of Education each year gives a journalist a scholarship of 4,000 crowns coming from a private donation, for a study tour abroad.

**KINGDOM OF THE SERBS, CROATS AND SLOVENES:** The State sometimes grants a scholarship to a journalist who has already acquired a certain literary reputation in order to enable him to pass six months or even a year in Great Britain, France or Germany.

**SWEDEN:** The Government has abolished the scholarships which were formerly distributed to journalists. The question of re-establishing such scholarships is being considered. Certain private scholarships still exist.

## C. FACILITIES FOR FOREIGN JOURNALISTS.

### 1. *Are there any advantages, and if so, what, enjoyed by foreign journalists in your country ?*

- In fiscal matters (for instance, exemption from rates or taxes, etc.) ?*
- In administrative questions (passports, visas, Customs) ?*
- For frequenting institutions which are of interest to journalists ?*

In fiscal matters no facilities appear to be granted to foreign journalists.

The German Press Bureau, however, points out that foreign journalists are exempt from income tax in Germany on a reciprocal basis; it adds that the reciprocity exists as between Germany and the following countries: Sweden, Italy, Turkey, Egypt and Spain.

On the other hand, most countries give free passport visas.

All countries have declared their readiness to facilitate the frequenting by journalists of institutions which are of professional interest for them.

## D. PRIORITY OF OFFICIAL NEWS.

*In what way is official news distributed in your country ? Is there any priority in this matter ?*

The reply to the second part of this question is negative in most countries. However, in certain countries, although the Government does not recognise any official priority in favour

of a particular agency, the Governmental Press Bureau communicates directly to some one agency news which, however, is not refused to journalists who may ask for it.

#### E. REPRESSIVE MEASURES AGAINST FOREIGN JOURNALISTS.

*Is there a procedure in your country for consulting a Press organisation before taking any repressive measure against a foreign journalist?*

No such procedure appears to exist in any country.

#### F. CENTRE FOR INFORMATION, INTRODUCTIONS, ETC.

*Is there a centre for supplying foreign journalists with the information, introductions, etc., that they may need for discharging their professional duties?*

According to the replies received, such requests should be addressed to the Ministry of Foreign Affairs of the country concerned.

### (d) REPORT OF THE COMMITTEE OF JOURNALISTS

January 26th, 1927.

The journalists assembled at Geneva on January 24th, 25th and 26th, 1927, on the invitation of the Secretary-General of the League of Nations to give their advice with a view to the eventual convocation of a Committee of Press Experts in accordance with the resolution of the Sixth Assembly, after having heard the reasons for the meeting explained in a speech of welcome by Sir Eric Drummond, appointed as Chairman Mr. George BERNHARD, and, taking note of the work of the Committee of News Agencies and of the Directors of Press Bureaux, as well as of the replies of the professional organisations previously consulted by the League Secretariat, drew up and unanimously adopted the following recommendations and suggestions affecting the pursuit of their profession abroad and the facilities which they consider necessary for the proper accomplishment of their calling.

\* \* \*

In the first place, they consider it essential to explain clearly what is meant by " facilities ".

Although journalists as a body are extremely grateful for any attention or courtesy shown them in pursuit of their calling, they are nevertheless of the opinion that they can only effectively contribute towards the cause of objective truth, and thus to the promotion of better international understanding, by strictly safeguarding their professional dignity and independence. All favours, therefore, the acceptance of which might in any degree whatsoever enfeeble this independence should, in the Committee's opinion, be firmly rejected.

On the other hand, their profession involves such great responsibilities that the Committee feels justified in claiming for journalists as a right the means to enable them to carry out their mission of information both abroad and at home conscientiously and with the maximum facilities.

Thus what they ask for are not *favours*, but certain improvements which would enable them to present their information to the public with the greatest possible accuracy and speed.

\* \* \*

The facilities necessary for the accomplishment of the task of a journalist whose profession takes him abroad are of three kinds: (1) Transit facilities; (2) Investigation facilities; (3) Transmission facilities.

#### (1) TRANSIT FACILITIES.

(a) *Passports — Visas.* — It is absolutely necessary for a journalist to be able to move about rapidly, in case of necessity, in order to arrive on the spot without losing valuable time at frontiers, and to be able with the least possible delay to follow the vicissitudes of any event.

At the present time, although a great number of countries have abolished the formality of passport visas — a frequent source of delay — others still maintain it. The Committee considers that journalists, on giving proof of their profession, should invariably be exempted from visa formalities.

(b) *Reduced Railway Fares.* — The Committee considers it desirable that, in countries where this practice exists, foreign journalists, giving proof of their profession, should be entitled to reductions of railway rates equivalent to those granted to nationals.

## (2) INVESTIGATION FACILITIES.

On arrival at a place where they are unknown to the authorities and to the local Police, foreign journalists encounter considerable difficulties in their efforts to obtain information.

The Committee considers that here again they should be able, by the production of credentials, to obtain from official Press Bureaux or from the local authorities the same facilities as those accorded to nationals.

## (3) TRANSMISSION FACILITIES.

It is of the greatest importance to be able to transmit messages as rapidly as possible by telegraph, telephone or wireless. In many countries there are reduced rates for the Press. In order to obtain these rates, special authorisation is necessary and this involves delay as it has to be obtained from the Postal Administration.

To obviate this difficulty, the Committee proposes the creation for journalists travelling abroad of a uniform card to be issued by the Universal Postal Union, enabling the bearer to obtain without any other formality in all countries members of the Union, Press telegraph, telephone and wireless rates. The Committee further requests, as already suggested in the report of the Committee of News Agencies, that an "urgent Press" telegraph, telephone and wireless service be established everywhere, such communications to follow immediately after State messages, and to take precedence of urgent private communications.

It insists particularly that these measures should in no way prejudice the advantages already accorded to Press communications in certain countries.

In the course of its detailed study of essential facilities for journalists in pursuit of their profession abroad, the Committee came to the conclusion that, in order to obtain any one of them, it would be necessary for the person interested to submit credentials. It therefore examined whether a *single* document might be established which would enable the bearer to overcome *all* obstacles to the accomplishment of his task.

The Committee considered, as M. Roigt had proposed, that only an official document issued by one of the highest authorities of a journalist's country of origin could answer such a requirement.

Consequently, the Committee proposes that the Secretariat of the League of Nations should study the possibility of establishing a special document certifying the profession of a journalist obliged to go abroad in the pursuit of his calling, and recommending him to the authorities of the various countries in order that he may obtain from them, for the accomplishment of his task, the maximum facilities, that is to say, as far as possible, all those granted to national journalists.

This document, which should be valid for one year and renewable, would be issued by the Foreign Ministry of the journalist's country of origin on the written request of the director or editor in chief of his paper, and, if necessary, accompanied by the recommendation of the professional organisation to which the journalist belongs.

This document, exhibited at frontiers, together with the passport, would take the place of the consular visa; it would enable the journalist to obtain from railway and shipping companies the right to reduced tariffs, in countries where such are accorded, to obtain from the Directors of official Press Bureaux or from the local authorities the usual advantages of a Press card or Police permit, and, finally, the international telephone and telegraph permit above mentioned.

The guarantees offered by this new official document would have a distinct advantage for foreign Governments, as well as for the journalist himself. It would prevent Governments from being imposed upon by so-called special correspondents who are mere impostors, and who do not hesitate to ask for all sorts of favours (expenses, free travelling, etc.), while promising articles which for obvious reasons never appear, and, on the other hand, it would prevent an authentic journalist from being taken for an impostor.

## RELATIONS WITH GOVERNMENT AUTHORITIES AND WITH PEACE-TIME CENSORSHIP.

If journalists have the right to demand certain facilities for the exercise of their profession, they also have the right to draw the attention of the Governments to certain obstacles to the free accomplishment of their task: the most important of these obstacles is censorship.

The Committee is unanimously convinced that peace-time censorship, whether exercised openly or — which is even worse — concealed, constitutes a fundamental obstacle to the normal exchange of international information, and as such renders international *rapprochement* more difficult.

In addition to the fact that, as recognised in the report elaborated by the Committee of News Agencies, censorship does not prevent the dissemination of false and tendentious information, it is particularly prejudicial to the Governments which maintain it. Consequently, journalists desire its rapid and permanent suppression.

So long, however, as, contrary to the principles of the liberty of the Press, peace-time censorship exists in any country, journalists must claim the following minimum guarantees:

- (1) That telegrams submitted for censorship should be examined by specialists and despatched with the greatest promptitude possible;
- (2) That journalists should be informed in advance of the instructions given to these specialists so as to enable them to make their own dispositions;
- (3) That they should be informed of the passages suppressed in their despatches as well as of any exceptional delay in transmission, and that they should be given the option of sending or withholding the message thus censored or delayed;
- (4) That transmission charges paid in advance on telegrams which are subsequently censored or delayed should be refunded in proportion to the number of words suppressed;
- (5) That complete equality of treatment should be granted all journalists without exception.

#### REFERENCE TO A COMMITTEE OF JOURNALISTS IN CASES OF EXPULSION. EQUALITY OF TREATMENT IN THE DISTRIBUTION OF OFFICIAL NEWS.

The Committee associates itself with the double suggestion submitted to the Secretariat by Mr. Roy HOWARD, of the United Press, according to which (1) all measures of expulsion against foreign correspondents on professional grounds should be preceded by an examination of the case by a committee of journalists, and (2) absolute equality of treatment should be observed in the distribution of official news to all journalists and agencies.

#### RECOMMENDATIONS AND SUGGESTIONS.

Such are the points on which the Committee feels it its duty to reply to the enquiry of the Secretariat of the League of Nations by these few but definite proposals which seem to it to merit attention. There are, however, other points on its agenda upon which it considers it useful to make recommendations or suggestions.

##### *Double Taxation.*

The Committee associates itself with the request of the Czechoslovak Press Association that journalists should not be subject to double taxation in their country of origin and in foreign countries where they are residing for the moment.

##### *Travel Tours of Groups of Journalists. — Study Scholarships.*

Although the Committee is only moderately favourable to group excursions in foreign countries, it recognises at the same time that in certain cases, if these journeys are organised for a disinterested purpose and are under the control of professional organisations, they present decided interest.

The Committee is also in favour of the creation of study or travel scholarships for writers on foreign affairs, or for young people who intend to take up a journalistic career and for whom these tours may be most profitable.

##### *Journalistic Property.*

The Committee is of the opinion that the study of the legal aspect of this question should be referred to the Secretariat of the League of Nations. It expresses the strong hope that a solution may be found by the unification of legislation on literary and journalistic property.

\* \* \*

Finally, before dispersing, the Committee unanimously expresses its most sincere thanks to the Secretary-General of the League of Nations and his staff for the valuable assistance they have given to those members of the Press who are obliged frequently to travel abroad, in their efforts to obtain the necessary facilities for the loyal and rapid accomplishment of their tasks.

#### (e) REPORT BY M. VANDERVELDE

*Adopted by the Council on March 7th, 1927.*

You will remember that, as a result of the proposal of the Chilean delegate, M. Yanez, regarding the summoning to Geneva of experts representing the Press of different continents, the Council asked the Secretary-General, at its session of September 26th, 1925, to organise first of all a

preliminary consultation with the Press as to whether such a meeting was opportune and as to the means of carrying out the proposal.

The reception given by the Press was such that, at our Council meeting in March 1926, we were able to record that Press groups of more than twenty-five countries had replied favourably. We then decided that a meeting of Press experts at Geneva was, in fact, opportune, and we asked the Secretary-General to proceed, in close co-operation with the Press, with the preparation of the programme of work.

In conformity with the decision of the Council in June 1926, a Committee comprising sixteen news agencies of America, Asia and Europe met at Geneva in the following August. The members of this Committee, having most thorough experience of these technical problems, drew up precise recommendations on the question of tariffs, on the improvement of communications, and on property right in news.

In October, the Secretary-General invited to Geneva the Directors of Press Bureaux of seventeen countries, having felt that these officials might give useful assistance in the preparatory work and subsequently facilitate the carrying out of the resolutions finally adopted. This Committee drafted a questionnaire the replies to which will constitute one of the essential features of the programme of work for the meeting of the Press experts.

Finally, in January 1927, with the assistance of a Committee drawn from the members of the International Association of Journalists accredited to the League of Nations, the Secretary-General has been able to collect information on the practical facilities desired by journalists living abroad or making frequent journeys abroad. Various associations of the Foreign Press have been invited to give their opinion on the very interesting and happily formulated proposals drawn up by this Committee.

To-day, gentlemen, after these three preliminary meetings, I think my colleagues will agree with the Secretary-General in considering our consultation now finished. The Press approves the idea of a Conference of Experts; it has itself, in successive meetings, drawn up a restricted but precise agenda.

It now remains for us to summon the meetings provided for in the resolution of the 1925 Assembly, to consider and complete the preparatory work which has been so carefully carried out. This Conference of Experts should be composed mainly of proprietors of newspapers — whom we are inviting for the first time to Geneva — and directors of agencies.

On the other hand, I think that it would be useful to invite also to this meeting, as assessors, representatives of the Committee of Directors of Press Bureaux, the President of the Committee of Journalists, and also, perhaps, representatives of certain international Press associations.

I would propose that this Conference be summoned at Geneva for August 24th, next; it might consist of some forty experts. In order to provide for the complete preparation and to take beforehand all measures to hasten the work and restrict the length of the meeting, I consider it would be desirable that the Council should nominate a President for the Conference during its present session. The appointment could be discussed at one of our private meetings.

The choice of experts to be invited requires long and detailed consideration. I propose that the Rapporteur, in consultation with the Secretary-General, should make the necessary nominations.

---

[Communicated to the Council  
and the Members of the League.]

**C. 352. M. 126.** 1927.  
[Conf. E. P. 2]

4

Geneva, July 8th, 1927.

LEAGUE OF NATIONS

**CONFERENCE OF PRESS EXPERTS**

Geneva, August 24th, 1927

---

**PROTECTION OF PRESS INFORMATION**

---

GENEVA 1927

<b>Publications of the League of Nations</b>
<b>GENERAL</b>
<b>1927. 5.</b>



## CONTENTS.

---

	Page
INTRODUCTION . . . . .	5
FIRST PART — DRAFT LAW:	
I. General Idea . . . . .	8
• II. Text of the Draft . . . . .	9
III. Analysis of the Draft . . . . .	10
SECOND PART — REVIEW OF LAWS ON THE PROTECTION OF PRESS INFORMATION:	
I. Western Australia, 1895 . . . . .	17
II. South Australia, 1872 . . . . .	18
III. Tasmania, 1891 . . . . .	19
IV. New Zealand, 1884 . . . . .	19
V. Union of South Africa, 1917 . . . . .	20
VI. Cape Colony, 1880 . . . . .	21
VII. Natal, 1895 . . . . .	22
VIII. Transvaal, 1902 . . . . .	23
IX. Federated Malay States, 1911 . . . . .	23
X. Ceylon, 1898 . . . . .	24
XI. Hong-Kong, 1894 . . . . .	25
XII. Straits Settlements, 1902 . . . . .	26
XIII. Iceland, 1905 . . . . .	27
XIV. Russia, 1911 . . . . .	27
XV. Bulgaria, 1921 . . . . .	27
XVI. Finland, 1927 . . . . .	28
XVII. Italy, 1925 . . . . .	28
XVIII. Roumania, 1926 . . . . .	28

---

## PROTECTION OF PRESS INFORMATION

*The Secretariat has prepared this aide-memoire in accordance with the resolutions of the Preparatory Committee of News Agencies and of the Committee of Journalists.*

### INTRODUCTION

It is only by thoroughly understanding what is meant by Press information and in what its value consists that it is possible to comprehend the necessity for the protection of such information.

Viewed from a certain standpoint, Press information is a commercial product intended for consumption on a large scale. Its cost of production is considerable and its value short-lived.

Commercial value of information.

News agencies and papers can only obtain original information by maintaining numerous home and foreign correspondents. Thus constituted, a news service demands a large contingent of persons specialised in the performance of a delicate task requiring intelligence, initiative and activity. The organisation and satisfactory working of such services require constant care on the part of the administration of the news agency or paper and is at the same time a source of considerable expenditure.

To be remunerative, Press information must be consumed on a large scale, that is, a newspaper must have a large number of readers. Only a large circulation can make publicity a really paying concern.

Press information is merchandise of an extremely perishable nature. Its entire value lies in its novelty. The few sheets of paper which cost 10 centimes or one penny in the morning when the paper appears have in the evening no value whatever beyond that of printed paper considered as raw material. Hence it is clear that the commercial value of a piece of news is considerably decreased if a newspaper which has gone to great expense to obtain it is not assured of being able to publish it before any rivals to whom such news have involuntarily been communicated.

A news agency or paper is deprived of all or part of the value of a news item which it has gone to great expense to obtain in the three following cases:

Various cases of illegal appropriation of news.

1. When news in course of transmission is intercepted by other papers. Until quite recently, this was only possible by proceedings definitely recognised as fraudulent, such as the tapping of telegraph wires or indiscretions perpetrated by post or telegraph officials. Since the general use of wireless telegraphy, however, it is possible for certain despatches to be intercepted by owners of receiving stations and communicated without complication or risk to newspapers or agencies, which have then only to reproduce them.

2. When information, having been received by the agency or paper to which it is addressed, transpires during publication owing to the indiscretion of a member of the staff.

In both cases it is possible for a rival newspaper to publish information which is not intended for it, and which it has obtained irregularly, before the newspaper to which the information is addressed.

3. When, after the publication of a newspaper, other newspapers reprint information contained in it.

In this case, the harm done is apparently not so great, but it nevertheless exists. It is certain that priority is actually enjoyed by the newspaper for which the information is intended, since it is by publication in that newspaper that other papers obtain the information. At the same time, if the reprint follows very closely upon the original publication, the profit of the better-informed paper is considerably reduced, as rival papers reproducing its information are offered for sale before the principal sale of the original publisher is terminated. In the case of information published by news agencies, it may be noted that information is frequently reproduced by rival concerns an hour after and, in some cases, less than half an hour after the original publication.

The only means of removing these abuses is to regulate the publication and reproduction of press information so as to protect the rights of any undertaking which successfully endeavours to obtain such information.

Such regulation is justified and is in the general interest.

Arguments in favour of such regulation.

It is common justice that any person should reap the benefit of his endeavours and should not run the risk of being totally or partly despoiled of the result of his work by others who would

reap where they have not sown, as is the case when certain agencies and newspapers publish information obtained by others.

It is in the general interest that the quest for information should be actively and intelligently pursued, that is, that the Press, whose object it is to inform the public, should accomplish its important task to the best of its ability. Now, the way to encourage the quest for information is to make it a matter of profit to those who are willing to undertake it and to devote to it their efforts and their capital; and the organisation of the protection of news rights with a view to eliminating the factor of insecurity, namely, the risk of its appropriation by others, would constitute a valuable means to this end.

Arguments  
against regu-  
lation.

There is some prejudice against the idea of the protection of Press information. Some are deterred by what they consider to be the principal difficulties in the way of its realisation. The annexed draft and analysis will show how such difficulties may be coped with. Others are strongly impressed by a consideration of a general kind which, if founded, would be of decisive importance, namely, that the regulation of press information would constitute an intolerable hindrance to the spread of information. This point of view is entirely erroneous, ignoring as it does two essential axioms: (1) That information cannot possibly be made the object of exclusive rights. All those who by their own resources obtain knowledge of an event are at liberty to publish it at any moment. It is the appropriation of information obtained by others that is prohibited. (2) That the rights of the lawful owner of information are of a temporary character and expire rapidly, after which the information may be reproduced by anyone. A few days or rather hours later, any paper whatever may mention an event which neither its correspondents nor its agencies have brought to its knowledge. To sum up, the public, far from losing by such regulation, would gain by being better and more promptly informed by agencies and newspapers which, secure in reaping the reward of their efforts, would have a greater incentive to accept certain risks and organise expensive news services.

Require-  
ments of the  
Press.

The problem of the protection of Press information has for a long time preoccupied Press circles, which have on various occasions endeavoured to bring about either a national or an international solution. It came before the League of Nations in autumn 1925 in the form of an enquiry undertaken by the Secretary-General, on the instructions of the Council, in order to ascertain the views of the Press associations with regard to the convocation of a conference — as proposed by the Assembly to the Council — and eventually with regard to the technical questions of an international character to be studied by such a conference.

Several replies mentioned the problem of the protection of Press information as being, in the opinion of the writers, one of the most important of those to be dealt with by the Conference of Press Experts. This was particularly the case as regards the reply of the "Agences Alliées" Association, which has been studying the question for some time at its annual meetings and has for the first time brought it before the Conference of the International Union for the Protection of Industrial Property. This association communicated to the Secretary-General a resolution, passed at its congress of June 1924, regarding the protection of press information.

The President of the Associated Press of America, Mr. Frank B. NOYES, and the President of the Board of Directors of the United Press, Mr. Roy W. HOWARD, also intimated that, in their opinion, the Conference of Press Experts should deal with this question.

In the course of the preparatory work preceding the convocation of the Conference, this problem was successively examined by the Committee of News Agencies, the Committee of Directors of Press Bureaux and the Committee of Journalists. The Committee of News Agencies gave it special consideration and drew up recommendations which bear witness to its interest in the question and its knowledge of the subject. It requested the Secretary-General to cause a study to be made by the competent sections of the Secretariat of such of its resolutions as required a thorough technical examination. The Committee of Directors of Press Bureaux expressed its desire that the Conference might solve the problem, and the Committee of Journalists requested the League of Nations Secretariat to study the legal aspect of a question whose solution it earnestly desired.

In these circumstances, the Secretary-General caused the attached memorandum to be prepared, containing:

- Part I. A draft model law establishing the protection of Press information;
- Part II. A collection of texts of laws in force and draft laws relating to the protection of Press information.

The problem of the protection of Press information might be solved by an international convention which, after being signed and ratified by the various States, would acquire force of law in their territories. It may be objected that the novelty of the question dealt with may make it difficult to secure a sufficient number of adhesions and that, consequently, the convention may remain a mere draft without practical value. Legislation  
or interna-  
tional conven-  
tion.

In these conditions, the question is whether it would not be better to endeavour, in the first place, to persuade the greatest possible number of States to introduce into their legislation measures to secure the protection of Press information. This done, the adoption of an international convention would be a simpler matter. This question will be examined by the Conference, though the draft submitted is based on the conception of protection afforded by national law.

---

## FIRST PART — DRAFT LAW.

---

### I. GENERAL IDEA.

#### A. THE PROTECTION GIVEN TO PRESS NEWS SHOULD BE DIRECT PROTECTION.

The collection and publication of news is an occupation which bears certain resemblances to other activities. This leads naturally to the idea of drawing certain analogies with a view to extending to the Press the system of protection already existing in the case of other kinds of production — for instance, the protection of literary and industrial property.

##### 1. *Literary Property.*

The author of a written work (novel, literary sketch, essay, treatise of any kind, etc.) is recognised as having a right of property in his work in consequence of which no one may reproduce it without permission. It would therefore seem that all that is necessary to give full protection to articles is the application of the regime of literary property to the newspaper.

But in practice this system would not attain its object in the case of Press news and would go too far in the case of articles.

(a) Literary, scientific or artistic writings are characterised by the form given them by the author. In fact, certain works derive all their value from form itself, and in any case the form, that is to say, in literary production, not only the order of the different parts but the very order of the words, creates the distinctive character and originality of the work.

The value of Press news, on the other hand, depends on its substance and not on its form. The manner in which it is presented may be wholly changed, but the news retains all its interest. From the point of view of literary property, however, the newspaper paragraph giving information which has already appeared elsewhere in a different form is not a reproduction.

(b) On the other hand, in the case of newspaper articles whose expression and form marks them as literary works, the regime of literary property would establish too rigid a system of protection. Articles would not be allowed to be reproduced for a very long time. It seems desirable, however, that, in the absence of any reservation to the contrary, Press articles should, after a more or less brief period of time, be allowed to be reproduced either *in extenso* or in part.

The regulations governing literary property could be applied to the Press only if they were transformed to such an extent that there would in fact be two different sets of regulations grouped under the same title. What purpose would be served by this artificial juxtaposition ?

##### 2. *Industrial Property.*

The collection of news for publication is undoubtedly a branch of industry producing with a view to sale. Could not news be given the same protection as industrial property ?

It is logically somewhat difficult to protect Press information in the way in which trade-marks and manufacturing processes are protected. The trade-mark and the manufacturing process represent original creations in respect of which the owner has exclusive and permanent rights. The case is quite different where news is concerned. News in itself cannot be the object of a monopoly; it merely consists in knowledge of an event. This event will soon be known to all, and, as far as circumstances permit, all will avail themselves of it. Nay, more: at any time anyone has the right to acquaint himself directly with the event. All that we desire to prevent is that someone should unfairly take advantage of the results of another's enquiries. If there is a right of property in news, this right is very different from industrial property.

It is true that one might very properly regard the use of information obtained by others as an act of unfair competition in the strict sense of the word, and a system of protection of press news might be built up on this idea of unfair competition. But the conception of unfair competition in the current acceptance of the phrase, so far as commercial and industrial matters are concerned, is liable to be bound up with that of industrial and commercial property. Thus article *robis* of

the Hague Convention, as revised on November 6th, 1925, after having defined as an act of unfair competition " any act of competition contrary to honest practice in industrial or commercial matters ", which might apply to reproduction of Press news unfairly obtained, says:

" In particular, the following ought to be prohibited:

" (1) Any acts of any sort likely by any means whatever to cause confusion between the products of competitors;

" (2) False allegations made in the course of business of a nature to discredit the products of a competitor. "

These ordinary applications of the conception of unfair competition have obviously nothing to do with the reproduction of Press news.

For these reasons, it would be better to organise a system of special and direct protection of press news suitably adapted to this matter, which is itself of a somewhat special character. Such protection would have a better chance of answering the particular purpose for which it is designed. An attempt to do this has been made in the attached draft, which does not claim to do more than give a preliminary outline of a solution.

## B. OBJECT OF THE DRAFT.

There are two objects: first, to ensure that the news agency and the newspaper shall reap the full advantage of their efforts, their initiative and their expenditure for the purpose of obtaining news, and, secondly, that no impediment shall be put in the way of the divulgence of news and its reproduction in as many newspapers as possible, for in such cases a system of protection would be contrary to the public interest and would not be accepted by public opinion.

The only way of simultaneously safeguarding the interests of news agencies, newspapers, etc., and those of the public would appear to be to prohibit, during a certain period of time after publication, the reproduction of the news without the authorisation of the newspaper in which it appeared.

The text of draft regulations on this subject follows below. A commentary on the articles is attached <sup>1</sup>.

## II. TEXT OF THE DRAFT.

### REGULATIONS CONCERNING THE PUBLICATION AND REPRODUCTION OF NEWS AND PRESS ARTICLES.

Agencies, newspapers and undertakings established for the purpose of collecting and distributing news have a temporary right in such news. *Article 1.*

#### CHAPTER I. — NEWS PROPER.

News includes information of any kind the value of which depends on its novelty and not on the form in which it is presented. *Article 2.*

No newspaper or news agency may publish any news without the authority of the enterprise which obtained the said news in a regular manner if it was through this enterprise that the newspaper or agency for which it was not intended gained knowledge thereof directly or indirectly during the transmission of the news or after its receipt. *Article 3. Publication of news.*

The protection of news thus provided should extend to all news transmitted from one place to another whatever be its character and method of transmission.

Nevertheless, if within . . . hours after receipt, the news has become public property in any given place, it may be freely reproduced by the newspapers of that place.

No newspaper or news agency may transmit before its publication news which has come to *Transmission of news.*

<sup>1</sup> There is one question the complexity and importance of which has been increased by the development of economic and social life, both national and international, and by the technical changes in the methods of transmission of thought, namely, that of guaranteeing the secrecy of communications by post, telegraph and telephone. This question, which is of interest to everyone by reason of its general and complex character, should be separated from that of the protection of Press news and articles. Not only might it considerably delay protection of the Press were this question to be subordinated to the establishment of a general protection of the secrecy of communications, but it would also be a mistake to endeavour to deal with the two problems concurrently. For protection of the secrecy of communications would not guarantee protection of Press news, and protection of Press news can exist without general protection of the secrecy of communications.

their knowledge and in respect of which they have no special rights. The question of reproduction is dealt with in Article 4.

Article 4.  
Reproduction.

No newspaper or news agency may reproduce news published by another newspaper before the expiry of a period of . . . . . hours from the date on which the newspaper or news agency sheet appears unless in the meantime the news has come to their knowledge through their own action.

Article 5.  
Penalties.

Failure to observe the provisions of Article 3 shall be punished by a fine of . . . . . Failure to observe the provisions of Article 4 shall be punished by a fine of . . . . ., without prejudice in either case to the civil responsibility resulting from damages and to the penal responsibility for any offence connected with the case.

Article 6.  
Proof.

In order to obtain the protection provided for in the present law, the plaintiff must prove that he possessed the information at a given moment. For that purpose, he must show the means of transmission of the news, the date of receipt, or any other circumstance of a nature to prove possession. To this end, he may produce the requisite evidence, such as postal and telegraphic documents, certificates and affidavits.

A person charged with illegal publication of news shall be exonerated if by similar evidence he can prove the origin of his information or the fact that it was published in a regular manner after the expiry of the time-limit prescribed.

Article 7.  
Abusive use  
of the right to  
take action.

A plaintiff whose claim shall be recognised as not being *bona fide*, or as frivolously made, shall be liable to a fine of . . . . ., apart from any damages which he may be sentenced to pay.

## CHAPTER II. — NEWSPAPER ARTICLES.

Article 8.

Extracts of articles, or a whole article if it does not exceed . . . . . lines, may be reproduced unaltered on condition: (1) that it has been possible to gain knowledge of the article from the newspaper after its publication or from proofs of the paper communicated by the latter; and (2) that the source of the article be stated.

Article 9.

*In extenso* reproduction of all articles shall be allowed . . . . . hours after the issue of the newspaper, with the single reservation that no alteration shall be made in the text and that the source of the article shall be stated.

Article 10.

Infringements of the provisions of Articles 8 and 9 are punishable by a fine of . . . . .

Article 11.

The present provisions shall in no way affect rights of authorship which may be claimed by authors or newspapers in virtue of existing legislation.

## III. ANALYSIS OF THE DRAFT.

### REGULATIONS CONCERNING THE PUBLICATION AND REPRODUCTION OF NEWS AND PRESS ARTICLES.

Article 1.

*Agencies, newspapers and undertakings established for the purpose of collecting and distributing news have a temporary right to such news.*

The right in question is defined in the subsequent articles, which define its practical effects. These effects are therefore independent of the general description of the right.

Some persons may prefer to speak of a "right of property in news"<sup>1</sup>. Such a description, which would add nothing to the value of the protection provided, would, in our opinion, have certain disadvantages. Its first and most serious defect is that it is not accurate. One characteristic of a right of property is that it is perpetual. If it is just possible to call a right extending over a long period, such as that of a novelist, dramatic author or musician, a right of property, it is difficult to speak of a similar right of property which lasts but a few hours or a few days.

Furthermore, it is characteristic of a right of property that it is exclusive. It is true that there may be several owners of the same article, that is, a case of joint ownership, but in such cases the co-proprietors have joint rights which they exercise together. In the case of Press news, it is

<sup>1</sup> The legislations of British Colonies which have organised a system of protection of news use the phrase "right of property". See: South Australia, June 26th, 1872; Cape Colony, July 26th, 1880; New Zealand, November 8th, 1884; Tasmania, December 23rd, 1891; Hong-Kong, December 27th, 1894; Natal, September 21st, 1895; Ceylon, December 14th, 1898; Straits Settlements, August 29th, 1902; Transvaal, December 23rd, 1902. The Roumanian draft law does the same. On the other hand, the Icelandic Law of October 20th, 1905, which deals with the same matter, contains no phrase of this kind. The Danish Law of April 1st, 1912, only refers to the right of reproduction.

conceivable that two or more agencies, through their respective correspondents, may gain knowledge of the same event. There might be three distinct rights of property over the same piece of news!

The second disadvantage in the use of the term "right of property" is that it naturally suggests the idea of measures of protection much more extensive than those which it is really desired to establish. That very fact would lead to a danger of arousing unnecessary opposition.

## CHAPTER I. — NEWS PROPER.

*News includes information of any kind the value of which depends on its novelty and not on the form in which it is presented.* Article 2.

This definition of news is given in order to distinguish news items from an article. News is the knowledge of an event which is recent or, if not recent, has not yet been divulged. The interest of the news lies in the actual fact with which it is concerned. An article, on the other hand, is characterised by its form and its contents; it represents the impressions, views and personal knowledge of its author. The protection required for news and that for articles are different, and both cannot be obtained by the same measures.

*No newspaper or news agency may publish any news without the authority of the enterprise which obtained the said news in a regular manner if it was through this enterprise that the newspaper or agency for which it was not intended gained knowledge thereof directly or indirectly during the transmission of the news or after its receipt.* Article 3.

*The protection of news thus provided should extend to all news transmitted from one place to another, whatever be its character and method of transmission.*

*Nevertheless, if within . . . hours after receipt the news has become public property in any given place, it may be freely reproduced by the newspapers of that place.*

*No newspaper or news agency may transmit before its publication news which has come to their knowledge and in respect of which they have no special rights. The right of reproduction is regulated by Article 4.*

The effects of this article are most important. It enunciates the principle that a newspaper may not publish news which has not reached it in a lawful manner.

When a publicity office or a Press agency receives information transmitted to it by its correspondents, it alone will have the right to publish that news. Should a newspaper become acquainted with that news, either through intercepting messages (which happens frequently in the case of wireless telegraphy) or by an indiscretion on the part of a postal employee or an employee of the agency for which the news was intended, that newspaper will not have the right to reproduce it. It need hardly be repeated that the agency which has received a piece of news has not a monopoly of reproduction. Agencies and newspapers which have obtained information by their own efforts will have every right to publish it or to communicate it to others for the purpose of publication.

We would draw special attention to two important points:

1. Special protection extends to all news, not only to news from abroad.

Information from abroad is the most costly to obtain and is therefore that which has the greatest need of protection. Indeed, the above-mentioned legislations of British Colonies confined their protection to news coming from abroad<sup>1</sup>.

Should this limitation be observed? As, in the larger countries at least, the collection of news within the country may require a large and costly organisation, it would seem that protection should be extended to all news whatever its origin.

2. Protection given to news that has not been published is not subject to any time-limit. It is indefinite, unlike the system adopted by the legislations of the British Colonies — with the exception of Tasmania and the Transvaal — which provide a double time-limit, a shorter one dating from the publication of the news, and another longer one dating from its receipt, so that, even if it has not been published, news ceases to be protected at the end of a certain time.

The idea on which the above-mentioned legislations are based is to promote the spread of news by encouraging the owner to publish it within a reasonable time on pain of seeing it published by another without profit to himself.

There does not seem to be much danger of Press agencies suppressing news intended for publication which they have collected at great expense. On the other hand, the fact that a certain

<sup>1</sup> Except, however, in the case of Tasmania and Natal. On the other hand, the Russian Law of March 20th, 1911, the Bulgarian Law of July 11th, 1921 (Article 40), the Roumanian Bill and the Finnish Law only refer to news coming from abroad.



time has passed since the receipt of a piece of news by the persons for whom it was intended does not seem sufficient to justify in itself the publication of that piece of news by a third party who has become acquainted with it fraudulently or by accident. Icelandic, Russian and Bulgarian law and the Roumanian and Finnish Bills agree with the present draft in only providing for one time-limit dating from the publication of the piece of news.

Nevertheless, one exception must be made to this rule that information not yet published is protected for an indefinite period. This exception concerns cases in which, after the expiry of a certain time-limit, information has been passed on from one person to another till it has become public knowledge. In that case, it would be going too far to forbid newspapers to mention an event with which a large part of the public is already acquainted.

Transmission of news.

The fourth paragraph of Article 3 forbids newspapers and news agencies to transmit before its publication news in respect of which they have no special rights.

This clause is inspired by various legislations (South Australia, Cape Colony, Natal, Ceylon, Straits) and is intended to prevent the communication and spread of news which cannot be legally published. It is thus designed to prevent breaches of the regulations forbidding publication.

The clause only concerns the publication of news which has not yet been published. In the case of possession of news already published, it cannot be reproduced before the end of a certain time-limit, as stated in Article 4, but it may be transmitted in order to allow of its reproduction in a distant place once that reproduction has become lawful.

Article 4. Reproduction.

*No newspaper or news agency may reproduce news published by another newspaper before the expiry of a period of . . . hours from the date on which the newspaper or news agency sheet appears unless in the meantime the news has come to their knowledge through their own action.*

This article forbids the reproduction by other newspapers during a certain period of news already published by one newspaper.

This is the most important provision in the draft. Indeed, the reproduction of unpublished news normally presupposes a sort of theft of information either through interception of communications or as a result of someone's imprudence or indiscretion. In such cases there are one or more persons guilty, who, according to the general principles of law, are responsible for the offence they have committed, even if it be difficult to bring such responsibility home to them.

But the reproduction of news which has appeared in another newspaper, so long as it is not expressly forbidden by law, is perfectly legal. Information which has appeared in a newspaper becomes public property as soon as it has been published, and everyone can make what use of it he thinks fit.

There can be no question of abolishing the right of reproduction of news appearing in a newspaper. Such a course would impede the spread of news, would do considerable injury to newspapers of the second and third classes, and would tend to set up in each country or district a sort of press oligarchy against which there would soon be a strong reaction of public opinion.

There are two methods of regulating the right of reproducing news without abolishing it. The first consists in obliging the newspaper reproducing the news to state the source from which it is taken, that is to say, to mention the newspaper which first published the news.

The second method of protection of published news consists in forbidding its reproduction during a certain period of time. This allows the better-informed newspaper the full benefit of its efficiency.

Two points require to be settled: (a) the duration of the time-limit; (b) the moment at which it begins.

(a) *Duration of the time-limit.* — The value of a piece of news from a journalistic point of view is not very long-lived. Sufficient protection would therefore be given to the newspaper even if it had the exclusive right of reproduction during a comparatively short period of time. The object would be to a great extent attained if a newspaper were precluded from reproducing in a midday edition news taken from the morning papers or bringing out a special edition reproducing a sensational piece of news a few hours after it had been published by the newspaper which had obtained it<sup>1</sup>.

(b) *Moment at which the time-limit begins to run.* — The moment at which the period begins is that of the issue of the newspaper publishing the piece of news. A newspaper may be said to be issued at the moment at which the first copies leave the printing-press to be put at the disposal of the public. Certain legislations, with a view to simplifying the process of calculating the periods, have classified newspapers as morning and evening papers according to whether

<sup>1</sup> The various laws and bills provide for time-limits which differ considerably in length, varying between 18 hours and 5 days. New Zealand, Russia, Bulgaria, 18 hours; South Australia, Finland and Roumanian draft law, 24 hours; Hong-Kong, 36 hours; Tasmania, Ceylon, Straits Settlements, 48 hours; Natal, Transvaal, 72 hours; Cape, 120 hours; Iceland, 5 days.

they appear before this or that hour of the day. It is then sufficient to be aware of the category into which a newspaper falls to know exactly from what moment the news it contains can be reproduced.<sup>1</sup>

Is it necessary not only to provide for a certain time-limit being observed but also to add an obligation to state the source of the information reproduced? Possibly it is not. There are two systems of protection between which we must choose; it would be going too far to adopt them both. Once a certain time has passed, the news, which has lost its novelty, has more or less become public property, the right of its original owner over it has lapsed, and there is therefore no further need of mentioning him.

The prohibition of reproduction during a certain period fixed by Article 4 automatically applies to all information published by a newspaper without the latter being required to claim its rights.

It is, however, conceivable that a different system might be adopted and that, in order to be protected, the newspaper should be compelled to put after each piece of news some such note as the following: "Rights of reproduction temporarily reserved".<sup>2</sup>

*Failure to observe the provisions of Article 3 shall be punished by a fine of . . . . Failure to observe the provisions of Article 4 shall be punished by a fine of . . . ., without prejudice in either case to the civil responsibility resulting from damages and to eventual penal responsibility for any offence connected with the case.*

Article 5.  
Penalties.

Offences against the provisions of the present law would be adequately punished by fines. Those legislations which have established protection for Press news do not provide any other penalties. The amount of the fines fixed by them varies<sup>3</sup>. The amount of these fines should be fixed according to the economic and social conditions prevailing in the country in which protection of news is established.

It is only in the case of accessory offences, such as interception of postal or telegraphic communications, that punishment by imprisonment might be justified. In such cases the offence is a much more serious one, namely, deliberate violation of the secrecy of communications. Such cases are outside the special problem of the protection of press news, within the limits of which, for both theoretical and practical reasons, we desire to remain.

It does not seem that the penalties imposed for breaches of Article 3 and Article 4 should be the same. The publication of a piece of news which has not previously been published is more serious than the premature publication of a news item before the end of the period during which reproduction is forbidden. It is not a question of an act which, although wrongful, is simple and easy to verify, namely, the pilfering of an item out of a newspaper which everyone can purchase and read, but of acts of indiscretion and sometimes of corruption, generally presupposing subtle and secret intrigues. In view of these facts, penalties should be more severe in the latter case.

*In order to obtain the protection provided for in the present law, the plaintiff must prove that he possessed the information at a given moment. For that purpose he must show the means of transmission of the news, the date of receipt, or any other circumstance of a nature to prove possession. To this end he may produce the requisite evidence, such as postal and telegraphic documents, certificates and affidavits.*

Article 6.  
Proof.

*A person charged with illegal publication of news shall be exonerated if, by similar evidence, he can prove the origin of his information or the fact that it was published in a regular manner after the expiry of the time-limit prescribed.*

This is one of the most important articles in the law, the practical value of which largely depends thereon.

The question is: On whom does the onus of proof lie? There are several possibilities. According to one system, the plaintiff would have to prove that the defendant had illegally obtained the information which he possessed. This system would have the disadvantage in most cases of rendering illusory the protection of the right to information as established by law. It would generally be extremely difficult for the plaintiff to prove that his unfair competitor had appropriated the very same information which he himself had received.

According to another system, the plaintiff has merely to prove that at a certain given moment

<sup>1</sup> New Zealand — Law of November 8th, 1884: "The time of publication of morning newspapers shall be deemed to be 8 o'clock in the forenoon, and the time of publication of evening newspapers shall be deemed to be 5 o'clock in the evening". Transvaal — Law of December 23rd, 1902: "The hour of publication of every newspaper . . . shall, unless otherwise stated therein, be deemed to be 6 a.m. on the day of publication".

<sup>2</sup> The New Zealand law requires the words "All rights of reproduction reserved". The Russian and Bulgarian laws state that news must be accompanied by a clause containing a prohibition. The Finnish law lays down that the news must be expressly placed under the protection of the law.

<sup>3</sup> In South Australia the fine varies from £10 to £100 sterling, and in New Zealand from £1 to £5 sterling. The Danish law provides for a minimum of 100 crowns and a maximum of 2,000 crowns.

he was in possession of the news in question. Once this proof has been established, should circumstances give reason to suppose that the news which the plaintiff possessed was the defendant's source of information, the latter, to prove his innocence, would have to show that the origin of the information which he published was a different one from that attributed to it by the plaintiff.

It may be objected that this system is an inquisitorial one. A newspaper which is accused of having intercepted a piece of news will be obliged to indicate its sources of information in order to prove its innocence. It is possible that these sources might not be illegal and that nevertheless the newspaper might not desire them to be known. The newspaper would have to reveal relations and contributors which it would prefer to keep secret, or else be sentenced for an offence which it had not committed. This would be a very serious disadvantage. It might perhaps be better to put up with this disadvantage in order to avoid the even greater evil of a law for the protection of news which would be in danger of remaining more or less a dead letter. But as a matter of fact this very natural apprehension is removed by the wording of Article 6, the scope of which must be properly understood. There is no intention of insisting that newspapers and news agencies, whether as plaintiffs or defendants, should make a full confession of the sources of their information. The plaintiff must prove possession of the news at a given time and no more. For that, it will very seldom be necessary for him to reveal the whole process by which that information reached him. A newspaper complains of having been deprived of a piece of news which it obtained through the indiscretion of an official or the complaisance of a politician whose name it does not desire to give. It is not at all necessary that a newspaper asking for protection should disclose the initial origin of its news. It will be sufficient for it to prove that on such a day and at such an hour one of its correspondents was in possession of the news. How will this be proved? That will depend on circumstances; a telegraphic document might constitute decisive proof. The defendant, by the same methods, might clear himself by proving previous possession of the piece of news, or, apart from any priority of time, by showing the origin of his information.

Evidently in such a dispute the plaintiff and defendant will be led to throw a certain light on their sources of information, but it will only be a very partial one. Thus, if we adopt the principle that the possession of the news at a given time is the essential point to be established, we are very far from the system of obliging the plaintiff and defendant successively to prove their right to the piece of news, which would force them to reveal the source of their information from beginning to end. This difference should be properly understood, for its practical consequences are considerable.

To sum up how the onus of proof lies :

A. The plaintiff must prove: (1) that he possessed the information at a given moment; (2) the admissibility of the hypothesis that it was through him that the defendant became acquainted with it. In each case the circumstances will have to be weighed. The mere fact that a newspaper or agency possessed certain information at a certain time would not be sufficient to render plausible the hypothesis that the other agencies or newspapers which later published that piece of news learned it from the first one.

B. The defendant, after the plaintiff has succeeded in establishing the two points mentioned above, must, in order to clear himself, prove that his information came from a source independent of the plaintiff.

Article 7.  
Abusive use  
of the right to  
take action.

*A plaintiff whose claim shall be recognised as not being bona fide, or as frivolously made, shall be liable to a fine of . . . . ., apart from any damages which he may be sentenced to pay.*

The object of this article is to prevent the abuse of the right to bring an action by enterprises practising intimidation or acting on inexcusably flimsy grounds. In such cases, the failure of the plaintiff's charge and his condemnation to pay costs could not be regarded as a sufficient penalty. Legal proceedings must be discouraged when they are of an annoying and vexatious nature, otherwise there will be danger of certain powerful and unscrupulous undertakings exercising a sort of blackmail by multiplying prosecutions or merely threatening to do so.

Naturally, Article 7 does not provide for penalties in the case of every plaintiff who fails to win his action. It only concerns a plaintiff who is not *bona fide* and who knew that the defendant was innocent or a reckless litigant who brought his action on inexcusably slight grounds.

In a case of bad faith or frivolous proceedings, the fine should be high enough to act as a strong deterrent.

## CHAPTER II. — NEWSPAPER ARTICLES.

Article 8.

*Extracts of articles or a whole article if it does not exceed . . . lines may be reproduced unaltered on condition: (1) that it has been possible to gain knowledge of the article from the newspaper after its publication or from proofs of the paper communicated by the latter; and (2) that the source of the article be stated.*

A newspaper article, as has been said above, is essentially different from a news item. It is mainly characterised by its form and by the personal touch given to it by the author and the opinions and views that he expresses. In this it resembles the literary, scientific and artistic work which is protected by the legislation on author's rights. Tales, novels, short stories, descriptions of journeys and essays may be published by a newspaper in one or more instalments instead of being published in book form. The fact that they are published by a newspaper should in no way affect the rights of the author. When he desires to have his work protected under the legislation on copyright he will still be entitled thereto (see, below, Article 9 of the draft).

But there are many newspaper articles which do not claim to be original work intended to go down to posterity, and the rights of reproduction of these works need not be reserved for the author or publisher. The object of these articles is to influence public opinion by impressing the reader as much as possible, and even seeking contradiction by an adversary. Far from being offended at seeing articles it has published reproduced in other newspapers, the paper will view such reproduction with favour, since it will be both an advertisement for it and a means of propaganda for the ideas which it is upholding.

To lay down the principle of free reproduction of Press articles, properly so called, will therefore meet the presumable wishes both of the newspaper and of the journalist (if such is not the case, the journalist can always claim author's rights) and will also serve public interests.

Such reproduction must, however, be regulated in order to avoid various abuses. One such abuse would be to reproduce a mutilated text giving an inaccurate idea of the character and meaning of the original article. This can be prevented by forbidding any alteration in the text of the article when reproduced.

A second abuse would be the almost immediate reproduction by a newspaper of important articles which have just appeared in other papers. Such a newspaper would live on the substance of others and, by taking here and there whatever it found to be the best, would be able without trouble or expense to compete most dangerously with its rivals. This can be prevented by limiting the length of the article or of extracts from the same article which can be immediately reproduced.

A third abuse would arise if the reproduction of the article could appear at the same time as the original article without the consent of the paper publishing the latter. This may be avoided by making the right of reproduction subject to the condition that the newspaper should become acquainted with the article through the journal which originally published it after the issue of this journal or by means of proofs communicated in the ordinary way. In the case of an article which has already appeared, the first rights to it are therefore guaranteed to the paper which originally published it. When proofs of the articles have been communicated by the paper, the very fact of such communication authorises reproduction.

Yet another abuse would arise if the newspaper reproducing the article did not state the source of the article or extracts which it publishes, thus, in the eyes of its readers, acquiring the credit for work which was not its own and concealing the name of the paper to which it owed its copy. To remedy this it is made compulsory to state the source of the work reproduced.

*In extenso reproduction of all articles shall be allowed thirty-six hours after the issue of the newspaper, with the single reservation that no alteration shall be made in the text and that the source of the article shall be stated.*

Article 9.

After the expiry of thirty-six hours, that is to say after the articles have lost their first novelty, the restriction on the length of the articles reproduced is abolished. A paper can then borrow whatever it thinks fit from other papers. Only two conditions, the value of which are unaltered, are kept, namely, that the text reproduced should not be altered and that the source of the article be stated.

*The infringement of the provisions of Articles 8 and 9 is punishable by a fine of . . . .*

Article 10

By Articles 8 and 9, the reproduction of articles is made dependent upon a number of conditions. Punishment might vary according to the condition or conditions which have been violated. For this reason, it would be desirable to establish a maximum and minimum, to be left to the discretion of the courts in the countries admitting this system.

*The present provisions shall in no way affect rights of authorship which may be claimed by authors or newspapers in virtue of existing legislation.*

Article 11

This provision, the value of which has been shown in the commentary on Article 8, calls for no comment.

The present law endeavours in a general way to provide fresh protection for news and Press articles. It in no way lessens the partial and special protection which already exists. It demolishes nothing; it merely constructs.

*Note.* — This draft does not claim either to regulate all the details of application of the new regime or to provide against all the difficulties which may arise in practice. It enunciates principles, and for their application it lays down sufficiently definite rules with regard to the most important points. It is not possible to do any more than this when submitting a scheme intended to apply to very different countries. It is for the various legislators to complete it and, if necessary, to adapt it to the economic and social conditions of each country. The Governments will then, if necessary, provide by decree for the details of application, and the courts will have to settle the special or exceptional cases which cannot be expressly provided for by laws or regulations.

## SECOND PART. — REVIEW OF LAWS ON THE PROTECTION OF PRESS INFORMATION

- |                                   |                                 |
|-----------------------------------|---------------------------------|
| I. WESTERN AUSTRALIA, 1895.       | X. CEYLON, 1898.                |
| II. SOUTH AUSTRALIA, 1872.        | XI. HONG-KONG, 1894.            |
| III. TASMANIA, 1891.              | XII. STRAITS SETTLEMENTS, 1902. |
| IV. NEW ZEALAND, 1884.            | XIII. ICELAND, 1905.            |
| V. UNION OF SOUTH AFRICA, 1917.   | XIV. RUSSIA, 1911.              |
| VI. CAPE COLONY, 1880.            | XV. BULGARIA, 1921.             |
| VII. NATAL, 1895.                 | XVI. FINLAND, 1926.             |
| VIII. TRANSVAAL, 1902.            | XVII. ITALY, 1925.              |
| IX. FEDERATED MALAY STATES, 1911. | XVIII. ROUMANIA, 1926.          |

*In the Second Part of this document will be found a certain number of texts of laws on the protection of Press information in various countries. This collection is not complete; it is given only for purposes of information<sup>1</sup>.*

### I. WESTERN AUSTRALIA.

*(The Copyright Act 1895, page 11.)*

ACT TO REGULATE THE LAW OF COPYRIGHT, AND FOR OTHER PURPOSES, OCTOBER 2ND, 1895.

20. (1) Whenever any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published in Western Australia any message by electric telegraph containing intelligence from any place outside Western Australia lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person or his agent thereto lawfully authorised, send by telegraph, or print, or publish, or cause to be sent by telegraph, or printed, or published, such telegram or the substance thereof or any extract therefrom until after a period of seventy-two hours from the time of such first-mentioned publication.

(2) The publication of the whole or any part of such telegram or of the substance thereof or (excepting the publication of any similar message in like manner received) of the intelligence therein contained, or any comment upon or any reference to such intelligence, shall be deemed to be a publication of the same.

(3) For the purposes of this section, the time of publication of morning papers shall be deemed to be seven o'clock in the morning, and of evening papers two o'clock in the afternoon.

21. If any person sends by telegraph, prints or publishes, or causes to be sent by telegraph, printed or published, any message, news, or intelligence, contrary to the provisions of this Act, he shall be guilty of an offence against this Act, summarily punishable, on conviction before any two or more justices of the peace, and liable to a penalty of not less than five pounds and not exceeding fifty pounds for the first offence, and of not less than twenty pounds and not exceeding one hundred pounds for every subsequent offence.

22. (1) In any prosecution under the last preceding section, the production of any document which purports to be a telegraphic message, and which contains the intelligence published in the newspaper as aforesaid, and which has been delivered to some person entitled to receive the same by a messenger, clerk, superintendent, or other proper officer of the Electric Telegraph Department, shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper is a message within the meaning of this Act.

(2) Proof that any person is, or is acting, or appears to be acting as editor, sub-editor, printer, or manager of any newspaper in which there has been any publication contrary to the provisions of this Act shall be *prima facie* evidence that such person has wilfully caused such unlawful publication.

<sup>1</sup> Further information on the same subject will be found in document C.231.M.93. (Preparatory Documents for the Conference of Press Experts), pages 24-26.

23. Every telegraphic message published under the protection of this Act shall be printed with the heading "By telegraph", or words equivalent thereto.

## II. SOUTH AUSTRALIA.

(*Law of the Associated Press*, Volume 1, page 594.)

### LAW OF SOUTH AUSTRALIA, JUNE 26TH, 1872. — AN ACT TO SECURE, IN CERTAIN CASES, THE RIGHT OF PROPERTY IN TELEGRAPHIC MESSAGES.

Whereas it is expedient to secure, in certain cases, the right of property in telegraphic messages:

Be it therefore enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province in this present Parliament assembled, as follows:

1. When any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published in the said Province, any message by electric telegraph from any place outside the Australian Colonies, lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person, or his agent thereto lawfully authorised, print or publish, or cause to be printed or published, such telegram, or the substance thereof, or any extract therefrom, until after a period of twenty-four hours from the time of such first-mentioned publication: Provided that such period shall not extend beyond thirty-six hours from the time of the receipt of such message (Sundays excepted), and the publication of the whole or any part of such telegram, or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to such intelligence, shall be deemed to be a publication of the same.

2. If any person wilfully print and publish, or cause to be printed and published, any matter contrary to the provisions of this Act, he shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to a penalty of not less than ten pounds and not exceeding one hundred pounds; and every person who is convicted a second time of any offence against this Act shall be deemed to be guilty of a misdemeanour, and, on conviction thereof, shall be liable to a penalty of not less than fifty pounds and not exceeding two hundred pounds.

3. Every telegraphic message published under the protection of this Act shall be printed with the heading, "By submarine telegraph", and shall state the day and hour of its receipt; and such statement shall be *prima facie* evidence of the time of the receipt of such message.

4. During the period of twenty-four hours hereinbefore mentioned, no intelligence protected by this Act shall be transmitted by electric telegraph to any person outside South Australia by or on behalf of any person other than the person who, under the provisions of this Act, is entitled to the exclusive use of such intelligence.

5. In any prosecution under this Act, the production of any document which purports to be a telegraphic message from some place outside the Australian Colonies, and which contains the intelligence published in the newspapers as aforesaid, and which has been delivered to some person entitled to receive the same by the proper officer of the Electric Telegraph Department, shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper is a message within the meaning of this Act: and proof that any person is, or is acting, or appears to be acting as editor, sub-editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Act shall be *prima facie* evidence that such person has wilfully caused such unlawful publication.

6. Every proceeding under this Act for acts and offences to which penalties attach shall be heard and determined in a summary way by any special magistrate or two justices of the peace for the said Province, under the provisions of an Ordinance of the Governor and Legislative Council of the said Province, No. 6 of 1850, "To facilitate the performance of duties of justices of the peace out of sessions with respect to summary convictions and orders", or of any Act hereinafter to be in force in the said Province relating to the duties of justices of the peace with respect to summary convictions and orders, and all convictions and orders may be enforced as in the said Ordinance or Act is mentioned.

7. Nothing in this Act shall extend to any document published by the Government printer, or to the report of any proceedings in either House of Parliament.

### III. TASMANIA.

*(Law of the Associated Press, Volume 1, page 598.)*

#### LAW OF TASMANIA, DECEMBER 23RD, 1891. — AN ACT TO MAKE BETTER PROVISION FOR THE PROTECTION OF COPYRIGHT IN THE CONTENTS OF NEWS-PAPERS.

Whereas it is expedient to make better provision for the protection of copyright in the contents of newspapers:

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. This Act may be cited as "The Newspaper Copyright Act 1891".
2. In this Act the word "newspaper" shall mean any newspaper printed and published in Tasmania in accordance with the provisions of the Acts of Parliament 9, George IV, Nos. 7 and 8, William IV, No. 11, and containing announcements or reports of current events or other intelligence, or comments thereon, or advertisements of any kind.
3. Every person who shall republish in any newspaper any portion of any message received by electric telegraph from any place outside or within the Colony of Tasmania, and published in any other newspaper, within forty-eight hours after the first publication thereof in the newspaper in which the matter so republished first appeared, without having the consent of the proprietor of such last-mentioned newspaper to so republish such matter, and not having any previous copyright in such matter before its publication in the newspaper in which it first appeared, shall, for every such offence, upon conviction thereof upon the information of the proprietor of the newspaper in which such matter was first published, or his attorney or agent, forfeit and pay a penalty not less than twenty pounds nor more than one hundred pounds.
4. Every information laid under this Act shall be heard and determined by and before two or more justices of the peace in the mode prescribed by the Magistrates Summary Procedure Act; and one-half of every penalty imposed hereunder shall be paid to the informant, and the other half shall be paid to the Treasurer of Tasmania and shall form part of the Consolidated Revenue Fund.

### IV. NEW ZEALAND.

*(Law of the Associated Press, Volume 1, page 609.)*

#### LAW OF NEW ZEALAND, NOVEMBER 8TH, 1884. — TELEGRAPHIC COPYRIGHT.

38. When any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published in New Zealand any telegram lawfully received by such person from any place outside the colony for publication, no other person shall, without the consent in writing of such first-mentioned person or his agent thereto lawfully authorised, print or publish, or cause to be printed or published, such telegram or the substance thereof or any extract therefrom until after the period of eighteen hours from such first-mentioned publication.

Such period shall not extend beyond twenty-four hours, or, if Sunday intervenes, beyond forty-eight hours, from the time of receipt of such telegram; and the publication of the whole or any part of such telegram, or of the substance thereof, or (excepting the publication of any similar telegram in like manner sent from the same place) of the intelligence therein contained, shall be deemed to be a publication of the same.

For the purposes of this section, the time of publication of morning newspapers shall be deemed to be eight o'clock in the forenoon, and the time of publication of evening newspapers shall be deemed to be five o'clock in the afternoon.

39. The simultaneous publication of the same telegram in two or more newspapers shall not be deemed to authorise the republication of the same in any other newspaper, without the consent in writing of one of the original receivers, as hereinbefore provided, or in case such telegram shall have been furnished to such papers by any company or association, and shall have printed above it words showing that it has been so supplied, then the written consent of such company or association.



40. Every telegram published under the protection of this part of this Act shall be printed with the heading "By electric telegraph—Copyright", and shall bear the date and hour of its receipt, and such statement shall be *prima facie* evidence of the time of receipt of such message.

41. If any person wilfully print and publish any matter contrary to the provisions of this part of this Act, he shall, on conviction thereof, be liable to a penalty of not less than one pound and not exceeding five pounds, and every such person who is convicted of any subsequent offence against the aforesaid section shall, on conviction thereof, be liable to a penalty of not less than five pounds and not exceeding twenty pounds.

But any proceedings under this part of this Act must be commenced within one month after the date of the commission of the alleged offence.

42. In any prosecution under this part of this Act, the production of any document which purports to be a telegram, and which contains the intelligence published in the newspapers as aforesaid, and which has been delivered to some person entitled to receive the same by the proper officer of the Telegraph Department, shall be *prima facie* evidence that the telegram published as hereinbefore described in any newspaper is a telegram within the meaning of this part of this Act; and proof that any person is, or is acting, or appears to be acting as editor, sub-editor or manager of any newspaper in which there has been any publication contrary to the provisions of this part of this Act shall be *prima facie* evidence that such person has wilfully caused such wrongful publication.

## V. UNION OF SOUTH AFRICA.

(Act No. 26, 1917.)

### ACT TO CONFER TEMPORARY EXCLUSIVE RIGHTS IN RESPECT OF CERTAIN TELEGRAPHIC MESSAGES RECEIVED IN THE UNION.

1. (1) Whenever any message transmitted by telegraph from any place within or outside the Union for the purpose of publication in the Union has been received at any office of the telegraph department or at any other telegraph office authorised to receive such a message, no person shall, without the written consent of the person to whom the message is addressed, or of his agent thereto lawfully authorised, print or publish the message, or the substance thereof, or any extract therefrom, until a period of seventy-two hours has elapsed from the time when the message was first published by some person entitled to so publish it. Provided that such period shall not extend beyond eighty-four hours from the time when the message was received at a telegraph office aforesaid: Provided further that bona-fide comment on such message by a weekly or monthly periodical shall not be considered an infringement of this section so long as the said comment does not appear within twelve hours after publication of the said message.

(2) For the purpose of this Act, the publication by any person of a similar message, lawfully transmitted and lawfully received by him, or the substance thereof, or any extract therefrom shall not be deemed a publication of the message described in Sub-Section (1).

2. During the period in which a message is protected under Section 1 from publication, no person shall, without the written consent of the person whose written consent is necessary under that section, transmit for purposes of publication the intelligence contained in that message or the substance thereof or any extract therefrom.

3. (1) In any prosecution under this Act, the production of any document:

- (a) Which purports to be a message transmitted by telegraph; and
- (b) Which contains the intelligence published; and
- (c) Which has been delivered to some person entitled to receive the same by an officer of the telegraph department, or by a person employed at any such other telegraph office aforesaid,

shall be *prima facie* evidence that the document is a message to which this Act applied.

(2) In any prosecution under this Act, if a message has been published in a newspaper and is printed with a heading which indicates that such a message is a telegram or has been received by telegraph and the day or date or time of its receipt is stated in the heading, that statement, together with the date of the publication of that newspaper, shall be *prima facie* evidence of the day or date or time (as the case may be) of the receipt of the publication, respectively, of the message.

(3) In any prosecution under this Act, proof that any person is or is, acting, or appears to be acting as editor, sub-editor, printer or manager of any newspaper in which there has been a publication contrary to the provisions of this Act shall be *prima facie* evidence that such person has contravened those provisions.

4. Any person who contravenes any provision of this Act shall be liable on conviction to the following penalties: in the case of a first conviction, to a fine not exceeding twenty pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding one month; and, in the case of a second or subsequent conviction, to a fine not exceeding fifty pounds, or, in default of payment, to imprisonment with or without hard labour for a period not exceeding three months.

## VI. CAPE COLONY.

(*Law of the Associated Press*, Volume 1, page 603.)

### LAW OF CAPE COLONY, JULY 26TH, 1880. — ACT TO SECURE IN CERTAIN CASES THE RIGHT OF PROPERTY IN TELEGRAPHIC MESSAGES.

Whereas it is expedient to secure in certain cases the right of property in telegraphic messages:

Be it enacted by the Governor of the Cape of Good Hope, by and with the consent of the Legislative Council and the House of Assembly thereof, as follows:

1. Whenever there shall be received at any office of the Telegraph Department any message transmitted by telegraph from any place outside the Colony of the Cape of Good Hope for the purpose of publication in any newspaper, or other printed paper within the said Colony, no person shall, without the consent in writing of the person to whom such message shall be addressed or his agent thereto lawfully authorised, print or publish, or cause to be printed or published, such telegraphic message or the substance thereof, or any extract therefrom, until after a period of one hundred and twenty hours from the time of the first publication of such message by some person entitled to publish the same: Provided that such period shall not extend beyond one hundred and thirty hours from the time of the receipt as aforesaid at such office of such message (Sundays excepted): Provided further that the publication of the whole or any part of such telegraphic message, or of the substance thereof, or (excepting the publication of any similar message in like manner sent, and lawfully received by the person publishing the same) of the intelligence therein contained, shall be deemed to be a publication thereof.

2. If any person print and publish, or cause to be printed or published, any matter contrary to the provisions of this Act, he shall, upon conviction, be liable to a penalty of not exceeding twenty pounds sterling, and every person who shall be convicted of any subsequent offence against this Act shall be liable to a penalty of not exceeding forty pounds sterling.

3. Every telegraphic message published under the protection of this Act shall be printed with the heading "By telegraph" and shall state the day and hour of its said receipt and publication respectively, and such statement shall be *prima facie* evidence of the time of the receipt and publication respectively of such message.

4. During the period of one hundred and thirty hours hereinbefore mentioned, no intelligence protected by this Act shall be transmitted by telegraph to any person by or on behalf of any person other than the person who, under the provisions of this Act, shall be entitled to the exclusive use of such intelligence, and any person contravening the provisions of this section shall, upon conviction as in the section 2 mentioned, be liable to a penalty of not exceeding twenty pounds sterling for the first offence, and not exceeding forty pounds sterling for any subsequent offence.

5. In any prosecution under this Act the production of a document which purports to be such a telegraphic message as is by this Act protected, and which purports to have been delivered to some person lawfully entitled to receive the same by the Telegraph Department, shall be *prima facie* evidence that such message is a message within the meaning of this Act.

6. Any person convicted under the provisions of this Act may, in default of the penalty imposed upon him, be imprisoned for any period not exceeding three months, unless such penalty be sooner paid.

7. This Act may be cited as the "Telegraphic Messages Copyright Act 1880".

## VII. NATAL.

(*Law of the Associated Press*, Volume 1, page 605.)

### LAW OF NATAL, SEPTEMBER 21ST, 1895, TO SECURE THE RIGHT OF PROPERTY IN TELEGRAPHIC AND OTHER MESSAGES.

Whereas it is expedient to secure the right of property in telegraphic messages:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows:

1. Whenever there shall be received at any office of the Telegraph Department any message transmitted by telegraph for the purpose of publication in any newspaper or other printed paper, printed or published within the Colony of Natal, no person or persons shall, without the consent, in writing, of the person or persons, or the proprietor or proprietors of such newspapers, to whom such message shall be addressed, or his or their agent thereto lawfully authorised, print or publish, or cause to be printed or published, such telegraphic message, or the substance thereof, or any extract therefrom, until after a period of seventy-two hours from the time of the first publication of such message by the person or persons entitled to publish the same; Provided that such period shall not extend beyond fifty hours from the time of the receipt as aforesaid at such office of such message (Sundays excepted): Provided further that the publication of the whole or any part of such telegraphic message, or of the substance thereof, or (excepting the publication of any similar message in like manner sent and lawfully received by the person or newspaper publishing the same) of the intelligence therein contained, shall be deemed to be a publication thereof.

2. If any person or persons print or publish, or cause to be printed or published, any matter contrary to the provisions of this Act, he or they shall, upon conviction, be liable to a penalty not exceeding twenty pounds sterling, and in default of payment of such fine to imprisonment for a term not exceeding three months, and any person or persons who shall be convicted of any subsequent offence against this Act shall be liable to a penalty not exceeding forty pounds sterling, and in default of payment of such fine to imprisonment for a term not exceeding six months.

3. Every telegraphic message published under the protection of this Act shall be published under the heading of "By telegraph" or "Telegrams," and the day of its despatch shall be stated, and such statement, together with date of publication, shall be *prima facie* evidence of the despatch and publication, respectively, of such message.

4. During the period of fifty hours above mentioned, no intelligence protected by this Act shall be transmitted by telegraph to any person or persons for publication by or on behalf of any person or persons, other than the proprietor or proprietors of the newspaper, who, under the provisions of this Act, shall be entitled to the exclusive use of such intelligence, and any person or persons contravening the provisions of this section shall, upon conviction, as in the section 2 mentioned, be liable to a penalty of not exceeding twenty pounds sterling for the first offence, and not exceeding forty pounds sterling for any subsequent offence, and in default of payment of fines to imprisonment as aforesaid.

5. In any prosecution under this Act the production of any document which purports to be such a telegraphic message as is by this Act protected, and which purports to have been delivered to the newspaper or person or persons lawfully entitled to receive the same by the Telegraphic Department, shall be *prima facie* evidence that such message is a message within the meaning of this Act.

6. The protection provided in Section 1 of this Act to messages transmitted by telegraph shall extend also to messages transmitted by pigeon and other special despatch.

7. This Act may be cited as the "Telegraphic Messages Copyright Act 1895".

*To Amend Act No. 36, 1895, June 23rd, 1896.*

Whereas it is expedient to amend the "Telegraphic Messages Copyright Act 1895":

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows:

1. Sections 1 and 4 of the "Telegraphic Messages Copyright Act 1895" are hereby amended by substituting therein for the words *fifty hours* the words "one hundred hours".

2. This Act shall be read and construed with Act No. 36, 1895, as one Act.

## VIII. TRANSVAAL.

(*Law of the Associated Press*, Volume 1, page 607.)

LAW OF TRANSVAAL, DECEMBER 23RD, 1902.

### *Ordinance.*

Whereas it is expedient to protect in certain cases the rights of property in telegraphic messages:

Be it enacted by the Lieutenant-Governor of the Transvaal, by and with the advice and consent of the Legislative Council thereof, as follows:

1. Whenever any message transmitted by telegraph from any place outside this Colony shall be received at any office of the Telegraph Department in this Colony for the purpose of publication in any newspaper or other printed paper, no person shall, without the consent in writing of the person to whom such message shall have been addressed, print or publish in any newspaper or in any letter or circular or other printed or written communication or present for transmission by telegraph such telegraphic message or the substance thereof, or any extract therefrom, until after the expiration of a period of seventy-two hours from the time of the first publication of such message by the person entitled to publish the same, provided that the publication by any other person of any similar message lawfully received in like manner by such other person shall not be deemed or taken to be a publication of such first-mentioned message within the meaning of this Ordinance.

2. Any person contravening the provisions of the preceding section shall upon conviction be liable to a penalty not exceeding twenty pounds for the first offence and to a penalty not exceeding forty pounds for the second and every subsequent offence, and in either case in default of payment he shall be liable to imprisonment for a period not exceeding three months.

3. The hour of publication of every newspaper containing any telegraphic message in respect of which the protection of this Ordinance is claimed shall, unless otherwise stated therein, be deemed to be six a.m. on the day of publication.

4. In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message duly and regularly issued by any telegraph office in this Colony on its customary form shall be *prima facie* evidence that the message contained therein was received in this Colony by telegraph from the place therein mentioned to the address of the person therein named and was duly delivered in this Colony to such person.

5. This Ordinance shall be cited for all purposes as the "Telegraph Messages Protection Ordinance 1902".

## IX. FEDERATED MALAY STATES.

[*Enactment No. 5 of 1911.*]

ENACTMENT TO SECURE IN CERTAIN CASES THE RIGHT OF PROPERTY IN TELEGRAPHIC PRESS MESSAGES, NOVEMBER 11TH, 1911.

(*Federated Malay States Government Gazette*, November 15th, 1911, No. 46, Volume III, Notification No. 2688.)

2. When any person in the manner hereafter mentioned publishes in any newspaper or other printed paper published and circulated in the Federated Malay States any message sent by electric telegraph from any place outside the Federated Malay States lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person or his agent thereto lawfully authorised, print or publish or cause to be printed or published such telegram or the substance thereof or any extract therefrom until after a period of forty-eight hours from the time of first publication: Provided that such period shall not extend beyond sixty hours from the time of the receipt of such message, exclusive of Sundays and public and bank holidays, and the publication of the whole or any part of such telegram or of the substance thereof or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained or any comment upon or any reference to such intelligence shall be deemed to be a publication of the same.

3. If any person wilfully print and publish or cause to be printed and published any matter contrary to the provisions of this Enactment he shall be guilty of an offence and liable on conviction for a first offence to a fine not exceeding one hundred dollars and for any subsequent offence to a fine not exceeding two hundred dollars.

4. Telegraphic messages published under the protection of this Enactment shall be printed under the heading " Copyright telegram " and shall state the day and hour of their receipt and such statement shall be *prima facie* evidence of the time of the receipt of such messages.

5. (i) During the period of forty-eight hours hereinbefore mentioned, no intelligence protected by this Enactment shall be transmitted by electric telegraph to any person outside the Federated Malay States by or on behalf of any person other than the person who under the provisions of this Enactment is entitled to the exclusive use of such intelligence.

(ii) Any person acting in contravention of this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred dollars for a first offence and to a fine not exceeding two hundred dollars for any subsequent offence.

6. In any prosecution under this Enactment the production of any document which purports to be a telegraphic message from some place outside the Federated Malay States and which contains the intelligence published as aforesaid and which is addressed to and has been delivered to the publisher or to some person on his behalf by the Government Telegraph Department or a telegraph company shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper or other printed paper is a message within the meaning of this Enactment, and proof that any person is owner or is acting, or appears to be acting, as editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Enactment shall be *prima facie* evidence that such person wilfully caused such unlawful publication.

7. Nothing in this Enactment shall extend to any document published by the Government printer or to the report of any proceedings in the Federal Council.

## X. CEYLON.

(*Law of the Associated Press*, Volume I, page 592.)

### LAW OF CEYLON, DECEMBER 14TH, 1898. — AN ORDINANCE TO SECURE, IN CERTAIN CASES, THE RIGHT OF PROPERTY IN TELEGRAPHIC PRESS MESSAGES.

Whereas it is expedient to secure, in certain cases, the right of property in telegraphic Press messages:

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

1. When any person, in the manner hereinafter mentioned, publishes in any newspaper or other printed paper published and circulated in Ceylon any message by electric telegraph from any place outside the said island, lawfully received by such person, no other person shall, without the consent in writing of such first-mentioned person, or his agent thereto lawfully authorised, print or publish, or cause to be printed or published, such telegram, or the substance thereof, or any extract therefrom, until after a period of forty-eight hours from the time of first publication: Provided that such period shall not extend beyond sixty hours from the time of the receipt of such message (Sundays and public and bank holidays excepted), and the publication of the whole or any part of such telegram, or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to, such intelligence, shall be deemed to be a publication of the same.

2. If any person wilfully print and publish, or cause to be printed and published, any matter contrary to the provisions of this Ordinance, he shall be liable to a fine not exceeding one hundred rupees: and every person who is convicted a second time of any offence against this Ordinance shall be liable to a fine not exceeding three hundred rupees.

3. Telegraphic messages published under the protection of this Ordinance shall be printed under the heading " By submarine telegraph ", and shall state the day and hour of their receipt, and such statement shall be *prima facie* evidence of the time of the receipt of such messages.

4. (1) During the period of forty-eight hours hereinbefore mentioned, no intelligence protected by this Ordinance shall be transmitted by electric telegraph to any person outside Ceylon by or on behalf of any person other than the person who, under the provisions of this Ordinance, is entitled to the exclusive use of such intelligence.

(2) Any person acting in contravention of this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rupees for a first offence and to a fine not exceeding three hundred rupees for any subsequent offence.

5. In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message from some place outside Ceylon, and which contains the intelligence published in the newspapers as aforesaid, and which has been delivered to some person entitled to receive the same by the proper officer of the Telegraph Department, shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper is a message within the meaning of this Ordinance; and proof that any person is owner, or is, or is acting, or appears to be acting as editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Ordinance shall be *prima facie* evidence that such person has wilfully caused such unlawful publication.

6. Nothing in this Ordinance shall extend to any document published by the Government printer or to the report of any proceedings in the Legislative Council.

7. This Ordinance shall be cited as the " Telegram Copyright Ordinance 1898 ".

## XI. HONG-KONG.

(*Law of the Associated Press*, Volume 1, page 600.)

LAW ON HONG-KONG, DECEMBER 27TH, 1894. — AN ORDINANCE ENACTED BY THE GOVERNOR OF HONG-KONG, WITH THE ADVICE AND CONSENT OF THE LEGISLATIVE COUNCIL THEREOF, TO SECURE, IN CERTAIN CASES, THE RIGHTS OF PROPERTY IN TELEGRAPHIC MESSAGES, AND TO PREVENT THE FORGERY AND IMPROPER DISCLOSURE OF TELEGRAMS.

Whereas it is expedient to secure, in certain cases, the rights of property in telegraphic messages, and to prevent the forgery and improper disclosure of telegrams:

Be it enacted by the Governor of Hong-Kong, by and with the advice and consent of the Legislative Council thereof, as follows:

1. This Ordinance may be cited for all purposes as the Telegraphic Messages Ordinance 1894.

2. Whenever any message, transmitted by telegraph from any place outside of this Colony, shall be received by any person, association or company in this Colony for the purpose of publication in any newspaper, or by printed circular or otherwise, to any limited number of persons members of or subscribers to any such association or company, no person, whether a member of or subscriber to such association or company or not, shall, without the consent in writing of such person, association or company by whom such message shall have been received, print or publish in any newspaper or in any letter or circular or other printed or written communication such telegraphic message, or the substance thereof, or any extract therefrom until after the expiration of a period of thirty-six hours from the time of the first publication of such message by the person, association or company receiving the same: Provided always that such protected period shall not extend beyond forty-eight hours from the time of the first receipt in the Colony of such message.

And provided further that the publication of any similar message lawfully received in like manner by any other person, association or company shall not be deemed or taken to be a publication of such first-mentioned message within this Ordinance.

3. If any person print or publish or cause to be printed or published any matter contrary to the provisions of this Ordinance he shall, upon conviction before a magistrate, be liable to a penalty not exceeding \$100 for the first offence and to a penalty not exceeding \$150 for the second and every subsequent offence, and in either case in default of payment he shall be liable to imprisonment without hard labour not exceeding the scale provided by Section 57 of the Magistrates Ordinance (No. 10 of 1890).

4. Every telegraphic message in respect of which the protection of this Ordinance is claimed shall be published with the heading " By telegraph " and the name of the person, association or company claiming such protection, and shall state the date and hour of its receipt in the Colony and of its publication, and such statement shall be *prima facie* evidence of the times of the receipt and publication of such message.

5. In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message duly and regularly issued by any telegraph office in this Colony on its customary form shall be *prima facie* evidence that the message contained therein was received in this Colony by telegraph from the place therein mentioned to the address of the person, association or company therein named, and was duly delivered in this Colony to such person, association or company.

6. Every person who forges or wilfully and without due authority alters a telegram or utters a telegram knowing the same to be forged, or wilfully and without due authority altered, or who transmits by telegraph as a telegram, or utters as a telegram, any message or communication which he knows to be not a telegram, shall, whether he had or had not an intent to defraud, be guilty of a misdemeanour, and shall be liable, on summary conviction, to a fine not exceeding \$50, and, on conviction in the Supreme Court, to imprisonment with or without hard labour for a period not exceeding twelve months.

If any person, being in the employment of a telegraph company as defined by this section, improperly divulges to any person the purport of any telegram, such person shall be guilty of a misdemeanour and be liable on summary conviction to a fine not exceeding \$100, and on conviction on information in the Supreme Court to imprisonment, with or without hard labour, for a term not exceeding one year or to a fine not exceeding \$1,000.

For the purposes of this section, the expression "telegram" means a written or printed message or communication sent to or delivered at a post office or the office of a telegraph company, for transmission by telegraph, or delivered by the post office or a telegraph company as a message or communication transmitted by telegraph.

The expression "telegraph company" means any company, corporation, or persons carrying on the business of sending telegrams for the public under whatever authority or in whatever manner such company, corporation or persons may act or be constituted.

This Ordinance shall not come into operation unless and until the Governor notifies by proclamation that it is Her Majesty's pleasure not to disallow the same, and thereafter it shall come into operation upon such day as the Governor shall notify by the same or any other Proclamation.

## XII. STRAITS SETTLEMENTS.

(*Law of the Associated Press*, Volume I, page 596.)

### LAW OF STRAITS SETTLEMENTS, AUGUST 29TH, 1902. — AN ORDINANCE TO SECURE IN CERTAIN CASES THE RIGHT OF PROPERTY IN TELEGRAPHIC PRESS MESSAGES.

Whereas it is expedient to secure in certain cases the right of property in telegraphic Press messages:

Be it therefore enacted by the Governor of the Straits Settlements, by and with the advice and consent of the Legislative Council thereof, as follows:

1. This Ordinance shall be cited as the "Telegram Copyright Ordinance 1902".

2. When any person in the manner hereinafter mentioned publishes in any newspaper or other printed paper published and circulated in the Straits Settlements any message sent by electric telegraph from any place outside the said Colony lawfully received by such person, no other person shall without the consent in writing of such first-mentioned person or his agent thereto lawfully authorised, print or publish or cause to be printed or published such telegram or the substance thereof or any extract therefrom until after a period of forty-eight hours from the time of first publication, provided that such period shall not extend beyond sixty hours from the time of the receipt of such message, exclusive of Sundays and public and bank holidays, and the publication of the whole or any part of such telegram or the substance thereof or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained or any comment upon or any reference to such intelligence shall be deemed to be a publication of the same.

3. If any person wilfully print and publish or cause to be printed and published any matter contrary to the provisions of this Ordinance he shall be guilty of an offence and liable on conviction for a first offence to a fine not exceeding one hundred dollars, and for any subsequent offence to a fine not exceeding two hundred dollars.

4. Telegraphic messages published under the protection of this Ordinance shall be printed under the heading "By submarine telegraph" and shall state the day and hour of their receipt and such statement shall be *prima facie* evidence of the time of the receipt of such message.

5. (1) During the period of forty-eight hours hereinbefore mentioned, no intelligence protected by this Ordinance shall be transmitted by electric telegraph to any person outside the Straits Settlements by or on behalf of any person other than the person who under the provisions of this Ordinance is entitled to the exclusive use of such intelligence.

(2) Any person acting in contravention of this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred dollars for a first offence and to a fine not exceeding two hundred dollars for any subsequent offence.

6. In any prosecution under this Ordinance the production of any document which purports to be a telegraphic message from some place outside the Straits Settlements and which contains the intelligence published as aforesaid and which is addressed to and has been delivered to the publisher or to some person on his behalf by the Government Telegraph Department or a telegraph company shall be *prima facie* evidence that the message published as hereinbefore described in such newspaper or other printed paper is a message within the meaning of this Ordinance; and proof that any person is owner or is, or is acting, or appears to be acting as editor or manager of any newspaper in which there has been any publication contrary to the provisions of this Ordinance shall be *prima facie* evidence that such person has wilfully caused such unlawful publication.

7. Nothing in this Ordinance shall extend to any document published by the Government printer or to the report of any proceedings in the Legislative Council.

### XIII. ICELAND.

(*Droit d'auteur*, June 15th, 1924, page 63.)

LAW OF OCTOBER 20th, 1905.

[*Translation.*]

*Article 14.* — No one may reprint without authorisation telegraphic despatches which another person has received and published at his expense nor give an account in print of the contents of such despatches until five days after their publication in print.

Any person may appear as plaintiff in the event of the violation of the above provisions who can produce a despatch addressed to him by the telegraph office or by a telegraphic association of which he is a subscriber.

Any person accused of having counterfeited a telegraphic despatch shall be sentenced unless he proves that he has the same right or a right as valid as that of the plaintiff, *e.g.*, that he has obtained permission to publish such despatch from a person who has received it with the same valid right.

Any violation of the above prohibition shall be punished by a fine of from 10 to 1,000 crowns; twice the charge made for the telegram shall be paid to the plaintiff as damages.

### XIV. RUSSIA.

(*Droit d'auteur*, June 15th, 1924, page 63.)

LAW OF MARCH 20th, 1911.

[*Translation.*]

*Article 40.* — Newspapers, reviews and other periodical publications shall have the right to reproduce from other similar publications news relating to events, current news and telegraphic and telephonic communications from abroad, even if received from special correspondents. Other articles appearing in periodicals may be reproduced only if they are printed without a prohibition on the part of the author.

Continual reproductions of matter taken from one and the same publication are prohibited.

Telegraphic and telephonic communications from abroad printed with a prohibition may not be reproduced by the local Press until eighteen hours after their publication.

(This law is at the present moment in force in Lithuania.)

### XV. BULGARIA.

(*Droit d'auteur.*)

LAW OF JULY 11th, 1921.

[*Translation.*]

*Article 40.* — News from abroad received by telegraph or telephone and accompanied by a prohibition may not be published in local journals until eighteen hours after their first publication.



## XVI. FINLAND.

### LAW OF 1927 ON COPYRIGHT AND RIGHT TO PHOTOGRAPHIC REPRODUCTIONS.

(Communicated by the Finnish Press Bureau.)

[*Translation.*]

*Article 3.* — According to this law, the following are excluded from protection:

1. Laws, regulations, public notices, acts of the public authorities, of preparatory and other committees of courts and of church, communal and other public representative bodies, protocols, resolutions, verdicts and reports as well as other public documents.

2. Debates in parliament and other public representative bodies, statements in courts and before other public authorities and at general meetings for discussion of general affairs.

3. Daily news and other items in newspapers and periodicals.

Foreign special telegrams and wireless communications of newspapers will, however, enjoy legal protection under the Copyright Law for a period of 24 hours after their publication in Finland if they have been designated as protected when published.

*Article 38.* — Whoever (1) violates the rights of the author by translating, adapting, copying or multiplying or publishing products of intellectual activity without permission . . . is punished, where no severer punishment is elsewhere stipulated, by fines.

*Article 40.* — If anyone has been guilty of the acts mentioned in Articles 38 and 39, he is obliged to compensate the holder of the copyright for the economic damage the latter has suffered. He is further obliged to give compensation to the author for damage or inconvenience of a non-economic nature caused to the latter.

## XVII. ITALY.

### DECREE LAW NO. 1950 OF NOVEMBER 7TH, 1925, CONCERNING THE PROTECTION OF AUTHORS' RIGHTS.

(*Gazzetta Ufficiale*, 1925.)

[*Translation.*]

*Article 4.* — Articles, monographs, notes, drawings and vignettes in newspapers, reviews or other periodical publications shall be protected from the date of their publication, no reservation or other formality being required.

Articles dealing with political or administrative controversies, as well as news and news items, may, however, be reproduced provided the source is mentioned and the author's name indicated, if the article is a signed one.

*Article 61.* — Apart from the severer penalties laid down in the penal code and other laws:

(a) Any person who wrongfully, by any means and in any form, reproduces, publishes or circulates, with or without modification, a work which is the property of another, and any person who imports or offers for sale in the Kingdom copies produced by unlawful means . . . shall be liable to punishment with fines varying from 500 to 10,000 lire.

## XVIII. ROUMANIA.

### DRAFT TO BE INCLUDED IN THE NEW LAW ON THE PRESS (1926).

(Communicated by the Roumanian Press Bureau.)

[*Translation.*]

Newspapers, Press agencies or other Press organisations shall possess *property rights* over news concerning *events which take place outside the frontiers of the country*, news obtained by newspapers, Press agencies or other Press organs if they pay the cost of transmission or on the strength of a right formally granted to them.

Any person providing, or possessing a concession for, a Press news item shall enjoy *property rights for 24 hours as from the date of publication* by the person who has provided, or holds a concession for, such news.

*Any person who can prove that he has a legitimate right* either by means of a telegraph form delivered by the post, telegraph or telephone service, or by deed proving a formal concession granted by law or as the result of a contract, shall be entitled to bring an action in the event of the present provisions of the law being infringed.

*The accused may put forward a defence* against the accusations brought against him only if he produces documents of the same character.

Any person infringing the provisions of the present article shall be punishable with a fine varying between 15,000 and 20,000 lei in addition to the damages and interest claimed by the plaintiff. In the case of a second offence the fine shall be doubled.

[Distributed to the Council, the  
Members of the League and  
the Delegates at the Assembly]

A. 43

Geneva, September 2nd, 1927.

**LEAGUE OF NATIONS**

**CONFERENCE OF PRESS EXPERTS**

*held in Geneva, August 24th-29th, 1927.*

---

**FINAL RESOLUTIONS**

AND

**VARIOUS OTHER DOCUMENTS**

---

**Publications of the League of Nations**

GENERAL.  
1927. 8.

TABLE OF CONTENTS

---

	Page
INTRODUCTION . . . . .	4
CLOSING SPEECH OF THE PRESIDENT, LORD BURNHAM, SUMMARISING THE WORK OF THE CONFERENCE . . . . .	6
DECLARATION AND RESOLUTIONS ADOPTED BY THE CONFERENCE . . . . .	9
REPORT BY MR. VANDERVELDE TO THE COUNCIL . . . . .	16
LIST OF MEMBERS OF THE CONFERENCE AND OF TECHNICAL ADVISERS FOLLOWED BY THE LIST OF ASSESSORS . . . . .	17

---

## INTRODUCTION.

---

The Conference of Press Experts originated in a resolution adopted by the Assembly of the League of Nations in September 1925, which the Council proceeded to carry into effect by consulting various Press interests and arranging for preparatory work to be done by a number of Committees.

At the Sixth Ordinary Session of the Assembly of the League of Nations (1925), M. YANEZ, the delegate of Chile, submitted a proposal on September 16th asking the Council to consider the desirability of summoning a Committee of Experts representing the Press in different continents in order :

- (1) To enquire into means of ensuring more rapid and less costly transmission of Press news with a view to reducing the risks of international misunderstanding ;
- (2) To discuss all technical problems the solution of which, in the opinion of experts, would be conducive to the tranquillisation of public opinion in various countries.

The view which the Assembly took of the proposal and the meaning and scope which it ascribed to it are shown in the report submitted to the Assembly on September 25th, 1925, by the Belgian representative, M. Paul HYMANS.

M. Hymans explained that, in undertaking this task, the League of Nations was not attempting to organise propaganda :

“ I insist”, he declared, “ou the essential point that the League is not in any way trying to organise a semi-official Press or do propaganda”.

“ The Chilian proposal is undoubtedly a bold one. The Press, like all great Powers, is rightly jealous of its independence. We must therefore approach the vast and delicate problem raised by this resolution with great circumspection. I wish to make it clear at the outset that the League of Nations does not wish to interfere in the affairs of the Press, and will only interest itself in them if the journalists themselves consider that its assistance would be valuable.”

Having made these reservations, M. Hymans outlined the procedure to be followed :

“ It [the resolution] proposes that the Assembly should invite the Council to consider the desirability of convening a Committee of Experts representing the Press of the different continents. It will therefore be for the Council to decide at the start whether it is willing to deal with the question. If it does so, its task in the next few months, according to the procedure proposed, will merely be to prepare for a meeting of carefully selected experts. When these meet, they will be absolutely free to express their opinion on the advisability of giving further effect to your proposal and on the best method of doing so.”

Lastly, the Rapporteur clearly defined the part to be played by the League in this connection :

“ In certain cases the League of Nations can undoubtedly do a great deal to assist co-operation between the Governments and the Press. Although an aggregate of private enterprises, the Press is frequently obliged to have recourse to various Government services. For example, it depends in a large measure on the Governments for the transmission of news by telegraph, telephone, cable and radiotelegraph ; it also depends in every country on the national legislation in all questions connected with authors' rights, transport rates, etc. In directions like these, the friendly assistance of the League of Nations might often be of great value.”

The Assembly unanimously adopted M. Hymans' report.

Thus approved in principle by the Assembly, the proposal was discussed by the Council on September 26th, 1925. The Council considered it advisable, as a first step, to enquire

of the interests concerned whether such a meeting was opportune and accordingly instructed the Secretary-General of the League to organise this consultation.

During the winter of 1925-26, the Secretary-General, in accordance with the Council's decision, started a comprehensive enquiry. Press groups belonging to some thirty different countries made known their views. A number of them added to their replies concrete suggestions for the programme of work, which served as a basis for a provisional agenda.

At its meeting in March 1926, the Council of the League, after having examined the replies received, decided that the summoning of a committee of experts was opportune.

The programme of work then remained to be established. The Council entrusted this duty to the Secretary-General, asking him to enlist the co-operation of those interested, and suggesting, as a means of so doing, that several preparatory committees, composed of persons connected with the different sections of the Press, such as directors of the telegraph agencies, heads of Press bureaux and journalists, should meet at Geneva.

The first of these preparatory meetings summoned by the Council took place in August 1926 and consisted of representatives of sixteen large agencies in America, Asia and Europe. It drew up a series of recommendations, dealing chiefly with rates for Press communications, the improvement of communications and the protection of property rights in Press news.

In October 1926, the Secretary-General invited the directors of sixteen European Press bureaux to meet at Geneva. After a general discussion of the questions on the agenda — such as tariffs for the transmission of telegraph and telephone news, news copyrights and facilities given to journalists — the Committee drew up a questionnaire with the object of collecting more detailed information on these different points. The replies to this questionnaire constitute a general report on these problems in Europe.

Finally, in January 1927, a number of journalists, chosen among those obliged by their profession to live abroad or travel frequently, met at Geneva at the invitation of the Secretary-General. They drew up recommendations regarding the facilities which they considered necessary for their work. Their report was subsequently forwarded to a large number of foreign Press associations in different countries.

After this last meeting, the preparatory work could be considered at an end.

Technical problems of an international character concerning the Press to which attention been drawn during this general consultation of the Press organisations had been examined from different points of view by the three committees.

For the programme of the Conference, all that was necessary was to draw up an agenda based on the results of this preparatory work.

In these circumstances, the Council, in March 1927, decided to summon the Conference of Press Experts for August 24th at Geneva. It appointed Lord BURNHAM as President and laid down the procedure to be followed by its Rapporteur (M. VANDERVELDE, of Belgium), in consultation with the Secretary-General, for selecting the members of the Conference.

---

## **CLOSING SPEECH OF THE PRESIDENT, LORD BURNHAM, SUMMARISING THE WORK OF THE CONFERENCE.**

*(August 29th, 1927).*

---

We have now come to the end of our business and I am glad to say that the Agenda paper has been completely cleared up. It is possible to use a well-worn tag of Latin and say " *finis coronat opus* ". This is the more satisfactory because I have had to rely entirely on the courtesy and goodwill of this assembly, and I have had no powers, except such as are inherent in chairmanship by the laws of nature, the author of which, as we all know, was that stormy genius and citizen of Geneva, Jean Jacques Rousseau. I imagine that in a real sense his spirit will haunt the palace of the League of Nations until its ideals are realised in a more sensitive conscience and a more generous spirit for the general inspiration of human conduct.

This has been the first independent conference that the League of Nations has ever held. By that I mean that all the previous conferences have been either composed of officials or appointed by Governments. In English parliamentary language, we are well acquainted with the term " free conference ", and this has, in every respect, been a free conference. I am glad to add that it has also been a friendly and familiar conference. Belonging as we all do to one great interest and industry, which consists in the production and publication of news, we have had a bond of union and fellowship which has given us a familiar feeling among ourselves, in spite of all our differences of origin and opinion. We have therefore discussed every subject with which we have dealt with the intention of getting things done by the good offices of the League of Nations.

The origin of the Conference, as you will all recall, lay in a proposal submitted to the Assembly of the League of Nations in 1925 by M. Yanez, delegate of Chile, asking the Council to consider the desirability of summoning a Committee of Experts representing the Press in different continents in order :

(1) To enquire into means of ensuring more rapid and less costly transmission of Press news with a view to reducing the risks of international misunderstanding.

(2) To discuss all technical problems, the solution of which in the opinion of experts, would be conducive to the tranquillisation of public opinion in various countries.

The Council, acting upon this resolution, brought together successively three preliminary and advisory committees of news agencies, directors of Press Bureaux, and journalists. In that way the Agenda which has been before this Conference was put together in due form.

I think the Conference would bear me out in saying that this is the largest and most influential press congress that has ever been brought together. We have here 63 delegates, 20 assessors, and 35 experts from 38 countries, representing not only States which are Members and non-Members of the League, but also all the continents and all the categories of press interests — newspaper proprietors, news-agencies, press bureaux and journalists' societies. In addition, we have been fortunate in having in attendance a representative of the International Cables Association, and representatives of the great British, French and German newspaper distributing houses.

I have already said, and I also mentioned in my opening speech, that this Conference is the first independent conference called by the League of Nations ; I should like to emphasise that point again here, as I think you will all agree that the Conference has been left absolutely free and unfettered in any way whatsoever. If we read the preliminary discussions in the Assembly and the Council, we can appreciate the great hesitation that these political authorities felt as to any sort of interference with the liberty of the Press, and I may say that, during our discussions, this principle has been scrupulously observed.

I should like to say, and I am sure that I shall carry you with me, when I tell you that this Conference has been carried through smoothly and effectively owing, first and foremost, to the good temper and good sense of my colleagues, who have given me throughout the encouragement and support without which all our labours would have been in vain. I ask you all to accept my grateful acknowledgments. Then, I wish, in your name, to offer our sincere thanks to Sir Eric Drummond and the Secretariat of the League of Nations for the care and thoroughness with which this Conference has been organised. The three preliminary meetings of Press agencies, Press bureaux and journalists have rendered it possible for us

to cover so wide a field of interests in so short a session, and I am sure we are greatly obliged to those of our number who devoted so much time and trouble to their transactions. To the officers of this Conference we are very much indebted for their able and courteous arrangement of our business and for the constant assistance and advice which they have given us, both in anticipation and during our sittings. May I add that, in all my experience of international assemblies, I have never known the laborious and exacting duties of translation into the two official languages so well and accurately done, as at this conference.

There have been three main heads for discussion and decision : communications, circulation, and journalistic facilities ; in other words, the collection of news, the transmission of news, and the circulation of news.

Perhaps we may best see the scope of our efforts if we look at them from the point of view of the successive steps taken by the journalist in his search for news, in its rapid transmission, in its protection before and after publication, and, finally, in its increased circulation.

The first link in this chain consists of the resolve of the Conference to extend the freedom of the journalists for the fulfilment of his essential duties. As regards material facilities, it has sought to safeguard his status by making provisions for the issue of an international identity card, to assure his easier passing of frontiers by special treatment in regard to passports and visas, to expedite his travelling by reduced rates on trains and steamships, and to relieve him of double taxation. As regards his professional equipment, it has sought to give him access to special courses of instruction in universities, to open scholarships, and to enable him to see the world under proper auspices.

The second link is undoubtedly communications. News cannot be despatched if telegraphic rates are unfairly high and telephonic charges unreasonably restrictive. Many reductions have already been made, and the competition of wireless with cables is surely, if slowly, lowering the cost of transmission. This competition is bound to have important results in the near future, no less important than those which have already taken place in the Atlantic and Pacific services. I understand, moreover, that a general reduction of telephone charges for newspaper purposes is likely to take place in the near future.

The resolutions point to many possible means of improving the methods of sending news ; for instance, by regional agreements, by special consideration of the difficulties prevailing in the Far East, and in the European telephone system. It can also be done by permission to use codes under proper regulation. Suggestions have also been made for cheaper correspondence by a general reduction of rates and dues, by new kinds of deferred messages, and in the remission of transit and terminal charges. Similarly, resolutions have been adopted for increasing the speed of communication by establishing new categories of " priority " and " urgent Press " messages.

The third link in the chain is the means of protecting news before and after publication against unfair appropriation. This question was more warmly debated than any before the Conference, and I think it represents a real triumph for journalistic statesmanship that a unanimous agreement was reached on a subject of such vital importance. The Conference does not wish to establish any monopoly in news or prejudicial control of the sources of public information, but it does wish to protect against unfair competition those great journalistic enterprises which, by their initiative and their organisation, bring the world's news at great cost of time and skilled labour to the use of the reading public.

The fourth link is the distribution of the finished product. The Conference approved of a clear and connected report with recommendations which will widen the existing system of postal subscriptions to newspapers and ensure their quicker despatch and more extensive distribution across international frontiers.

Lastly, as the undercurrent of the discussion on all these points, there has been the manifest desire to recognise the mutual responsibility of the Press to the public and of the public to the Press. This applies not only in the matters mentioned above in connection with the desirability of rapid distribution, of the protection against unfair competition, and of adequate facilities for journalists, but also to a number of other more general resolutions as to the part and functions of the press in world affairs. In a real though maybe still in an intangible way, I think the conscience of the Press has been quickened and stimulated by this great meeting.

And now as to the future. All our resolutions will be passed to the Council of the League for examination and report, with view to immediate action for the purpose of obtaining the sanction and support of all States. These are practical matters of immediate interest to newspapers in all countries and to the countless numbers of their readers who depend upon them for their information and instruction in the history of the present and the preparation for the future. On the continent of Europe, all the means of communication are either in Government hands or under Government control. Similarly, it is only through the agency of the

**League through Governments that such reforms can be obtained in the system of transportation as will enable the distribution of newspapers to be accelerated and increased for the common advantage.**

I should judge, however, not only from several resolutions presented, but from what I understand to be the spirit of the Conference, that you would have me go further. Let me, then, note with cordial concurrence a remark made at the banquet at which we were so hospitably entertained by the Secretary-General, to the effect that the League neither expected nor desired that this would be the last Press Conference to be summoned at Geneva. Personally, I am strongly of opinion that, with an interval of three or, at most, of four years, it will be a wise and helpful course to follow for the Council to bring the representatives of all the Press interests here present again to Geneva in order to take counsel together on these and other issues of real pith and moment in the affairs of the world's Press. Meanwhile, I hope that the Secretariat of the League will keep itself in sympathetic touch with the associations of the newspaper Press in all countries which have attended this Conference. There are no steps backward in such an organic part of the world's economy, and, as a writer once said, "consequences are unpitying", and they are likewise compelling. This is the first international conference of the newspaper Press that has been held, and it will assuredly not be the last.

Public opinion is, in the long run, the sovereign power in the government of men. As the trustees of public opinion, we Pressmen have a heavy and constant responsibility to our fellows. All I can hope and pray is that this Conference has deepened and enlarged our consciousness — not a class consciousness, but a general consciousness — of what we owe to mankind, still in the making and re-making, in giving such light and leading as we can to concord and collaboration for the common good.

---



## DECLARATION AND RESOLUTIONS ADOPTED BY THE CONFERENCE

### PREAMBLE.

Whereas the Assembly of the League of Nations, on September 16th, 1925, requested the Council of the League to consider the desirability of summoning a Committee of Experts representing the Press in different continents in order : (1) to enquire into means of ensuring more rapid and less costly transmission of Press news with a view to reducing the risks of international misunderstanding ; and (2) to discuss all technical problems the solution of which, in the opinion of experts, would be conducive to the tranquillisation of public opinion in various countries ;

And Whereas the Council of the League, after careful consultation with interested journalistic circles and on the basis of the preparatory work of three technical Press Committees, convened this General Conference of Press Experts, which met in Geneva from August 24th to August 29th, 1927 ;

Whereas this Conference brought together sixty-three experts, twenty assessors, and thirty-five technical advisers, from thirty-eight countries, Members or non-Members of the League, representing not only the different continents of the world but also the different categories within the Press itself, of newspaper proprietors, news-agency representatives, journalists, and directors of official Press bureaux ;

This Conference expresses to the Assembly and the Council of the League of Nations its appreciation of the importance attached to the work of the Press, of the opportunity for wide consultation so offered, and especially of the principle laid down by the Council and Assembly of the League that there should be no interference whatsoever with the independence of the Press ;

Expresses the hope that the Assembly and the Council of the League of Nations will give the necessary instructions to the various technical organisations of the League of Nations whose collaboration may be desirable for the execution of the technical resolutions of the Conference ;

Trusts that the Assembly and the Council will maintain such contact with the progressive development of these problems that, if the various interests here represented express at a later date the desire of the Press for a further consultation or conference, they may again put the League's technical facilities at the disposal of the Press :

Adopts the following programme in order that journalists may have every facility in residing, travelling, securing news and improving their professional equipment, and that news itself may be free at the source, *expedited in every possible way* in its transmission, protected before and after publication against unfair appropriation, and given the widest possible dissemination, to the end that the work of the Press may be made more effective in its responsible mission accurately and conscientiously to inform world public opinion and hence to contribute directly to the preservation of peace and the advancement of civilisation ;

And adopts the following special resolutions, based on technical, professional, and international considerations, as the first steps towards carrying this programme into effect :

### RESOLUTIONS.

#### I. PRESS RATES.

The Conference of Press Experts expresses the conviction that it is to the general interest to assure the propagation of Press news as rapidly as possible and at moderate rates.

For this purpose it decides to submit the following recommendations to the Council of the League of Nations and to request it to be good enough to communicate them to the Organisation for Communications and Transit in order to undertake the necessary technical investigations in co-operation with Press experts and communication authorities.

#### A. *Telegraph and Wireless Telegraph.*

##### (a) *Priority for Press Telegrams by Wire and Wireless.*

The Conference recommends that, for the purpose of international communication, Press telegrams should be given priority over ordinary private telegrams.

(b) *“ Urgent Press ” Telegrams by Wire and Wireless.*

The Conference recommends the establishment, for the purpose of international communication, of an “ Urgent Press ” telegram which should pay double rates compared with ordinary Press telegrams. “ Urgent Press ” telegrams should have priority over “ Urgent Private ” telegrams.

(c) *Long-Distance Communications.*

In view of certain excessively high rates that prevail for long-distance Press communications, the Conference recommends that measures should be adopted by Governments and the commercial enterprises concerned to facilitate the reduction of tariffs for such Press communications by cable, by wire, or by wireless.

The Conference recommends that all fiscal taxes imposed by administrations on Press telegrams in transit and all terminal charges levied by Governments upon incoming messages by telegraph, cable, or wireless that are not handled by such Governments should be eliminated.

The Conference recommends the introduction, where such services do not exist, of a system of deferred Press telegrams and cable letters at a particularly low rate.

(d) *Regional Telegraphic Understandings.*

The Conference recommends the conclusion, on the example of agreements already concluded between the Scandinavian and Baltic States, of regional understandings between neighbouring countries establishing internal rates for telegraphic communications between the signatory States.

## B. Telephone.

The Conference recommends in international conversations :

(1) For ordinary Press communications, a reduction in rates of 50 per cent, with priority over ordinary private conversations ;

(2) For urgent Press communications, a reduction in rates of 50 per cent, with priority over urgent private conversations ;

(8) The readjustment of rates whenever the rate applied on the basis of an international scale is greater than what would result from adding the national rates of the countries through which the communication passes.

## C. Questions exclusively concerning Wireless Telegraphy.

(a) *Authorisation to receive Press Messages by Wireless.*

The Conference recommends postal administrations to grant to properly accredited newspapers and news agencies licences to receive wireless telegraphic and telephone Press messages at a charge based on the character and extent of the services received.

(b) *Rates of Wireless Telegraph Messages.*

The Conference recommends that the rates charged for transmitting Press messages by wireless telegraphy should be fixed with regard to the lower cost of transmission by wireless as compared with transmission by cable.

(c) *Messages by Wireless Telegraph from Geneva.*

In order that journalists whose duty it is to make known the proceedings and affairs of the League of Nations may be enabled to perform their duties in the best possible conditions, the Conference recommends that facilities should be granted them at all times to despatch their messages direct from Geneva by wireless.

## II. CODING OF PRESS MESSAGES.

In order to prevent any unauthorised use of Press news sent by wireless, the Conference recommends that the Press should be allowed to use an appropriate code in whole or in part, and at the ordinary Press rates, for the despatch of Press news by wireless.

### III. IMPROVEMENT OF COMMUNICATIONS.

#### (a) *Inter-Continental Communications.*

The Conference is of opinion that better facilities should be provided for telegraphic and wireless communications between the Oriental countries and those of Europe and North and South America.

#### (b) *European Communications.*

The Conference expresses the desire that normal telephone communications should be restored as quickly as possible between countries where these communications are still interrupted or irregular. On the other hand, the Conference expresses its great satisfaction at the efforts made by the administrations to organise a special network of telephone cables for long-distance communications. It expresses the hope that the construction of these lines will be carried out with all speed.

The new channels of international communication afforded by wireless telegraphy and telephony, telephotography, television and air mails will only attain their maximum efficiency if developed in competition with the other existing services under reasonable control, and it is desired to recommend this principle to the League of Nations for consideration and support.<sup>1</sup>

### IV. TRANSPORT OF NEWSPAPERS.

The Conference adopted the following resolutions :

1. The Conference of Press Experts — after discussing, in the presence of M. Schoeller, representing the Messageries Hachette ; Mr. Kimpton, representing Messrs. W. H. Smith and Son ; and M. von Herwarth, representing Messrs. Georg Stilke & Co., on the basis of the report presented by the Messageries Hachette, the question of the measures to be taken for developing and accelerating the circulation and interchange of newspapers and periodicals between the various countries in which they are published — decides to request the Council of the League of Nations to transmit the above-mentioned report to the Organisation for Communications and Transit of the League of Nations, in order to examine what effect should be given to its recommendations.

It further expresses the desire that this Organisation will, in undertaking the necessary investigations, consult a certain number of experts from among the agencies and newspapers represented at the Conference of Press Experts, as well as representatives of the postal administrations, the railway administrations, and the aerial transport services, and the different newspaper transport companies concerned.

As requested by Sir Campbell Stuart, the Organisation for Communications and Transit, in studying the problem of newspaper transport, should examine the existing regulations and charges in the various countries concerned with a view to giving effect to paragraph 2 of Chapter IV (Summary) of the Messageries Hachette's report<sup>2</sup>.

2. Believing that international understanding and the promotion of peace can best be encouraged by the widest possible dissemination of news, the Conference urges the Governments concerned to consider the urgent need for early abolition of any taxes and other restrictions on newspapers which hinder a fuller and more extended circulation of the international Press.

### V. POSTAL SUBSCRIPTIONS TO NEWSPAPERS.

The Conference expresses the wish : (1) that the countries which have not adhered to the Stockholm Convention of 1924 concerning postal subscriptions to newspapers should do so as soon as possible ; and (2) that the countries which have adhered to this Convention should put it into force without delay.

<sup>1</sup> All these resolutions were adopted unanimously with the exception of those relating to priority for (1) Press telegrams, and (2) urgent Press telegrams, which were adopted by 41 votes to 7, and 44 votes to 6, respectively.

<sup>2</sup> Paragraph 2 reads :  
“ *Reduction of Rates to the Strict Minimum*, irrespective of the methods of conveyance used, in order that they may not be inaccessible to newspapers, which it should always be possible to sell at a price within the means of the general public.”

## VI. PROTECTION OF NEWS.

The Conference adopted the following preamble and resolutions :

The Conference of Press Experts lays down as a fundamental principle that the publication of a piece of news is legitimate subject to the condition that the news in question has reached the person who publishes it by regular and unobjectionable means, and not by an act of unfair competition. No one may acquire the right of suppressing news of public interest.

### (a) *Unpublished News.*

The Conference is of opinion that full protection should be granted to unpublished news or news in course of transmission or publication in those countries in which such protection does not already exist.

It shall be illegal for any unauthorised person to receive for publication or to use in any way for the purpose of distribution through the Press, through broadcasting, or in any similar manner information destined for publication by the Press or through broadcasting.

There shall be no preferential right in official news issued by a Government or Government Department or by an official representing a Government or Government Department. All such news may be published without restriction in full or in part.

Newspapers, Press agencies, Press bureaux, and newspaper correspondents and representatives shall have free and equal opportunity of access to and transmission of such news.

### (b) *Published News.*

In view of the widely differing conditions obtaining in various countries, the Conference is of opinion that the question of the protection of published news, whether reproduced in the Press or by broadcasting, is one for the decision of the respective Governments concerned, and recommends that any Government to whom application in this respect is made by its country's Press should sympathetically consider the advisability of granting suitable protection.

Such protection should, however, permit the reproduction of news within a specified period, subject to acknowledgment and payment.

The Conference affirms the principle that newspapers, news agencies, and other news organisations are entitled after publication as well as before publication, to the reward of their labour, enterprise and financial expenditure upon the Production of news reports, but holds that this principle shall not be so interpreted as to result in the creation or the encouragement of any monopoly in news.

\* \* \*

In order to realise these principles, it is desirable that there should be international agreement and that the Council of the League of Nations, by resolution, should request the various Governments to give immediate consideration to the question involved.

## VII. PROFESSIONAL FACILITIES FOR JOURNALISTS.

The Conference adopted the following preamble and resolutions :

The Conference does not ask for the granting or extension to journalists of any favour the acceptance of which would entail the risk of infringing the independence of the Press or the unbiased judgment of journalists.

On the other hand, it strongly urges that all possible facilities should in all circumstances be granted to journalists in pursuit of their calling so that they may fulfil their duties more thoroughly and rapidly both in acquiring and transmitting news.

The Conference further desires that similar and appropriate facilities should be granted to the national and international organisations of the Press in the discharge of their professional functions.

### A. *Travel Tours.*

The Conference considers that collective travel tours for journalists in foreign countries can in certain circumstances be most useful and that the custom should not be discontinued.

Nevertheless, the serious disadvantages that the abuse or wrong use of these tours may involve are so evident that the Conference urgently recommends closer supervision of the methods by which such collective tours are organised.

This supervision should not be undertaken solely by Governments; but in so far as the carrying out of such tours necessitates the co-operation of Governments, the latter should previously ask for the opinion of competent Press organisations as to whether such tours are opportune or desirable.

#### *B. Schools for Journalists.*

The Conference, noting the fact that journalism is a profession the exercise of which demands special gifts and practice which can be obtained only by professional experience; Considering, nevertheless, that general knowledge and a certain technical training are indispensable for the pursuit of this calling:

Declares itself in favour of the maintenance or establishment in universities or analogous institutions of such special courses as will enable journalists, during their available time and with due respect to their intellectual freedom, to supplement their knowledge of political, economic, or other subjects.

#### *C. Scholarships for Journalists.*

For the purpose of promoting the professional education of journalists, the Conference declares itself favourable to the establishment by Governments or private bodies of study or travel scholarships, which should be granted so far as possible after consultation with professional organisations of journalists.

#### *D. Double Taxation of Journalists living Abroad.*

The Conference expresses the hope that the Committee specially set up by the League of Nations to solve the general problem of double taxation, and particularly to determine what country is to receive the sole tax, will provide a satisfactory solution of this problem as quickly as possible.

It asks that Governments should meanwhile be requested to grant every facility compatible with their existing laws to journalists who are obliged to live outside their country of origin in the exercise of their profession.

#### *E. Reductions of Railway Fares.*

The Conference considers it desirable that, in countries where this practice exists, foreign journalists, on giving proof of their professional status, should be entitled to reductions of railway rates equivalent to those granted to nationals.

The same facilities should be granted, under the supervision of national and international organisations, to journalists obliged to travel for the purpose of representing their colleagues at meetings concerned with professional conditions.

#### *F. Passport Visas for Journalists.*

The Conference considers that it is essential for a journalist to be able to move rapidly from place to place in order to arrive at his destinations without losing valuable time at frontiers, so as to be able with the least possible delay to follow the progress of any event.

At the present time, although many countries have abolished the formality of passport visas—a frequent source of delay—there are others which still maintain it. The Conference considers that journalists, on giving proof of their professional status, should invariably be exempted from visa formalities.

#### *G. Identity Cards for Journalists.*

The Conference declares that it would be of the greatest advantage to institute an international identity card for journalists which should, at the same time, be a means of professional identification, and particularly designed also to facilitate travelling and the general exercise by journalists of their profession abroad.

This card should follow the principles on which the card prepared by the International Association of Journalists accredited to the League of Nations has been framed, and the draft suggestions submitted to the Conference by the International Federation of Journalists and the Preparatory Committee of Journalists.

The Conference expresses the hope that, when the Organisation for Communications and Transit discusses this question, it will consult the representatives of the groups concerned, including directors of newspapers and directors of news agencies<sup>1</sup>.

---

<sup>1</sup> With the exception of the second paragraph, which was adopted by 45 votes to 1, this resolution was adopted unanimously.

### H. *Repressive Measures against Foreign Journalists.*

The Conference requests the League of Nations to make the most urgent representations to Governments in order that measures of expulsion or withdrawal of a permit to stay in a country on grounds concerned with the exercise by a journalist of his profession should never be taken without asking for the opinion of a committee of journalists, by which the journalist concerned could be heard <sup>1</sup>.

#### I. *Equality of Treatment for Foreign Journalists.*

The Conference recommends that all official news should be communicated to all newspapers and news agencies, whether national or foreign, without distinction, and that rates, privileges and facilities for the transmission of news by telegraph, telephone, or wireless should be granted to all in equal measure.

#### J. *Facilities for Enquiry afforded to Foreign Journalists.*

The Conference expresses the wish that foreign journalists should be able, on the production of an official document, to obtain from the official Press bureau or from the local authorities concerned the same facilities as those accorded to their national journalists.

## VIII. CENSORSHIP IN PEACE-TIME.

The Conference adopted the following resolution :

Whereas the principal reason for the convocation of this Conference is that the unfettered and prompt interchange between nations of news of events and conditions promotes mutual understanding and peace ;

Whereas it is obvious that news despatches, in order to be effective in the foregoing sense, must be generally accepted as true in the countries in which they are published ;

Whereas the Conference declares itself opposed in principle to every restriction of the liberty of the Press, and considers that no form of censorship should be established or maintained except for vital reasons and in exceptional circumstances only ;

Whereas, without wishing to interfere in the internal affairs of the various States, it nevertheless expresses a general desire for the re-establishment of normal intellectual communications between peoples by modifying or repealing laws relating to censorship wherever the situation permits ;

Whereas it is the unanimous conviction of the Conference that censorship in peace-time, whether carried on openly or in a disguised form—which is open to greater objection—is a fundamental obstacle to the normal exchange of international information, and renders more difficult understandings between nations ;

And whereas, not only, as recognised by the Preparatory Committees of News Agencies, and of Journalists, is censorship powerless to prevent the distribution of false and misleading news, but is also in fact injurious to the Governments by which it is maintained :

The Conference is of opinion that censorship in any form should quickly and finally be abolished.

So long, however, as censorship, contrary to the principle of the liberty of the Press, still exists in any country, the Conference asks for the following minimum guarantees :

(1) That telegrams submitted to censorship should be examined by specialists and despatched with the greatest promptitude possible ;

(2) That journalists should be informed of the instructions given to these specialists so as to enable them to make their own dispositions ;

(3) That they should be informed of the passages suppressed in their despatches as well as of exceptional delays in transmission, and that they should be given the option of sending or withholding telegrams which have been either censored or delayed ;

(4) That the transmission charges paid in advance for telegrams which have been either censored or delayed should be refunded in proportion to the number of words suppressed.

(5) That complete equality of treatment should be granted to all journalists without exception.

## IX. MISCELLANEOUS RESOLUTIONS.

The following resolutions are the outcome of proposals submitted by delegates during the Conference.

<sup>1</sup> This recommendation was adopted by 29 votes against 15, with 8 abstentions.

### 1. *Publication or Distribution of Tendency News.*

Fully cognisant of the fact that the publication or distribution of obviously inaccurate, highly exaggerated, or deliberately distorted news or articles is calculated to cause undesirable misunderstandings among nations and suspicions detrimental to international peace ;

And desiring to promote among peoples the growth of mutual understanding, necessary to world peace ;

This Conference expresses the desire that the newspapers and news agencies of the world should deem it their duty to take stringent measures to avoid the publication or distribution of such news or articles, and should also consider the possibility of active international co-operation for the attainment of this purpose, which is in conformity with the spirit of the League of Nations. <sup>1</sup>

### 2. *Courses for Journalists at Geneva.*

Whereas it is important, from the point of view of consolidating peace and of ensuring reasonable criticism of the activities of the League of Nations, that the greatest possible number of journalists should become familiar with the organisation of the League of Nations ;

This Conference recommends that preliminary consideration should be given to the question of organising at Geneva in connection with the League of Nations an international press centre or institute which could be attended by journalists throughout the year in order such knowledge, and draws the attention of Governments to the advantage of affording every to obtain support to such an organisation.

### 3. *Establishment in Newspapers of a special Heading on the League of Nations.*

This Conference expresses its gratitude to the League of Nations, and especially the Information Section of the Secretariat, for the support and facilities granted to its members and for the organisation of its meeting, and notes that the League has in no way attempted in this connection to make League propaganda in its favour, but simply to assist in the material and spiritual development of the Press ;

And recognising that the work of the League is worthy of the closest attention, constituting as it does one of the most interesting movements of the century, recommends the establishment in the great newspapers of a permanent section, such as already exists in some papers, devoted to objective information on the work of the League.

### 4. *Moral Disarmament.*

The Conference makes a warm appeal to the Press of the world to contribute by every means at its disposal to the consolidation of peace, to combat hatred between nationalities and between classes which are the greatest dangers to peace, and to prepare the way for moral disarmament.

### 5. *Regional Press Understandings.*

This Conference, considering that regional agreements with the object of promoting international harmony concluded by the Press of groups of neighbouring States constitute not only one of the best means of facilitating the decisions of Governments on its improvements suggested by the Conference, but also, and above all, a permanent guarantee of pacification calculated to contribute in large measure to the prevention of misunderstandings between nations ;

Recommends to the delegates of all countries that might benefit by agreements of this sort — in particular the Balkan countries — to confer immediately with each other in order to reach as soon as possible an amicable understanding which may draw closer the bonds between the Press of their countries and thus favourably influence public opinion.

### 6. *Periodical Conferences of Press Experts.*

With a view to examining in the near future the extent to which the resolutions and recommendations of this Conference have been acted upon by the Governments and other organisations concerned, and also to considering various new problems arising from changed conditions due to the application of those resolutions and recommendations, the Conference requests the Council of the League of Nations to consider the advisability of calling a subsequent Conference and also of making such Conferences periodical.

<sup>1</sup> This resolution was adopted by 27 votes to 2.

*7. Right of Reply.*

The Conference decides to refer the consideration of the right of reply to a subsequent Press Conference ; and requests that it be studied meanwhile by the League of Nations, with a view to issuing a report.

**X. RESOLUTIONS OF A GENERAL CHARACTER.**

At the close of its session, the Conference adopted by acclamation the following resolution :

*The Conference and Public Opinion.*

Considering that all the resolutions which have been adopted will require the support and advocacy of the Press, this Conference requests all its delegates to undertake to forward the general interests of the Press in their newspapers in order favourably to influence the public opinion and the Governments of their respective countries.

**REPORT BY M. VANDERVELDE (BELGIUM)**

*adopted by the Council of the League of Nations at its meeting on September 2nd, 1927..*

The Council has before it the resolutions adopted by the Conference. They cover a very large part of the technical work of the Press, and bear witness to the effort made by the Conference to state with all clearness and precision the problems which affect agencies, newspapers and journalists.

I suggest that these resolutions be divided into two groups. The first would include all those resolutions which relate to rates, code telegrams, improvements in communications, the conveyance of newspapers, and identity cards for journalists.

In the opinion of the Conference itself this group of resolutions still needs exhaustive technical examination. The Conference asks the Council to refer them to the League Organisation for Communications and Transit, which would then continue to examine them with the help of representatives of the Press groups interested.

The Council will no doubt agree to comply with the Conference's request, and to ask the Organisation for Communications and Transit to undertake this work, which falls within its sphere.

In regard to the second group, which would include the resolutions relating to the protection of Press news (Chapter VI) ; most of those relating to professional facilities for journalists (Chapter VII) ; and that relating to censorship in time of peace (Chapter VIII), it will be necessary for the Council to approach the different Governments.

As these questions are new to the Council, and as very little time has elapsed between the end of the Conference and the presentation of these resolutions to the Council, I suggest that we postpone considering what action should be taken on this second group of resolutions until our session in December next.

The Council has no doubt noticed that, in the Preamble to the resolutions, the Conference expresses the hope that " the Assembly and the Council of the League will continue to observe with sustained interest the development of these questions, so that, if the various interests represented at this Conference should later express a desire for a consultation or for another Conference, the Assembly or the Council may again put the League's technical facilities at the disposal of the Press ". Moreover, the Conference has passed a special resolution on the " periodicity of Conferences of Press Experts ".

Should it at some future time appear necessary, and should developments in the technical international problems which affect the Press make it seem desirable to those concerned, the Council will no doubt wish to state that it is in principle willing to lend the assistance of the organisations of the League for the study of these questions, and to organise consultation or call a Conference for this purpose.

I submit to the Council the following resolutions :

The Council :

(1) Tenders its warmest thanks to the President, Lord Burnham, to all the members and experts who have attended the Conference, and to all organisations and persons who have assisted in the preparatory work ;

(2) Requests the Secretary-General to ask the Organisation for Communications and Transit to continue, with the help of the Press groups interested, the technical study of the first group of resolutions adopted by the Conference of Press Experts ;

(3) Adjourns to its December session consideration of the action to be taken on the other resolutions ;

(4) Communicates to the Assembly the resolutions of the Conference, and requests it to include in the budget of the Organisation for Communications and Transit the supplementary credit necessary for the enquiries and other work entailed by these resolutions.



**LISTE DES MEMBRES DE LA CONFÉRENCE ET DES CONSEILLERS TECHNIQUES  
SUIVIE DE LA LISTE DES ASSESSEURS.**

**LIST OF MEMBERS OF THE CONFERENCE AND OF TECHNICAL ADVISERS  
FOLLOWED BY THE LIST OF ASSESSORS.**

**PRÉSIDENT :**

The Right Honourable Viscount BURNHAM, G.C.M.G., C.H.

**ALLEMAGNE — GERMANY.**

*Membres :*

M. Erich ALFRINGHAUS. Chef rédacteur « Sozial-demokratische Pressedienst », Berlin.  
M. Martin CARBE. Représentant général de la Maison Rudolf Mosse, Berlin.

*Conseillers techniques :*

M. Adalbert VON BOETTICHER. Directeur « Verein Deutscher Zeitungsverleger », Berlin.  
Professeur Julius Ferd. WOLFF. Rédacteur en chef et éditeur *Dresdener Neueste Nachrichten*, Dresde.

Dr. Heinrich MANTLER. Directeur de l'Agence Wolff, Berlin.  
M. Otto MEJER. Directeur « Telegraphen Union, Internationaler Nachrichtendienst G.m.b.H. », Berlin.

*Conseiller technique :*

M. Heinrich GESELL. Rédacteur en chef « Telegraphen Union ».

**AFRIQUE DU SUD — SOUTH AFRICA.**

*Member :*

Mr. Thomas W. MACKENZIE, O.B.E. Managing Editor *The Friend Newspapers, Ltd.*, Bloemfontein.

**ARGENTINE.**

*Membres :*

M. Ramon DE FRANCH. Représentant *La Prensa*, de Buenos-Ayres.  
M. Honorio ROIGT. Correspondant de *La Nacion*, de Buenos-Ayres, auprès de la Société des Nations.

**AUSTRALIE — AUSTRALIA.**

*Member :*

Mr. Alfred C. C. HOLTZ. General Manager *The Melbourne Argus* and *The Australasian*, Melbourne.

**AUTRICHE — AUSTRIA.**

*Membre :*

M. Ernest BENEDIKT. Editeur de la *Neue Freie Presse*, Vienne.

**BELGIQUE — BELGIUM.**

*Membre :*

M. Victor ROSSEL. Directeur du *Soir*, Bruxelles.

**BOLIVIE — BOLIVIA.**

*Membre :*

M. Alcides ARGUEDAS. Délégué de la Bolivie auprès de l'Institut international de Coopération intellectuelle, Paris.

BRÉSIL — BRAZIL.

*Membre :*

M. Oscar de Carvalho AZEVEDO. Directeur général de l' « Agencia Americana », Rio de Janeiro.

EMPIRE BRITANNIQUE — BRITISH EMPIRE.

*Members :*

Sir Roderick JONES. Chairman of Reuters Ltd., London.

*Technical Adviser :*

Mr. Samuel Carey CLEMENTS. Manager of Reuters Ltd.

Mr. Wilfred KING. Chairman and Managing Director of the Exchange Telegraph Company Ltd., London.

*Technical Adviser :*

Mr. André GLARNER. Manager Paris Bureau Exchange Telegraph.

The Right Honourable Lord RIDDELL. Vice-President of the Newspaper Proprietors' Association, London.

*Technical Advisers :*

Mr. Thomas Wilson McARA. Secretary Newspaper Proprietors' Association.

Sir Howard d'EGVILLE. Editor *Journal of the Parliaments of the Empire*, London.

Sir Campbell STUART. Director of *The Times*, London.

Mr. Henry Ernest TURNER. General Secretary of the (British) Empire Press Union, London.

BULGARIE — BULGARIA.

*Membre :*

M. Ivan Peeff PLATCHKOFF. Directeur du *Mir*, Sofia.

CANADA.

*Member :*

The Hon. Frank CARREL. Vice-President *The Chronicle Telegraph*, Quebec.

CHILI — CHILE.

*Member :*

M. Agustin Robert EDWARDS. President of the Board of Directors *El Mercurio*, Santiago.

*Technical Adviser :*

M. Fernando LASTARRIA. Editor of *El Mercurio*.

CHINE — CHINA.

*Member :*

Mr. Kungchen Koo. Editor of the *Eastern Times* and representative of the Kouwen News Agency, Shanghai.

COLOMBIE — COLOMBIA.

*Membre :*

M. Eduardo SANTOS. Directeur propriétaire de *El Tiempo*, Bogotá.

DANEMARK — DENMARK.

*Membre :*

M. Poul Erik SVARRE. Rédacteur en chef et éditeur *Oestsjaellands Folkeblad*, Kjøge.

ESPAGNE — SPAIN.

*Membres :*

M. José ESCOFET. Directeur de la *Vanguardia*, Barcelone.

M. Nicolas Ma. URGOITI. Président du Conseil d'administration *El Sol et La Voz*, Madrid.

ETATS-UNIS D'AMÉRIQUE — UNITED STATES OF AMERICA.

*Members :*

Mr. Karl A. BICKELL. President United Press Association, New York.

*Technical Advisers :*

Mr. Edward Leggett KEEN. General European Manager United Press.  
Mr. Edward J. BING. General European Business Manager United Press.

Mr. Frederick T. BIRCHALL. Acting Managing Editor *The New York Times*.

*Technical Advisers :*

Mr. Edwin L. JAMES. European Manager *New York Times*.  
Mr. Wythe WILLIAMS. Staff Correspondent *New York Times*.

Mr. Kent COOPER. Director-General The Associated Press of America, Washington.

*Technical Advisers :*

Mr. Charles Stephenson SMITH. Chief of Foreign Service of Associated Press.  
Mr. Joseph E. SHARKEY. Geneva Correspondent of Associated Press.

Mr. Moses KOENIGSBERG. President International News Service Inc., New York.

*Technical Advisers :*

Mr. James T. WILLIAMS, Jr., Editor of Universal News Service, New York.  
Mr. Robert James PREW. London Correspondent of Universal News Service.  
Mr. David M. CHURCH. Foreign Editor of International News Service.

M. Robert P. SCRIPPS. President of the Scripps Howard Newspapers, New York.

*Technical Adviser :*

Mr. George B. PARKER. Editor-in-chief Scripps Howard Newspapers.

FINLANDE — FINLAND.

*Membre :*

M. Ernest F. NEVANLINNA. Professeur à l'Université d'Helsingfors, ancien Président de l'Association de la Presse finlandaise.

FRANCE.

*Membres :*

M. Léon BERTEAUX. Directeur du journal *La Croix* ; Représentant la Fédération des Journaux français, Paris.  
M. André MEYNOT. Administrateur-Directeur de l'Agence Havas, Paris  
M. Etienne DE NALÈCHE. Directeur du *Journal des Débats* ; Président du Syndicat de la Presse Parisienne, Paris.  
M. François DE TESSAN. Rédacteur en chef et Directeur de l'Agence Parisienne de la *Dépêche de Toulouse*.

GRÈCE — GREECE.

*Membre :*

M. Kyros KYROU. Directeur de l'*Hestia*, Athènes.

GUATEMALA.

*Membre :*

M. Miguel Angel ASTURIAS. Editorial : « Paris-America », Paris.

HONGRIE — HUNGARY.

*Membre :*

M. Joseph VESZI. Directeur-rédacteur en chef du *Pester Lloyd*, Budapest.

INDE — INDIA.

*Member :*

Mr. S. SINHA. Proprietor of *Hindustan Review*, of *The Leader*, and of *The Searchlight*.

ITALIE — ITALY.

*Membres :*

M. Giulio BARELLA. Directeur-administrateur du *Popolo d'Italia*, Milan.  
M. Pietro CANCANI. Vice-Directeur du *Corriere d'Italia*, Rome.  
M. Gustavo NESTI. Directeur de l'Agence Stefani, Rome.

JAPON — JAPAN.

*Members :*

M. Genichiro DATE. Director of *Nippon Shinbu Rengosha*, Tokyo.  
M. Sekizo UYEDA. Managing Director of *Nippon Dempo Tsushinsha*, Tokyo.  
M. Seiichi UYENO. Proprietor and Managing Director of the *Osaka Asahi* and the *Tokyo Asahi*, Tokyo.

*Technical Advisers :*

M. Raisuké SIGETOKU. Special Correspondent in Paris of the *Asahi*.  
M. Shichishi ITO. London representative of the *Asahi*.  
M. Kichinnai KITANO. New York Correspondent of the *Asahi*.  
M. Tsunejiro HIRAI. Correspondent of the *Asahi*.

NORVÈGE — NORWAY.

*Membre :*

M. Rolf THOMMESSEN. Directeur du *Tidens Tegn*, Oslo.

PAYS-BAS — NETHERLANDS.

*Membres :*

M. H. NYGH. Directeur du *Nieuwe Rotterdamsche Courant*, Rotterdam.

*Conseiller technique :*

Dr. M. VAN BLANKENSTEIN. Rédacteur au *Nieuwe Rotterdamsche Courant*.

PÉROU — PERU.

*Membre :*

M. Oscar Miro QUESADA. Co-directeur de *El Comercio*, Lima.

POLOGNE — POLAND.

*Membres :*

M. Pierre GORECKI. Directeur de l'Agence télégraphique polonaise « Pat », Varsovie.

*Conseiller technique :*

M. Casimir EHRENBURG. Vice-directeur et rédacteur politique du *Kurjer Poranny*, Varsovie.

PORTUGAL.

*Membre :*

M. Gaetano Maria Beirao DA VEIGA. Administrateur-délégué du *Diario de Noticias*, Lisbonne.

*Conseiller technique :*

M. Augusto PINTO. Rédacteur du *Diario de Noticias*.

ROUMANIE — ROUMANIA.

*Membre :*

M. Alexandre MAVRODI. Directeur du *Vistorul*, Bucarest.

ROYAUME DES SERBES, CROATES ET SLOVÈNES -- KINGDOM OF THE SERBS, CROATS AND SLOVENES.

*Membre :*

M. Vladislav RIBNIKAR. Directeur de *Politika*, Belgrade.

SUÈDE — SWEDEN.

*Membre :*

M. Sten-Fredrik DEHLGREN. Rédacteur en chef. Directeur du *Dagens Nyheter*, Stockholm.

SUISSE — SWITZERLAND.

*Membres :*

M. Edouard CHAPUISAT. Directeur du *Journal de Genève*, Genève.  
Dr. Rudolf LÜDI. Directeur de l'Agence télégraphique suisse, Berne.

TCHÉCOSLOVAQUIE — CZECHOSLOVAKIA.

*Membre :*

M. Karel Z. KLIMA. Rédacteur en chef de *Lidové Noviny*, Prague.

TURQUIE — TURKEY.

*Membre :*

ALAEDDIN bey. Directeur général de l'Agence d'Anatolie, Angora.

*Conseiller technique :*

Husni ZIA bey. Correspondant à Genève de l'Agence d'Anatolie.

URUGUAY.

*Membre :*

M. Hector GOMEZ. *La Mañana*, Montevideo.

UNION DES RÉPUBLIQUES SOVIÉTISTES SOCIALISTES  
UNION OF SOCIALIST SOVIET REPUBLICS.

M. Basile ANTONOFF. Rédacteur du *Journal Izvestia*, Moscou.  
M. Maurice MENKES. Chef du Bureau de Berlin de l'Agence Tass, Moscou.  
(Ont assisté à la Conférence, sur leur désir, à titre d'observateurs).

REPRÉSENTANTS DU COMITÉ PRÉPARATOIRE DES JOURNALISTES.  
REPRESENTATIVES OF THE PREPARATORY COMMITTEE OF JOURNALISTS.

Comité composé de membres de l'Association des Journalistes accrédités auprès de la Société des Nations.

Committee composed of members of the Association of Journalists accredited to the League of Nations.

*Members :*

M. Georg BERNHARD. Président du Comité préparatoire des Journalistes ; Rédacteur en chef de la *Vossische Zeitung*, Berlin.

*Conseiller technique :*

M. Julius BECKER. Correspondant du service d'Information Ullstein.

M. Albert JULLIEN. Rapporteur du Comité préparatoire des Journalistes ; Chef de la politique étrangère au *Petit Parisien*, Paris.

FÉDÉRATION INTERNATIONALE DES JOURNALISTES.  
INTERNATIONAL FEDERATION OF JOURNALISTS.

*Membre :*

M. Stéphane VALOT. Secrétaire général de la Fédération internationale des Journalistes ; Rédacteur à l'*Œuvre*, Paris.

*Conseillers techniques :*

- Mr. Henry Marriott RICHARDSON. General Secretary, National Union of Journalists of Great Britain, London.  
M. Edgar STERN-RUBARTH. Rédacteur en chef de l'Agence télégraphique Wolff, Berlin.

UNION INTERNATIONALE DES ASSOCIATIONS DE PRESSE.  
INTERNATIONAL UNION OF PRESS ASSOCIATIONS.

*Membres :*

- M. Ernest RIETMANN. Trésorier général de l'Union internationale des Associations de Presse, Zurich.  
M. Paul DE CASSAGNAC. Secrétaire général de l'Union internationale des Associations de Presse, Paris.

REPRÉSENTANTS DE BUREAUX DE PRESSE GOUVERNEMENTAUX (Assesseurs).  
REPRESENTATIVES OF GOVERNMENTAL PRESS BUREAUX (Assessors).

*Note.* — Tous les gouvernements ont été informés que leurs Bureaux de Presse pourraient déléguer à la Conférence un représentant avec voix consultative.

La liste ci-dessous ne donne que les noms des personnalités déléguées à ce titre par leur Gouvernement.

*Note.* — All Governments were informed that their Press Bureaux might delegate to the Conference a representative with advisory vote.

The list below gives only the names of persons appointed in this capacity by their Government.

ALLEMAGNE — GERMANY.

Dr. Walter ZEHLIN. Directeur ministériel, Directeur du Bureau de Presse du Reich.

*Conseiller technique :*

M. Kurt HAENTZSCHEL. Conseiller ministériel.

ARGENTINE.

M. Julian ENCISO. Conseiller de Légation, Genève.

BELGIQUE — BELGIUM.

M. Alphonse OOMS. Directeur du Bureau de la Presse au Ministère des Affaires étrangères, Bruxelles.

BRÉSIL — BRAZIL.

M. VAZ DE MELLO. Chargé d'affaires du Brésil à Berne.

BULGARIE — BULGARIA.

M. Ivan POPOFF. Directeur du Bureau de Presse au Ministère des Affaires étrangères, Sofia.

CHINE — CHINA.

M. Chuan CHAO. Secretary-General of the Chinese Delegation to the League of Nations, Geneva.

COLOMBIE — COLOMBIA.

M. Efrain Gaitan HURTADO. Premier secrétaire de la Légation de Berne.

CUBA.

M. Gaston FERNANDEZ. Consul de Cuba à Genève.

DANEMARK — DENMARK.

M. Anders Jørgen POULSEN. Chief of the Official Press Bureau, Copenhagen.

FINLANDE — FINLAND.

M. Eero JÄRNEFELT. Directeur du Bureau de Presse au Ministère des Affaires étrangères, Helsingfors.

FRANCE.

M. Paul BARGETON. Chef du Service de l'Information et de la Presse au Ministère des Affaires étrangères, Paris.

GRÈCE — GREECE.

M. Démétrius KALOPOTHAKÈS. Directeur du Service de Presse au Ministère des Affaires étrangères, Athènes.

JAPON — JAPAN.

M. Sinrokuro HIDAKA. Secrétaire d'ambassade, Paris.

*Technical Adviser :*

M. Takashi KOMATSU. Representing Director of Press Bureau, Ministry for Foreign Affairs, Tokyo.

LETTONIE — LATVIA.

Dr. Alfred BIHLMANS. Directeur de la Section de Presse au Ministère des Affaires étrangères, Riga.

PAYS-BAS — NETHERLANDS.

Dr. L. J. Plemp VAN DUIVELAND. Chef du Service de Presse au Ministère des Affaires étrangères, La Haye.

POLOGNE — POLAND.

M. Léon KLIMECKI. Chef adjoint de la Section de Presse au Ministère des Affaires étrangères, Varsovie.

ROUMANIE — ROUMANIA.

M. Nicolas DIANO. Directeur général de la Presse, Bucarest.

SUÈDE — SWEDEN.

M. Fritz HENRIKSSON. Directeur du Bureau de Presse au Ministère des Affaires étrangères, Stockholm.

SUISSE — SWITZERLAND.

M. Max RATZENBERGER. Premier Secrétaire au Département politique fédéral, Berne.

TCHÉCOSLOVAQUIE — CZECHOSLOVAKIA.

M. Jan HAJEK. Chef du Service de Presse au Ministère des Affaires étrangères, Prague.

*Conseiller technique :*

M. Ivan P. MILEC. Directeur du Bureau de Presse tchécoslovaque à Genève.

TURQUIE — TURKEY.

M. Aziz SAFVET bey. Directeur général *ad interim* de la Presse au Ministère des Affaires étrangères et Secrétaire général du Conseil d'Etat, Angora.

*Experts*

spécialement convoqués pour l'examen de la question de l'expédition des journaux :  
specially invited in connection with the examination of the transport of newspapers :

M. SCHOELLER, représentant les Messageries Hachette, Paris ;  
M. KIMPTON, représentant la maison Smith & Son, Londres ;  
M. VON HERWARTH, représentant la maison Georg Stilke, Berlin.

*Expert*

spécialement convoqué pour l'examen de la question des communications télégraphiques  
par câbles sous-marins.  
specially invited in connection with the examination of telegraph communications by  
submarine cable :

Mr. BROWN, representative of the International Cable Companies' Association.



LEAGUE OF NATIONS.

Geneva, September 19th, 1927.

**CONFERENCE OF PRESS EXPERTS**

**REPORT PRESENTED TO THE ASSEMBLY  
BY THE SIXTH COMMITTEE**

*Rapporteur* : M. DE BROUCKÈRE (Belgium).

The Sixth Committee has carefully examined the work of the Conference of Press Experts, which was held at Geneva from August 24th to 29th last, and the deliberations of the Council at its meeting on September 2nd.

When, in 1925, the Assembly, at its fifth ordinary session, at the instance of the Chilean delegation, adopted a resolution to convene a Conference of Press Experts, it was at first perhaps not thought that twenty-three months would elapse before the Conference could meet.

Close examination of the question revealed its great complexity. The 1925 resolution requested the Conference to seek means of ensuring the more rapid and less costly transmission of Press news with a view to reducing risks of international misunderstanding. The difficulty consisted in dealing with this problem, which, though undoubtedly a technical one, has nevertheless an important moral bearing, and at the same time carefully avoiding any interference to which the Press, always jealous of its independence, might justly have taken exception.

It was therefore necessary to allow the Press itself, in preliminary work which extended over nearly two years, to decide in the first place as to the advisability of holding this Conference, then to settle the agenda, and finally to examine it in three preliminary meetings, which included heads of agencies, journalists and directors of Press bureaux. This careful preparation enabled the Conference to work rapidly and to complete its task in less than a week.

The Conference met at Geneva on August 24th. Sixty-three delegates, thirty-five technical advisers and twenty assessors coming from thirty-eight States, Members and non-Members of the League, and representing telegraphic agencies, newspapers, international organisations of journalists and official press bureaux, took part in the work. Lord BURNHAM, the distinguished President of the Newspaper Proprietors' Association of Great Britain, who was asked by the Council to preside over the Conference, could say in his closing speech without exaggeration that the Conference constituted the most important Press meeting which had ever been held.

It is noteworthy that this Conference, which brought together such varying interests and so many different countries, should on almost every question have adopted unanimous resolutions. These resolutions, therefore, are of great value.

The Assembly should not only convey its thanks to the representatives of the Press who accomplished this work but also express a desire that the Governments should direct their competent authorities to examine the suggested improvements in the most sympathetic spirit.

In taking note of these resolutions, the Council grouped them into two categories : on the one hand, those which, in the opinion of the Conference itself, require further thorough technical study, and, on the other, those which can now be submitted to the Governments.

The Council has already referred to the Organisation for Communications and Transit the resolutions of the first class, and, in particular, those dealing with telegraphic and telephonic rates, telegrams in cypher, improvement of communications, the conveyance of newspapers, and identity cards for journalists. We express the hope that the technical enquiries necessary for giving effect to these resolutions will be carried through promptly and with the assistance of special committees if required.

Consideration of the resolutions of the second class, which deal with the question of subscriptions to newspapers through the post, the ownership of Press news, various professional facilities for journalists and censorship in time of peace, has been postponed by the

Publications of the League of Nations

GENERAL

1927. 9.

Council till its session in December next. These resolutions can thus be carefully studied by the Members of the Council before the latter decides whether these questions should be submitted to the Governments. Your Sixth Committee considers that you might recommend the Council to undertake this investigation with the sympathetic attention which these resolutions deserve.

Finally, the Council, giving effect to two other resolutions of the Conference, has stated under what circumstances it would be prepared to lend the assistance of the League organisations in the study of Press problems. The Assembly will doubtless wish to associate itself with this decision.

In conclusion, I have the honour to propose the following resolution :

“ The Assembly,

“ Noting the success of the Conference of Press Experts, conveying its thanks to the representatives of the Press for their collaboration ;

“ Expresses its satisfaction that the Council has considered the steps required for promptly giving the necessary effect to the resolutions of the Conference ;

“ Trusts that the technical organisations to which the Council has submitted a number of these resolutions will undertake as soon as possible the special enquiries relating in particular to the questions of telegraphic and telephonic rates, the improvement of communications, the conveyance of newspapers, identity cards for journalists and visas for journalists' passports ;

“ Trusts that the Council, at its December Session, will take the most suitable measures to enlist the sympathetic attention of Governments for the other resolutions adopted by the Conference in order that effect may be given to them ; and

“ Notes with satisfaction that the Council, taking into account the recommendation made by the Conference, has declared that, should it at some future time appear necessary and should developments in the technical international problems which affect the Press make it seem desirable to those concerned, it will in principle be willing to lend assistance of the Organisations of the League for the study of these questions, and to organise a consultation or call a conference for this purpose. ”

Geneva, September 22nd, 1927.

LEAGUE OF NATIONS

**Construction of an Assembly Hall and of New Buildings  
for the Use of the Secretariat.**

**REPORT SUBMITTED TO THE ASSEMBLY  
BY THE SPECIAL COMMITTEE.**

At the eleventh plenary meeting held on Saturday, September 10th, the Assembly appointed a Committee of five members to present suggestions with regard to the decision to be taken in the matter of the new League buildings. The members of the Committee were :

M. ADATCI (Japan),  
M. OSUSKY (Czechoslovakia), Chairman of the Supervisory Commission,  
M. POLITIS (Greece),  
M. URRUTIA (Colombia),  
Sir Edward Hilton YOUNG (British Empire).

The Committee appointed M. ADATCI Chairman and Sir Edward Hilton YOUNG Rapporteur.

The Committee has examined the question on the lines laid down in the terms of reference approved by the Assembly and has carefully considered all information on various details which the Secretariat was in a position to supply.

The Committee is of opinion that it is impossible to complete the study of the whole question during the present session of the Assembly. There are, however, certain points which appear quite clear to the Committee and which, in its view, enable certain decisions of principle to be taken by the Assembly at the present session, thus avoiding the necessity of an adjournment to the Assembly of 1928 and the resulting year's delay in commencing operations.

*1. Financial Position.*

The accounts of the Building Fund show a cash balance in hand on August 31st, 1927, of 11,400,000 francs in round figures, to which must be added the guaranteed sale price of the Hotel National — 4,000,000 francs. From this sum of 15,400,000 francs it is prudent to put aside a sum of 1,000,000 francs for the purchase of land and other general expenses. There is therefore a sum in hand at the present time of roughly 14,400,000 francs.

As some time will naturally elapse before any considerable payments must be made from this fund, it seems permissible to anticipate the addition of a sum of about 1,000,000 francs as interest on the large cash balance now actually in the possession of the League, thus bringing the amount available to a total of 15,400,000 francs.

A study of the prize-winning plans in the architects' competition has convinced the Committee that the sum at present available will not be sufficient to ensure that the new building or buildings shall, without being unduly luxurious, be satisfactory from the æsthetic point of view as well as from the practical. The estimates of cost submitted by the various competitors in accordance with the rules of the competition appear to the Committee to be in nearly all cases inadequate.

Basing itself upon a reasonable estimate of the cubic capacity necessary to provide the accommodation required and a by no means extravagant estimate of the probable cost per cubic metre, the Committee is of opinion that it is necessary to contemplate the probability that the credit allotted will ultimately have to be increased to approximately 19,500,000 francs. Until a plan has been definitely decided upon and carefully revised, it is of course impossible to give a more exact estimate ; it may be possible to effect a reduction upon the sum named ; and, in view of the amount of cash actually in hand, it is also unnecessary for the Assembly to vote at this present session a definite supplementary credit. All that is needed, and the Committee ventures to urge strongly the necessity of this measure, is that the

Assembly should now agree in principle that the Building Fund will be increased to the amount of approximately 19,500,000 francs, should it be confirmed that the required buildings cannot be obtained for less.

2. *Choice of Plan.*

The Committee is of opinion that it is reasonable and just that the ultimate choice of a plan should be made from among those which were awarded the nine equal prizes of 12,000 francs.

If the Assembly approves the Committee's recommendations, it will be necessary for a small committee to be appointed to continue the study of the questions contained in the terms of reference of the present Committee, with full powers to choose, with any changes that may be necessary, a plan that in their opinion most nearly satisfies the practical necessities and æsthetic considerations. This committee would, of course, be provided with such expert assistance as it may desire. The decision of the committee should be submitted to the Council for formal approval and ratification.

In conclusion, therefore, the Committee proposes to the Assembly the following resolution :

“ The Assembly :

“ Approves the report of the Special Committee of five members in regard to the new buildings ;

“ Approves, in principle, that the amount to be spent on the new buildings may be increased to approximately 19,500,000 francs. The exact amount of the supplementary credit necessary will be submitted to the Assembly at the next session ;

“ Empowers a Committee composed as follows :

.....  
to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which in its opinion complies most nearly with the practical and æsthetic requirements. The decision of this Committee will be submitted to the Council of the League of Nations for ratification, and will be communicated to the Assembly at the next session. ”

Genève, le 23 septembre 1927.

SOCIÉTÉ DES NATIONS

**Relations entre la Société des Nations et les Instituts  
ou Organismes qui sont constitués sous son autorité.**

**RAPPORT DE LA DEUXIÈME COMMISSION A L'ASSEMBLÉE**

*Rapporteur* : L'Honorable Mrs. Alfred LYTTELTON (Empire Britannique).

La deuxième Commission a soumis à un examen préalable le projet de résolution présenté par Mrs. Alfred Lyttelton au sujet des instituts et organismes constitués sous l'autorité de la Société des Nations (document A. 94. 1927).

Elle a constaté la grande importance de cette question et propose à l'Assemblée d'inviter le Conseil à faire étudier la question et à demander qu'un rapport sur ce sujet soit présenté à l'Assemblée, à sa neuvième session ordinaire, en 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* : The Hon. Mrs. Alfred LYTTELTON (British Empire).

The Second Committee has made a preliminary examination of the draft resolution presented by the Hon. Mrs. Alfred Lyttelton with regard to institutes or bodies set up under the authority of the League of Nations (document A. 94. 1927.).

It has noted the great importance of this question and proposes that the Assembly should invite the Council to have this question studied and to ask that a report on this subject should be submitted to the Assembly at its ninth ordinary session in 1928.

Genève, le 23 septembre 1927.

SOCIÉTÉ DES NATIONS

9

**Construction d'une Salle des Assemblées  
et de nouveaux Bâtiments à l'usage du Secrétariat**

**NOTE DE LA QUATRIÈME COMMISSION CONCERNANT  
LE RAPPORT SOUMIS A L'ASSEMBLÉE PAR LE COMITÉ SPÉCIAL**

La quatrième Commission, au cours de sa séance de l'après-midi du 23 septembre, était saisie du rapport du Comité spécial nommé par l'Assemblée pour étudier la question des nouveaux bâtiments (document A. 93. 1927) qui lui était soumise en vertu de la décision de l'Assemblée.

La quatrième Commission a approuvé le rapport dans son ensemble et, en hommage à la façon admirable dont le Comité spécial s'est déjà acquitté de sa mission, elle se permet de suggérer que ledit Comité est le mieux qualifié pour poursuivre l'étude de cette question importante. La Commission a donc l'honneur de proposer à l'Assemblée que les noms des membres du Comité spécial (M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA et sir Edward HILTON YOUNG) figurent dans le projet de résolution qui constitue la conclusion du rapport présenté par le Comité spécial.

LEAGUE OF NATIONS

**Construction of an Assembly Hall and of New Buildings  
for the Use of the Secretariat.**

**NOTE BY THE FOURTH COMMITTEE ON THE REPORT  
SUBMITTED TO THE ASSEMBLY BY THE SPECIAL COMMITTEE.**

The Fourth Committee, at its afternoon meeting of September 23rd, had before it the report of the Special Committee appointed by the Assembly to consider the question of the new buildings (document A. 93. 1927), which was submitted to it in accordance with the Assembly's decision.

The Fourth Committee approved the report as a whole and, recognising the admirable work already performed by the Special Committee, ventures to suggest that the same Committee is that best qualified to continue the study of this important question. They therefore venture to propose to the Assembly that the names of the present Special Committee (M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA and Sir Edward HILTON YOUNG) should figure in the draft resolution with which the Special Committee's report concludes.

Publications de la Société des Nations

QUESTIONS GÉNÉRALES

1927. 13.

Geneva, September 25th, 1925.

10

LEAGUE OF NATIONS.

## Measures to help Refugees

### REPORT OF THE FIFTH COMMITTEE TO THE SIXTH ASSEMBLY.

*Rapporteur*: M. BANDEIRA DE MELLO (Brazil).

The Fifth Committee recalled the fact that the Fifth Assembly of the League of Nations had recommended that the International Labour Office should continue the work of the High Commissioner for the Protection and Assistance of Russian and Armenian Refugees, and had voted a credit of 203,000 francs for administrative expenses in connection with the employment, emigration and settlement of the refugees, it being understood that the International Labour Office would have recourse to the co-operation and intervention of the High Commissioner in order to settle any political and legal difficulties which might arise.

The International Labour Office, in conformity with the resolution approved by the Governing Body at its meeting on October 10th, 1924, undertook a thorough and detailed examination of the exact position of these refugees and the possibilities of employment in immigration countries, and established Advisory Committees in various countries for the purpose of effecting a careful selection of the refugees for whom offers of employment were obtained.

A census of refugees was then taken according to their special qualifications and their occupations, in order to enable the Refugee Service to transmit to them regular offers of employment. According to the statement prepared by the Office, the number of Russian refugees at present amounts to more than one million, of whom about 200,000 are unemployed or in casual employment. There are, in addition, some thousands of unemployed Armenian refugees, including approximately 23,000 in Greece, in a precarious situation, who, according to the statement of the Greek delegation, cannot be absorbed into the economic life of the country.

The refugee questions, which were already difficult because of all the extremely complex problems to which they give rise, have been greatly aggravated by the critical state of unemployment existing for some years past in certain European countries.

The emigration of these refugees to new countries overseas has been considered as a solution of the problem, and a mission consisting of recognised technical experts was therefore sent to South America to examine the possibilities of settling refugees in the Latin States.

This mission got into touch with the Governments of some of those countries which were, in principle, disposed to receive specified groups of refugees, subject to certain important conditions, particularly as regards moral character and the vocational capacity of the immigrants, and subject to careful selection by technical experts especially appointed for this purpose.

The Governments of some South-American States expressed the desire to have elements of other European nationalities introduced into their territories at the same time as the Russian and Armenian refugees, but the Committee expressed the opinion that the employment of persons other than refugees and their settlement in other countries was solely the concern of individual Governments themselves. The Austrian delegation made certain reservations in this connection.

The International Labour Office, after overcoming difficulties of all kinds, had succeeded in the short space of seven months in facilitating employment in some thirty different countries of 18,000 refugees, who had thus been definitely settled under normal conditions.

The restrictive operation of the identity certificate systems placed many difficulties in the way of finding employment for the refugees.

After lengthy negotiations, the Refugee Service has secured recognition for the Nansen Passports from forty Governments in the case of Russians and from twenty-eight in the case of Armenians.

Some South-American Governments, however, still required these certificates to be accompanied by a recommendation from the International Labour Office. Other South-American countries have not yet recognised the Nansen Passport.

The present systems exclude the return of refugees to the country issuing the certificates, and thus run counter to the immigration laws of certain countries. Germany and Greece, however, displaying the most liberal spirit, have agreed to allow the return of refugees who are unable to fulfil the conditions required by the countries of immigration.

The Committee hoped that this example would be followed by other interested countries, who would thus enable the refugees in their territories to proceed to immigration countries which would otherwise be closed to them.

A large number of refugees had been sent to France, where they met with a most favourable reception, and latterly offers of employment had been received from Belgium and Luxemburg. Canada had admitted 10,000 refugees under very favourable conditions, and others had been sent to Brazil and Paraguay.

Owing to the outlets offered by these countries, the Refugee Service had been able to find employment regularly for about 2,000 refugees per month.

It is most gratifying to record the admirable work accomplished by the Refugee Service, which had been able in this way to save thousands of human beings from destitution.

Nevertheless, the work is by no means terminated, as thousands of other unfortunate persons are still awaiting the moral support and material assistance of the League of Nations.

If the work of finding employment is to continue methodically, this Service, in order to bring its task to a proper conclusion, must continue its activities for some time to come. In this way, the anxious problem, which has for many years past engaged the sympathetic attention of the civilised world, may be solved in a satisfactory manner in conformity with the recommendations adopted by the Fifth Assembly on the proposal of its Fourth and Fifth Committees.

The Committee considered that the continuation of the work of protecting refugees by *assistance in the form of employment*, like that devised and put into effect by the Refugee Service, would require the granting of a credit of 303,000 francs and the creation of a revolving fund of £100,000 to provide for the advance of transport expenses to the refugees in the light of the experience gained by the operation of the small revolving fund in the hands of Dr. Nansen.

The Committee had under consideration the following three methods for obtaining that fund :

1. The Assembly could make the necessary advance for a stipulated term.
2. The interested Governments on which the refugees are directly or indirectly a charge could make loans in proportion to the number of refugees in their territories.
3. The present charges made by certain Governments to self-supporting refugees for the issue and renewal of identity certificates could be regularised and made uniform (*e.g.*, at a sum of 10 Swiss francs) and one-half of such charges be paid to a working capital fund for the refugees.

The fund formed by the payment of half the taxes collected on refugees passports, according to the suggestion made in paragraph 3, could in the first place be devoted to repaying the sum advanced by the Assembly.

This solution would help to relieve the different Governments which are still charged with the maintenance and assistance of Russian and Armenian refugees.

The Committee was called upon to consider whether the work of protecting and assisting Russian and Armenian refugees, which had hitherto been undertaken in the face of innumerable difficulties, was to be continued, or whether those generous efforts should come to a sudden end and the refugees be left to their own resources.

Dr. Nansen, who for years has been tireless in his efforts on behalf of refugees, expressed the warm thanks of the Fifth Committee to Colonel James Proctor for the valuable help which he had rendered to the Refugee Service, to which he had devoted himself with admirable disinterestedness.

After a detailed examination of representatives of the International Labour Office concerning the work accomplished this year and the programme for the future, the Committee adopted the following resolutions :

“ The Committee,

“ 1. Having read with great interest the report of the Refugee Service of the International Labour Office on the work accomplished for the refugees during the first seven months of 1925, indicating the possibility of developing on an extensive scale the placing of refugee workers in employment in various parts of the world :

“ Wishes to record its deep gratitude to the Governments which have afforded their valuable co-operation in this connection by means of financial contributions, the collaboration of their technical services or by visa and transport facilities ;

“ Expresses its great appreciation of the work accomplished by the Refugee Service of the International Labour Office in co-operation with Dr. Nansen, and notes the urgent necessity of finding employment for Armenian refugees living in Greece.



“ 2. Taking note of the proposals in the report for the continuation and extension of the Refugee Service and, in particular, of the statement that an additional sum of 100,000 Swiss francs is required for the establishment of two additional agencies of that Service in South America, while recognising that it is an entirely temporary service, recommends the Assembly to include in the budget of the International Labour Office for 1926 the sum of 303,000 Swiss francs for the Refugee Service.

“ 3. In view of the fact that the Governing Body of the International Labour Office has not yet had an opportunity of examining these proposals, recommends that the report should be submitted as soon as possible to the Governing Body for its consideration, and authorises the Council to enter into negotiations with the Governing Body, if necessary, for determining the measures by which effect can best be given to the report.

“ 4. Suggests that the simplest solution would be to supplement the existing methods of financing the schemes of transport by obtaining from the Assembly an immediate temporary advance on account of a working capital fund which should eventually stand at £100,000 sterling; any sum so advanced should be reimbursed at the earliest possible moment from sources Nos. 2 and 3 mentioned in this report.

“ 5. Recommends the Assembly to invite the Council to consider the advisability of convening an Inter-Governmental Conference for the purpose of examining the suggestions put forward in the report for the creation and administration of a revolving fund of not less than £100,000 sterling to assist the migration of Russian and Armenian refugees, and of effecting an improvement in the present systems of refugee identity certificates. ”

In the course of the discussion, the Italian delegation, while appreciating the work in favour of the refugees, made reservations with regard to resolution No. 4 and declared that it would only vote for the credit of 203,000 Swiss francs.

The Fourth Committee adopted resolution No. 2, which provides for the increase of the credit by 100,000 francs over and above the 203,000 francs granted last year. It, however, rejected the temporary advance of £100,000 mentioned in resolution No. 4.

The Committee learned with regret that the Fourth Committee was unable to recommend the immediate temporary advance suggested in resolution No. 4 for the creation of a revolving fund of £100,000 for the advance of transport expenses to the refugees. The Committee realised that, unless such a fund were made available, the efforts to expedite a solution of the refugee problem would be seriously jeopardised and that an immediate possibility of placing 3,000 refugees in South America might even be lost.

The Committee therefore suggests that, in view of the urgency of the matter, resolution No. 5 above should be modified as follows :

“ The Assembly urges the Council to arrange for the convocation of an Inter-Governmental Conference as soon as possible for the purpose of examining the suggestions put forward in the report of the International Labour Office for the creation and administration of a revolving fund of not less than £100,000 sterling to assist the migration of Russian and Armenian refugees, and of effecting an improvement in the present systems of refugee identity certificates. ”

In these circumstances, the Fifth Committee recommends the adoption of the following resolutions by the Assembly :

“ The Sixth Assembly,

“ 1. Having read with great interest the report of the Refugee Service of the International Labour Office on the work accomplished for the refugees during the first seven months of 1925, indicating the possibility of developing on an extensive scale the placing of refugee workers in employment in various parts of the world :

“ Wishes to record its deep gratitude to the Governments which have afforded their valuable co-operation in this connection by means of financial contributions, the collaboration of their technical services or by visa and transport facilities ;

“ Expresses its great appreciation of the work accomplished by the Refugee Service of the International Labour Office in co-operation with Dr. Nansen, and notes the urgent necessity of finding employment for Armenian refugees living in Greece.

“ 2. Taking note of the proposals in the report for the continuation and extension of the Refugee Service and, in particular, of the statement that an additional sum of 100,000 Swiss francs is required for the establishment of two additional agencies of that Service in South America, while recognising that it is an entirely temporary service, recommends the Assembly to include in the budget of the International Labour Office for 1926 the sum of 303,000 Swiss francs for the Refugee Service.

**“ 3. In view of the fact that the Governing Body of the International Labour Office has not yet had an opportunity of examining these proposals, recommends that the report should be submitted as soon as possible to the Governing Body for its consideration, and authorises the Council to enter into negotiations with the Governing Body, if necessary, for determining the measures by which effect can best be given to the report.**

**“ 4. The Assembly urges the Council to arrange for the convocation of an Inter-Governmental Conference as soon as possible for the purpose of examining the suggestions put forward in the report for the creation and administration of a revolving fund of not less than £100,000 sterling to assist the migration of Russian and Armenian refugees, and of affecting an improvement in the present systems of refugee identity certificates.”**

A. 99. (1). 1926.

Genève, le 24 septembre 1

SEPTIEME SESSION ORDINAIRE DE L'ASSEMBLEE DE LA  
SOCIETE DES NATIONS. //

EXTENSION A D'AUTRES GROUPES DE REFUGIES DES MESURES  
PRISES EN FAVEUR DES REFUGIES RUSSES ET ARMENIENS.

Rapport de la Cinquième Commission à l'Assemblée.  
Présenté par le Délégué belge.

---

La Cinquième Commission a adopté et soumet à l'Assemblée  
la proposition suivante de la délégation belge:

"L'Assemblée invite le Conseil à demander au Haut-Commissariat  
pour les Réfugiés et à l'Organisation internationale du Travail  
d'étudier comment les mesures de protection, de placement et  
d'assistance déjà prises en faveur des réfugiés russes et arméniens  
pourraient être étendues à d'autres groupes analogues de réfugiés."

---

SEVENTH ORDINARY SESSION OF THE ASSEMBLY OF THE  
LEAGUE OF NATIONS.

QUESTION OF EXTENDING TO OTHER REFUGEES THE MEASURES  
TAKEN TO ASSIST RUSSIAN AND ARMENIAN REFUGEES.

Report of the Fifth Committee to the Assembly.  
Presented by the Belgian delegate.

---

The Fifth Committee has adopted and submits to the Assembly  
the following resolution proposed by the Belgian Delegation:

"The Assembly invites the Council to request the High  
Commissioner for Refugees and the International Labour Organisation  
to consider how far the measures already taken to give protection  
to, to provide employment for, and to afford relief to, Russian and  
Armenian refugees can be extended to other analogous categories of  
refugees."

Genève, le 23 septembre 1926

SEPTIEME SESSION ORDINAIRE DE L'ASSEMBLEE DE LA  
SOCIETE DES NATIONS.

ANNEXE AU RAPPORT SUR LES TRAVAUX DE  
L'ORGANISATION D'HYGIENE.

Projet de résolution. \*

---

L'Assemblée,

Considérant l'importance de l'oeuvre accomplie par le Bureau des renseignements épidémiologiques de Singapour première Institution de la Société des Nations en Extrême Orient, considérant d'autre part l'utilité de son action non seulement pour les pays d'Extrême Orient mais aussi pour d'autres Etats Membres de la Société,

Décide d'inscrire un crédit au Budget de la Société pour les dépenses de ce Bureau pour l'exercice 1927.

- \* Présenté par la 11ème Commission après approbation de la 14ème Commission.
- 

SEVENTH ORDINARY SESSION OF THE ASSEMBLY OF THE  
LEAGUE OF NATIONS.

ANNEX TO THE REPORT ON THE WORK OF THE  
HEALTH ORGANISATION.

Draft Resolution. \*

---

The Assembly,

In view of the importance of the work of the Singapore Bureau of Epidemiological Intelligence as the First institution of the League of Nations in the Far East, and in view of the utility of its work not only for the Far Eastern countries but also for other States Members of the League,

Decides that provision for the expenses of the Bureau should be made in the Budget of the League for 1927.

- \* Submitted by the Second Committee after approval by the Fourth Committee.

Geneva, March 22nd, 1928.

**LEAGUE OF NATIONS**

**QUESTION OF THE PROPOSED REDUCTION  
IN THE ANNUAL NUMBER OF SESSIONS OF THE COUNCIL<sup>1</sup>**

*Note by the Secretary-General:*

In accordance with the decision taken by the Council at its meeting of March 7th, 1928, the Secretary-General has the honour to circulate to the Members of the League the following texts relating to the question of the annual number of regular sessions to be held by the Council:

- (1) Extracts from the Minutes of Council meetings held on December 7th and 9th, 1927;
- (2) Extracts from the Minutes of the two Council meetings held on March 7th, 1928;
- (3) Report dated April 21st, 1927, submitted to the Council by the Secretary-General;
- (4) Extract from the Report dated February 7th, 1928, submitted to the Council by the Secretary-General.

**Extracts from the Minutes of the Forty-Eighth Session of the Council.**

**THIRD MEETING (PUBLIC, THEN PRIVATE).**

*Held on Wednesday, December 7th, 1927, at 11.30 a.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General.

.....  
*(The Council went into private session.)*

**2084. Question of a Possible Reduction of the Yearly Number of Sessions of the Council.**

Sir Austen CHAMBERLAIN reminded his colleagues that he had raised this question some time ago. The Council had thought it worthy of investigation and had asked the Secretary-General to present a report on the practicability and convenience of holding three sessions of the Council a year instead of four. It appeared from the Secretary-General's report<sup>2</sup> that the practical working of the League organisations could easily be adapted to three sessions, if the Council decided that this should be the number in future. He thought that, if a change were to be made, it would be convenient to introduce it in the month of September, so that the smaller number of sessions might be equally spread over the months of the League year.

The Council had to decide whether such a change was, in itself, desirable. He had explained his views more than once. He did not attach undue importance to the presence of Foreign Ministers of different countries at the Council meetings merely because he happened to be a Foreign Minister himself, but, looking round the table, he saw that there were actually present six Ministers for Foreign Affairs. The attendance of those Ministers had to be reconciled with their duties in their respective countries, and it certainly must be difficult for them to absent themselves from home as often as four times a year. He feared that, if the present arrangement continued, they might cease to attend the Council meetings regularly.

He was sure that it was of great advantage to the Council and to the League, and of some advantage to the Ministers themselves, that they should have personal acquaintance with the other members of the Council and with the League's methods of transacting business. He was convinced also that, for the conduct of the foreign policies of their own countries as well as for the authority and practical working of the League, it was desirable for as large a number as possible of Foreign

<sup>1</sup> The preliminary discussions in the Council on this question will be found in the Minutes of the meetings of the Council of March 12th, 1927, and June 13th, 1927.

<sup>2</sup> See page 9.

Ministers to come either to the Council or the Assembly. Obviously, a Foreign Minister had a larger discretion than the Government was probably willing to allow to any other representative that it could send, and that larger discretion might at times be of considerable consequence in the proceedings either of the Council or the Assembly. He was anxious, therefore, to preserve the practice which had grown up as regards the attendance of Foreign Ministers at Council sessions and this was his real motive in suggesting a change in the number of sessions of the Council. He was unwilling, however, to press his suggestion unless it met with the general approval of the Council. A mere majority, even a considerable majority of the members, would be insufficient to sanction any such change, and unless the assent were practically general he would think it unwise to press his suggestion.

M. BEELAERTS VAN BLOKLAND said that he ought not to be a Minister for Foreign Affairs if he failed to realise the inconveniences to which Sir Austen Chamberlain had drawn attention. Nevertheless, he was not certain whether it was for him to express an opinion on the question, since, as the British representative had pointed out, the proposed change, if accepted, would only take effect from the following September, at which time the Netherlands would cease to be a Member of the Council. Thus, the observations which he wished to make would not be based on any personal interest in the matter.

He wished to bring to his colleagues' notice certain points which made him hesitate to adopt Sir Austen Chamberlain's proposal. The question involved was a practical one. The Council at present held four ordinary sessions, each of which generally lasted a week. If the number of sessions were reduced to three, it was most unlikely that they would still last only a week, so that the choice lay between four sessions of a week each, or three sessions of a fortnight each. True, it was always an advantage not to have to make too many journeys, but that advantage was of no great importance.

M. Beelaerts van Blokland wondered whether the change did not also involve certain administrative difficulties. On this point he would refer to the Secretary-General's report which gave a hint of certain difficulties likely to result from the change. He might mention, for instance, the Financial Committee, which normally met at the same time as the Council, and which sometimes dealt with questions requiring an immediate decision. He was not sufficiently well acquainted with the circumstances to say whether the sessions of the Financial Committee could be reduced to three a year without detriment to the work. He merely wished to draw his colleagues' attention to this point. There were also other Committees which had occasionally to sit at the same time as the Council.

Apart from these administrative questions, there were other points requiring consideration. M. Beelaerts van Blokland was under the impression that, not only in his own country, but in many others those groups and associations which were ardent backers of the League felt some anxiety concerning Sir Austen Chamberlain's proposal. True, no excessive importance need be attached to this point. If the Council were convinced that it could do its work as well in three sessions as in four, there was no need to be disturbed by the views of these associations. He would be glad, however, to have further information from the Secretary-General concerning the difficulties to which he had referred.

In conclusion, he would remind the Council of the remark made by the first Norwegian delegate to the Assembly in September 1927, which was as follows: "It is without enthusiasm that we would receive a proposal to reduce the number of the sessions".

The SECRETARY-GENERAL said that, as regarded all the Committees, except the Financial Committee, he did not think that any harm would be done to their work if the proposal of the British representative were adopted. From a purely technical point of view, he was clear that it would be sufficient if the necessary approval of the Council to the work of the Committees were given three times a year. If the proposed procedure were adopted, it would be possible to leave a longer period between the sessions of the Committees and of the Council, so that the work of the former might be put before the members of the Council — as was necessary — at least three weeks before the opening of the Council session.

The situation was somewhat different with regard to the Financial Committee. That Committee met normally four times a year, and it might cause some inconvenience if it only met three times, but he did not think the Council need attach decisive importance to that consideration, because arrangements could be made in case of urgent necessity whereby the Council could authorise the President and its Rapporteur to take any decisions of a purely formal character, in order to cover any technical difficulties which might arise.

His own view, therefore, was that, from the administrative point of view, three sessions of the Council would not hurt the work of the League. He did not wish to express an opinion on the political side, which, in his view, was a much more important factor.

M. SCIALOJA thought it necessary for one member of the Council who was not a Foreign Minister to give his opinion on this question.

He did not feel quite sure of the value of the proposal submitted by Sir Austen Chamberlain. He did not, certainly, see any insurmountable obstacle to it, and for that reason he would merely make a few observations.

Obviously, a decision of that kind would produce on public opinion an impression such as had been described by the Netherlands representative. M. Scialoja thought that, if the Council wished to reduce the number of its sessions to three, it had better do it and not say it. Probably, nobody would then notice the reduction in the number of sessions, whereas if the Council announced such a reduction, the question would become a constitutional one.

Moreover, he wished to point out that the Council's sessions numbered in point of fact five a year. There were two which succeeded one another immediately during the Assembly, of which

the second differed widely from the first owing to the change in the Council membership. The Council therefore, in actual fact, met five times a year, and Sir Austen Chamberlain's proposal would reduce that number to four.

There was one point which M. Scialoja thought very important, and which must be borne in mind. He had already mentioned the matter to some of his colleagues, namely, the question of the Presidency of the Council. According to the practice that had been adopted, the Presidency changed each session. The members of the Council acted as President in turn and for a period of three months. At present, accordingly, there were four Presidents each year. If the number of sessions were reduced to three, and the established usage retained, there would be only three Presidents a year. Each member would have to wait considerably longer for his turn as President, especially now that the Council had been enlarged and comprised fourteen members. Before the enlargement of the Council, the turn of each member came once in every two and a-half years. At present, with four sessions a year, the rotation was already far slower. If the sessions were reduced to three, the rotation would take four and a-half years, or, in other words, a member of the Council could only be President once in every four and a-half years. This was a serious matter.

M. Scialoja was not thinking of the duties assumed by the President during the actual session; it must not be forgotten that, in the intervals between sessions, the President represented the League of Nations *de facto* and that it was his duty to take immediate decisions in emergencies. This was an extremely important duty. The members of the Council had been made aware of this in the past, and it might happen that they would be made even more aware of it in the future. Emergencies even more serious than those which had already occurred might arise. Consequently, M. Scialoja believed that the question connected with the Presidency deserved very close attention, especially as regards the system of rotation. Would it be an advantage to retard that rotation and to prolong the period of office of each President? He did not wish to advance any opinion, but merely to draw the Council's attention to the indirect effects which would result from this change, and which were perhaps even more important than the direct effects.

M. VILLEGAS admitted that he had been a convinced partisan of the reduction in the number of the Council's sessions. He attached quite exceptional importance to the attendance of the Foreign Ministers. He held that their direct participation enhanced the Council's prestige, and thought that a reduction in the number of the sessions would be likely to facilitate the presence of those Ministers at Geneva. He would, too, have been glad if the Foreign Ministers, even of the most remote countries, had been able to come to Geneva, at any rate sometimes.

Nevertheless, the arguments adduced by M. Scialoja, especially with regard to the system of rotation, made him hesitate. The Italian representative had said that the Council might make the proposed change without announcing it. That was perhaps possible. Would it not then be possible, instead of saying categorically that there would be three sessions a year, to say that the Council would meet within a period not later than one hundred days after the last meeting of a session?

M. Villegas added that the arguments adduced by M. Scialoja as regards the rotation of the Presidency seemed to him very strong. He wondered whether the rules of the League authorise a change in the Presidency every fifty days.

Dr. STRESEMANN noted that the British representative had said that he would not press his proposal if it failed to secure the unanimous acceptance of the Council. In order to obviate giving the impression that the Council was only unanimous in advancing objections, he would state at once that he was distinctly in favour of his colleague's proposal.

The Netherlands representative had said that the consequence of the reduction in the number of Council sessions would be to prolong the duration of each session, so that, instead of having four sessions of a week each year, the Council would have three, each lasting fourteen days.

The Netherlands representative was optimistic if he thought that the members of the Council would always be able to finish the work of a session in a week. As regards the present session, the members would perhaps find when Saturday came that this was not always possible. When the Council met, a certain number of questions — which were not always of primary importance — arose immediately simply owing to the fact of the meeting. These questions had to be settled, and they took time.

He had made a small calculation from which he had deduced that out of the twelve months of the year he was obliged to spend two and a-half at Geneva either for the meetings of the Council or for the Assembly. In the majority of countries with a Parliamentary system, the Foreign Minister did not confine himself to foreign policy, but was also obliged to deal with his country's home policy or with general policy. If he was at Geneva, he could not fulfil the duties incumbent upon him as regards home policy. When he returned home, he often found himself confronted with *faits accomplis* in which he could no longer make any change. Moreover, if he wished during a session of the Council to attend a meeting of his Cabinet, and with this object to travel to his capital, he was forced to abandon any such intention in order to avoid causing a sensation in the Press, and giving rise to totally erroneous deductions.

For this reason, Dr. Stresemann was strongly inclined to vote in favour of more concentrated work and a reduction in the number of the sessions. It was certainly better to work more intensively and to devote attention only to really important problems.

It had further been said that the League of Nations Unions in the different countries would view with great disfavour the reduction in the number of the sessions to three. He thought that sympathy for the League should not depend on the number of sessions of the Council in the year. If it were really so, it would be better to propose one session a month, so as to ensure still greater sympathy on the part of these Unions. In his view, the Council should tell these organisations

that they should help it by propagating its ideas, but should not interfere with its procedure. It was for the Council to settle its own procedure.

As regards the observations of the Norwegian representative at the Assembly, Dr. Stresemann ventured to say that M. Hambro was in rather an excited state of mind when he came to Geneva, and that his remark that the reduction in the number of the Council sessions would be received without enthusiasm was the least severe of all the criticisms he had made in the course of his speech.

Dr. Stresemann considered that, if the Council thought this reduction desirable, it was competent to take a decision in this sense without troubling about the question of its reception in the world outside. He did not think that the Council could settle the question at the moment, but he would, nevertheless, venture to make a proposal which might assist in arriving at a solution.

The Council might decide that there should be three compulsory sessions a year. Of the two sessions of the Council which were held in September, the second — which constituted the first session of the newly elected Council — sometimes continued its meetings even after the close of the Assembly. Thus, the Council met again in December, only two months later. It might therefore be decided that the Council should have the option of meeting in December if it thought fit, taking into account the importance of any questions which might happen to arise.

Dr. Stresemann further pointed out that, if an important question arose, any member could demand an immediate meeting of the Council, so that any urgent problem which arose could always be settled without delay.

On the proposal of the PRESIDENT, *the discussion was adjourned to a later meeting.*

#### SIXTH MEETING (PUBLIC, THEN PRIVATE)

*Held on Friday, December 9th, 1927, at 10.30 a.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General.

*(In private session.)*

#### 2096. Question of a Possible Reduction in the Yearly Number of Sessions of the Council *(continuation).*

Sir Austen CHAMBERLAIN reminded the Council that he had already put forward his own view regarding this matter and that he would now be glad to have the opinion of his colleagues, of whom only four had as yet made statements on his proposal. Two of them seemed on the whole to be opposed to it. The German representative had strongly supported it, while the Italian representative had made an extremely interesting statement, without, however, giving his opinion or coming to any conclusion.

M. ADATCI wished to indicate his first impressions.

The question was a very large one, not so much from the technical as from the political point of view. For this reason, his first thought was that it would be wise to postpone a decision until the next session of the Assembly. This would ensure closer contact with the delegates from all other countries, as well as a completely favourable atmosphere.

Obviously, from the legal point of view, the Council could itself take a decision, since the matter was a purely internal one. He thought, however, that it was at the same time possible unless the question was considered to be absolutely urgent, to postpone a final decision until next September.

If, however, his colleagues wished to go to the bottom of the question, he would on the whole be inclined to favour the proposal made by the British representative and supported with such convincing arguments by the German representative. The reduction in the number of sessions would be of great importance from every point of view. It would enormously facilitate the attendance of men who were responsible for their countries' policy. That was a great advantage, not only for the prestige of the League and of the Council, but also because it helped the transaction of business, since Ministers could assume responsibility for final solutions. That was a very important consideration. Should the number of sessions be reduced, it was even possible that the Minister responsible for Japanese foreign affairs might undertake a journey to Europe from time to time. He did not, however, desire to go further into these considerations.

The Secretary-General had stated that, from the technical point of view, the reduction of the yearly number of sessions to three would cause no difficulty as regards the meetings of the Committees, which were the Council's indispensable auxiliary organs, and, therefore, no inconvenience would occur from the point of view of internal administration.

There was, of course, a very large body of public opinion which demanded as many meetings of the Council as possible. It was sometimes necessary to show courage and oppose this somewhat childish current of opinion, which placed more value on appearances than on realities.

The interval, however, between sessions would be longer than at present and, as one member had pointed out, that was a matter of some concern. Although there was universal peace at



present, the world might one day be surprised by some serious incident that was a threat to peace. In such an event, only the Council could take action, in consultation with the Secretary-General, and under the system of rotation the Acting President might be some one belonging to a continent other than Europe. A President in that position might be away from Europe and indeed had to be away sometimes. Suppose, for example that he, M. Adatci, was one day Acting President of the Council; he might unexpectedly be recalled by his country for a serious emergency. He could not reach Geneva in less than three weeks. During this interval the position might perhaps have become irretrievable.

He would venture to call to mind the organisation of almost all scientific, administrative and political institutions. He belonged to many learned bodies, the composition of whose bureaux was not as simple as that of the Council of the League. In the report submitted by the German representative, it was shown that the bureau of the Consultative Committee of the Economic Organisation consisted of a Chairman and three Vice-Chairmen. Again, the Institute of International Law, to which M. Adatci had belonged for many years, had no cause to feel alarm at possible emergencies. Its bureau, however, comprised four members, a Chairman and three Vice-Chairmen, who looked after the whole scientific organisation of the Institute. Consequently, the Council would be wise if it revised its system of the presidency. He was uncertain how that could be done, but wished merely to put the point before his colleagues. It might be possible to appoint a Vice-President to assist the Acting President, and this appointment would of course follow the system of rotation. In this way it might be possible to allay the fears of those who were anxious for the maintenance of peace, since they would know beforehand that there would always be someone to represent the presidential bureau. This, moreover, would enhance the moral prestige of the presidency.

Further, under the present constitutional system, there were two categories of Members of the Council, permanent and non-permanent Members. Some of his colleagues had already put forward a simple suggestion, an idea which M. Adatci considered to be very wise. If, for instance, the President belonged to a country which was not permanently represented on the Council, it would be desirable that the Vice-President should belong to a country with a permanent seat, so that the two different elements of which the Council was composed would always be represented in the presidential bureau. Business would thus be greatly facilitated and all the delegates would more easily realise the moral significance of a possible modification of the presidential system. M. Adatci concluded by urging the fact that this question should, to his mind, be solved at a session of the Assembly or at some time when all the Members of the League were represented.

M. BRIAND said that this question was at once important and insignificant according as it was regarded from the political point of view, from the point of view of impression and from the point of view of reality.

It went without saying that, in cases where it had to solve an important problem, the Council could always be convened at any time to deal with a sudden emergency of exceptional gravity. Hence, in point of fact, under the constitution of the League, there might be as many sessions of the Council as were required. It followed that, from the practical point of view, the question was quite a small one. He might add that, even from the moral point of view, there would have been no discussion on the matter if the League were still in its infancy. If at the outset it had been possible to settle the question with the experience which had now been acquired, provision would obviously have been made for a smaller number of sessions of the Council.

The arguments adduced by the British representative were, he thought, absolutely decisive. If it were only a question of his personal convenience, there could be no doubt that, in his capacity as Foreign Minister, he would prefer to come less often to Geneva, charming as that city was and happy as were the hours he spent there. But the journey represented an inconvenience which was obviously of importance in the life of a Foreign Minister. Consequently, he would have adopted as his own the arguments presented by his British colleague, but he could not conceal the fact that one matter gave him some concern.

There were what were called the *imponderabilia*, which were sometimes of very great importance. The League of Nations was not only open to receive praise, it was also a butt for criticism. Most of the criticism, moreover, was due to prejudice and was not absolutely sincere. It was certain that those responsible for this criticism went out of their way to find an opportunity. Those who listened to such criticism did not always possess a very discerning intellect or a very acute critical sense; they were often inclined to form a judgment on the basis of impressions.

One of the criticisms of the Council was: "The League of Nations is congenitally impotent. It has to deal with a large number of problems and it never solves any of them" — a charge which was totally unfair — "and the Council is forced, when it meets, to postpone every question since it cannot find a solution for it. It has just shown this by abolishing one session. It has found out that four sessions of the Council were too many. It will soon find out that three are too many. Then it will only have one, and finally the Council will vanish into thin air. What more could you want?"

That was what the League's adversaries would be tempted to say. M. Briand did not mean that, in saying so, they would be sincere, but there certainly would be people who would say: "This is very odd. What is the point of this reduction? More reductions may follow." This was the point which caused M. Briand some anxiety.

He thought the proposal made by the Japanese representative very wise. He considered that it would be wise for the Council to take shelter under the judgment of all the countries which were Members of the League. As the reform proposed by the British representative would not take effect until next year, the Council might perhaps examine it, taking into account the very judicious observations made by M. Adatci, Dr. Stresemann and M. Scialoja as to the organisation

of the presidency. The problem could be considered as a whole and the Council would be in a position to solve it at the session of the Assembly, by which means it would be possible to talk the matter over with the delegates of the various States and ascertain the impression likely to be caused in their countries by a change in the number of sessions.

There was no inconvenience in reducing the number of sessions since the Council could be convened in extraordinary session as often as necessary. If, however, the Council decided upon this reduction, it might also carry out a general reform.

M. Briand thought that the Secretariat might accordingly be instructed — and the Council would be in touch with it and could forward to it any suggestions in writing — to examine the question of the number of sessions, keeping in mind the possibility of a reduction, and to study at the same time a permanent system of organisation for the presidency in conditions which M. Briand, for the rest, did not visualise at the moment, either by the appointment of a Vice-President or by a combined presidency, or in any other manner. The Council would be thus adopting a general system of reform.

The SECRETARY-GENERAL explained the existing practice regarding the presidency. If the Acting-President were not available, it had always been the custom for the last President to take his place and, if he were not available, the President before that, so that there could be no time at which the Secretariat was not able to consult a President recognised in practice as being the President of the Council. That was essential in view of the provisions of Article 11 of the Covenant, and the Secretary-General begged the Council to bear in mind that, owing to the great importance and urgency of applying that article, under which the Secretary-General had to convene the Council, it was very valuable for him to be able to consult the President. It was also important that he should have to consult only one member of the Council and not two or three, as that might lead to delay, which the Assembly and, indeed, every Member of the Council would, in a grave crisis, wish to avoid.

M. BRIAND thought that it would be advisable, nevertheless, to settle the question. The Council was one of the essential organisations of the League and should therefore have a definite system of regulations. This, moreover, would strengthen the position of the Secretary-General.

M. DANDURAND said that he had not a sufficiently long experience of the work of the Council to express an opinion on the advantages which might result from a diminution in the number of its sessions. He could only speak of the impression created outside. People outside paid a tribute to the work of the Council and had confidence in the Council because they knew that it met every three months and that it was constantly in touch with serious problems. They also knew that the representatives on the Council could exchange views concerning those problems which might possibly lead to agitation and disputes. This, in M. Dandurand's view, was the principal aspect of the problem.

A solution might perhaps be found by declaring that the Council would still hold four sessions, counting the session which preceded the meeting of the Assembly and the session which followed. The other sessions might be distributed over the year, as it seemed to him somewhat excessive that the Council should meet again two months after the Assembly in September. He was thinking especially of those who represented distant countries. He knew, for example, that his colleague, the representative of Finland, took more than four days to come from Helsingfors. He himself required six days for the journey. He would not, however, look at the question from a personal point of view.

Sir Austen CHAMBERLAIN supported the proposal of the French representative, but ventured to suggest a slight modification.

He thought that it was advisable to ask the Secretary-General to prepare a report. The Secretary-General had listened to the whole discussion and would therefore be able to explain the reasons in favour of reducing the number of sessions as well as the reasons which could be urged against such a reduction. He could also submit to the Council the other questions which had been raised during the discussion.

He would therefore ask the Secretary-General to submit his report to the members of the Council either at the March session or in June. The Council would then be able to study it and perhaps adopt it before submitting it to the Assembly.

M. BRIAND accepted that suggestion.

He ventured to raise yet another question which he had already discussed with the British representative and several of his colleagues.

It was evidently of considerable importance that politicians and Ministers for Foreign Affairs should come to the Council. They had on such occasions an opportunity of meeting one another and discussing among themselves questions of interest to their countries. Moreover, the public was in favour of the Council being composed in that way.

There were, however, many questions for which the presence of Ministers for Foreign Affairs was not indispensable and which might be settled without their help. He wondered whether those questions might not be grouped in such a way that they could be dealt with in a single Council session which the Ministers for Foreign Affairs would not be expected to attend, especially if they were detained in their countries by more important work. Delegates might act as substitutes for them and settle those questions. There were advantages in such a system. It would, for example, enable persons who were not politicians and invested with duties as overwhelming as those appertaining to Ministers for Foreign Affairs, to get acquainted with Council business; this would enable them at a given moment, and if circumstances were favourable, to play an important part in the Council.

There were questions which had already been studied and thoroughly examined, and, so far as those questions were concerned, it was sufficient if formal note were taken of them. For such questions, the presence of Ministers for Foreign Affairs did not seem essential. The Secretariat might also study the possibility of grouping such questions for certain sessions of the Council, which would enable the Ministers for Foreign Affairs to attend less frequently.

Sir Austen CHAMBERLAIN wondered what the effect would be on public opinion if there were two kinds of Council meetings, meetings described as being important and others as being less important.

M. BRIAND thought that an agenda might be prepared containing questions which could all be settled without the presence of Ministers for Foreign Affairs. Circumstances decided the agenda. It was obviously possible to manipulate circumstances to some extent, but the Council could not create questions. A very serious problem might always arise, and on such occasions, obviously all the politicians dealing with the foreign affairs of their country should assist at the meetings of the Council.

M. URRUTIA thought it would be desirable that the Secretary-General's report should be presented, if possible, at the March session. The representatives of distant countries would then be able to communicate it to their Governments.

Sir Austen CHAMBERLAIN said he would venture to make an observation in regard to certain remarks made the other day by the representative of the Netherlands. He had said that, if the number of the sessions of the Council were reduced, the members of the Council would very probably pass as many days at Geneva as under the present arrangement. He quite agreed. He believed, however, that it would be of some advantage for the Council to meet less frequently. It would, for example, be preferable, so far as the representative of Japan, who came specially from his country, was concerned, to deal with a larger number of questions at a single session, even though it lasted for ten or fifteen days — rather than approximately eight days as at present — thereby reducing the number of his voyages. The same situation might arise for the Minister for Foreign Affairs for Canada.

The PRESIDENT proposed that the Council should agree to adjourn the question. The Secretary-General would later submit a report embodying the proposals which had been put forward by his colleagues and such communications as the Secretary-General himself thought it advisable to include. He thought that the Secretary-General was the best judge as to the date of submitting that report.

The SECRETARY-GENERAL said that the report would be ready for consideration at the March session.

*The proposals of the President were adopted.*

---

## Extracts from the Minutes of the Forty-Ninth Session of the Council.

### THIRD MEETING (PRIVATE, THEN PUBLIC).

*Held on Wednesday, March 7th, 1928, at 10.30 a.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General.

*(In private session.)*

#### 2125. Question of the Proposed Reduction in the Number of the Annual Sessions of the Council.

The PRESIDENT submitted the report of the Secretary-General (see page 10). The Secretary-General had made a study of the question in accordance with the decision taken by the Council at its last session.

Sir Austen CHAMBERLAIN said that, though he believed the proposal to be in the interests of the League, he was unwilling to press it against any large section of opinion. He would suggest that the best procedure would be to ask the Secretary-General to transmit his report to all the Governments Members of the League and to invite them to consider it before the next session of the Assembly. The Council might take a final decision on the matter when it met at the close of the next session of the Assembly.

M. BRIAND agreed with Sir Austen Chamberlain's proposal. He believed that the next question on the agenda would induce the Council to contemplate certain amendments to the scheme to which the Secretary-General had devoted his attention, and possibly the Council might wish to add something to the conclusions which he had submitted. In these circumstances it would perhaps be advisable to complete the scheme and to send it to the Members of the League.

The PRESIDENT said that the proposal made by Sir Austen Chamberlain evidently involved a suspension of the discussion of the question of reducing the number of sessions of the Council. There was also the suggestion of M. Briand concerning the possible addition, after the forthcoming discussion, of certain other resolutions dealing with the same question.

M. BRIAND thought it might be possible to make a separation of two points. In the proposals of the Secretary-General the question arose whether there should be three or four sessions of the Council. That question should, in his opinion, be postponed for further examination. There were arrangements, however, in regard to the Presidency which might perhaps be discussed during the present session.

Sir Austen CHAMBERLAIN agreed.

M. BEELAERTS VAN BLOKLAND asked whether it would not be useful to attach to the report of the Secretary-General the Minutes of the December 1927 session of the Council, at which the question had been discussed.

M. BRIAND agreed.

Sir Austen CHAMBERLAIN thought that it might perhaps be desirable to resume the discussion after having considered the second question on the agenda, and not to take a decision for the moment, as the representative of France had indicated.

M. BRIAND said that the Council would shortly be dealing with facts like those to which his colleague M. Scialoja had drawn attention during the general discussion, and which would result in an appropriate organisation of the Presidency. He thought that it would be more logical to postpone the discussion of the report.

*The discussion was adjourned until a later meeting.*

.....

#### FOURTH MEETING (PUBLIC, THEN PRIVATE)

*Held on Wednesday, March 7th, 1928, at 4.30 p.m.*

Present: All the representatives of the members of the Council, and the Secretary-General.

.....

*(In private session.)*

#### 2137. Question of the Possible Reduction in the Number of Annual Sessions of the Council *(continuation of discussion).*

Sir Austen CHAMBERLAIN said that before concluding the meeting it might be possible to finish the discussion which had been begun that morning on the proposal of the reduction to three of the number of annual sessions of the Council. He would like to modify, as a result of the discussion which had since taken place, the proposal which he had made in the morning.

He would suggest that the Council should ask the Secretary-General to send to the Governments not his complete report but only a portion of it, omitting that section which related to the powers of the President of the Council. The part of the report to be transmitted to the Governments would be the first part up to paragraph (d) to be followed by the last paragraph of the report.

M. BRIAND said it was understood that the question reserved was that which related to the powers of the Acting President of the Council, and to the amendments which would have to be made in the rules of procedure with a view to meeting the difficulties which had arisen.

*The proposal of Sir Austen Chamberlain was adopted.*

REPORT BY THE SECRETARY-GENERAL DATED APRIL 21ST, 1927, AND SUBMITTED TO THE COUNCIL ON JUNE 13TH, 1927.

1. At the close of its last session, the Council instructed me to submit to it a report on the administrative results of a reduction of the number of regular sessions of the Council from four to three.

2. It may be convenient to show in tabular form the number of meetings which the Council has held in each year since 1920:

1920 . . . . .	11 sessions;	
1921 . . . . .	5 sessions;	
1922 . . . . .	7 sessions;	
1923 <sup>1</sup> . . . . .	5 sessions;	
1924 . . . . .	5 sessions;	(1 extraordinary session);
1925 . . . . .	5 sessions;	(1 extraordinary session);
1926 . . . . .	6 sessions;	(1 extraordinary session. In this year the non-permanent Members elected during the Assembly assumed office immediately on election; the usual session coinciding with the session of the Assembly is therefore counted as two).

3. Under the new regulations for the election of non-permanent Members, there will be in future regularly two sessions coinciding with the meeting of the Assembly instead of one, as had been the case previous to 1926. For the purpose of the present memorandum, however, and for greater clearness, these two sessions are treated as one.

4. I have not consulted the technical organs of the League themselves, but, after hearing the views of Sections of the Secretariat concerned with the work of the various Advisory Commissions, I have come to the conclusion that, from the administrative point of view, the proposed change would, so far as can be foreseen, not cause any serious difficulties (see, however, paragraph 5 below). The periodical meetings of the Advisory Commissions are, it is true, fixed, generally speaking, in relation to the dates now obtaining for Council sessions. It is probable, however, that in every case, save perhaps that of the Financial Committee, these arrangements could either be maintained without inconvenience under the proposed new system or else be adjusted to it without great difficulty.

As regards the Financial Committee, it has of recent years held its meetings regularly immediately before each of the four annual Council sessions, and normally its recommendations require urgent action for which Council approval is necessary. The new system, which would prolong the interval between Council sessions by about four weeks, might conceivably lead to delays of a serious character. Further, in the case of work carried out under the auspices of this Committee which involved continuous supervision or consideration, the system has regularly been adopted of asking for reports to be made to the Council every three months. This system is still in force as regards the Greek Refugee Settlement Commission and the control of the Bulgarian Refugees Loan, and is stated to be more satisfactory than any other. It is possible that, so far as the future work of the Financial Committee is concerned, three meetings may be as convenient as four, but it is too early to express an opinion on this at the present moment.

5. Attention should be drawn to an administrative point of special character. Under Article 16 of the Financial Regulations of the League, it is laid down that:

“ 1. The [Supervisory] 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.”

In virtue of these provisions, it has been the regular practice to submit to the June session of the Council the draft budget for the following year, together with the observations of the Supervisory Commission thereon. For this purpose, it has, of course, been necessary to prepare the draft budget during the month of April, in order that it may be considered by the Supervisory Commission in May. If the proposed reduction in the number of Council sessions is made, the Council session next before the Assembly would presumably (see paragraph 7 below) take place in May

<sup>1</sup> At the twenty-sixth session, on August 31st, 1923, the Council decided to fix the dates of its sessions, viz., on the Monday immediately preceding December 10th, March 10th, June 10th in each year, and three days before the meeting of the Assembly. These dates have been maintained since that time.

instead of June, and it would therefore be necessary, in order to fulfil the above-quoted regulations, for the budget to be drawn up in March and examined by the Supervisory Commission in April. This would create consequential administrative difficulties of a rather serious character.

In regard to this point, however, the Secretary-General ventures to observe that the Council has for a number of years contented itself with forwarding the draft budget to the Assembly without observations, and merely reserving the right of its Members to make during the Assembly such proposals or amendments as they think desirable. In these circumstances, it might be possible so to alter the Financial Regulations as to eliminate the reference to the observations of the Council upon the budget. The budget itself and the report of the Supervisory Commission would, of course, be communicated to the Members of the League at the same period as at present.

6. I have thought it right to confine my observations to the administrative aspects of the proposal. The Council itself will no doubt take into account the general political considerations involved, such, for example, as the value of quarterly meetings of the Council as a convenient method of discussion by prominent statesmen of current international problems. It may, however, be observed that, at the moment when it adopted the system of four yearly sessions at fixed dates, the Council was careful to state in definite terms that it was understood that an extraordinary session could be held whenever required. It would be desirable that, in case any new decision is taken by the Council, this point should again be brought out in a manner which leaves no room for doubt; particularly as it seems possible, though perhaps not probable, that a reduction in number of the regular meetings of the Council may necessitate more extraordinary sessions.

7. In conclusion, I should like to lay before the Council certain considerations which appear to militate in favour of postponing a definite decision in this matter until September.

As I have already pointed out, by that date the future character and scope of the work of the Financial Committee may have become clearer. Further, from an administrative point of view, it would be convenient that the point explained in paragraph 4 should be cleared up by an amendment to the Financial Regulations, and this can only be done by the Assembly.

This procedure would have the additional advantage of allowing three months' interval after notice of the fact that such a change was under consideration had been given at a public meeting of the Council, which is perhaps desirable in view of the importance of the step proposed.

Finally, it should be observed that any decision which the Council may take on this matter cannot, of course, take effect until the first meeting after the forthcoming Assembly. It will accordingly affect a Council which will necessarily be, to some extent, different in composition from the present one, and by which, therefore, the final decision would perhaps more logically be taken.

8. If the number of regular sessions is reduced to three, I would suggest that they should be fixed at the following dates:

Third Monday in January;  
Second Monday in May;  
Three days before the Assembly.

As regards the period of the Assembly, it would probably be necessary, and certainly desirable, that the members of the Council should be prepared to remain in Geneva for a few days after the conclusion of the Assembly, in order to execute any immediate work which may be necessitated by Assembly resolutions.

---

C.27(1).1928.

EXTRACT FROM THE REPORT BY THE SECRETARY-GENERAL DATED  
FEBRUARY 7TH, 1928, AND SUBMITTED TO THE COUNCIL ON MARCH 7TH, 1928.

At its meeting of December 9th, 1927, the Council instructed the Secretary-General to submit a further report on the question of the yearly number of its sessions and on certain questions of its procedure connected therewith.

In regard to the question of the probable effect of the proposed change on the carrying out of the regular business of the League in its various fields, the Secretary-General thinks that there is nothing to alter in the report which he had the honour to submit to the Council in June of last year (document C.215.1927)<sup>1</sup>. The views therein expressed have not, so far as he knows, been questioned either in the Council itself or by the members of the different Committees, and no change has taken place in the situation since that time.

The only additional administrative point which has occurred to the Secretary-General is that, if the present practice is changed, it may become necessary in cases of exceptional urgency

---

<sup>1</sup> See page 9.

to hold more often than has been the case up to now meetings of committees as established by the Rules of the Council for the examination of Minorities, petitions between the regular meetings of the Council, but such a procedure would not seem to present any difficulty.

Certain points were, however, raised in the Council discussion which had not been touched upon in that memorandum.

(a) There appeared to be general agreement regarding the extreme desirability of the presence of actual Ministers of Foreign Affairs at the Council. Not only is the work of the Council facilitated through the attendance of statesmen who are able to represent more authoritatively the views of their Governments than can usually be done by those who are not actually in charge of their foreign relations, but a valuable occasion is afforded for personal intercourse and for an interchange of views on various problems unconnected with the Council's agenda.

Should the suggested change take place, these occasions, which are usually followed by a period of special tranquillity in international affairs, will approximately occur once in every three and a half months instead of, according to the present system, rather more frequently than once in every three.

Various members of the Council have pointed out, however, that attendance at the present number of meetings imposes so great a strain on a Minister of Foreign Affairs that, unless some alteration is made, it is likely to become impossible for him to continue to attend personally all the meetings of the Council.

(b) Several members of the Council referred to the effect on public opinion, especially in circles particularly favourable to the League, of a reduction in the number of meetings of the Council, and it was suggested that the Secretary-General should inform the Council as to what evidence of anxiety in this connection had reached the Secretariat. The only tangible proof of such feelings which has been received is a resolution adopted by the International Federation of League of Nations Societies in the course of its meeting held in Berlin in the month of May 1927<sup>1</sup>.

(c) In the Council discussion, emphasis was laid on the fact that, under the new system by which non-permanent members of the Council take their seats immediately on election, the Council now really holds two separate sessions, one of which begins a few days before the Assembly and continues until the election, while the other begins with the first meeting of the Council in its new composition and continues until a few days after the close of the Assembly. It was further pointed out that if, as has not been fully the case up to the present, the Council makes it a regular practice to continue the second of these two sessions for so long a period after the Assembly as will enable it to deal with all work arising out of the Assembly which does not necessitate new and protracted study before a Council decision is possible, it becomes somewhat unnecessary for it to meet again so soon as the first days of December, i.e., only two months after the previous meeting. It is, of course, not for the Secretary-General to give the Council any advice as to what its final decision in the matter may be, but he may perhaps be permitted to remark that, should it resolve to substitute meetings in January and May for its present meetings in December, March and June, it would perhaps be advisable for the purpose of adequate transaction of business that it should resolve to embody in its regular Rules some arrangement, in the sense above described, for the disposal of work arising out of the Assembly, and that it should definitely declare that the representatives of the Members of the Council are prepared to come to Geneva for the pre-Assembly session six days before the Assembly, instead of three as at present provided for, provided the agenda for the meeting so required. The President of the Council, in consultation with the Secretary-General, would decide on the exact date of the meeting.

. . . . .

(d) Another question which arose during the Council discussion was that of the possibility of so arranging its business that the agenda for one of its annual meetings should consist entirely of those matters of regular business which have been so fully studied beforehand by expert Committees, etc., that the presence of Foreign Ministers or other representatives of the Council whose time is exceptionally occupied might not be necessary. In regard to this point, the Secretary-General is bound to observe that, in his experience, there has been — at any rate, during recent years — no Council meeting which has not included in its agenda a number of questions of sufficient difficulty and importance to warrant the attendance of the regular representatives of the Members of the Council. It would always be possible, and is, indeed, to some extent already the practice, to arrange the agenda of each meeting so that the first day or two are given over to the transaction

---

<sup>1</sup> The text of this resolution is as follows:

" The Eleventh Plenary Congress,

" Informed that the Council of the League will consider next month a proposal to reduce the number of its meetings from four to three in each year;

" Considering that public opinion would interpret such a reduction as a sign of the diminishing importance of the League of Nations and that it would lessen the advantages which have resulted during the past year from the frequent personal contacts of the men responsible for the peace of Europe:

" Urges the eminent statesmen and diplomats on the Council of the League to continue to undertake the labour of quarterly meetings, since European peace is not yet stable; and,

" Ventures to urge that so serious a change should not in any case be made until the session of the next Assembly has enabled the new Members of the Council and representatives of other interested States to be consulted."

of non-contentious business and the like. It would seem, therefore, at first sight as though it would at any rate be possible for the regular representatives to be replaced during the first two days of the session. They are, however, better aware than anyone else of the extent to which these days are, in fact, used in the study of the difficulties which may be involved in the questions reserved for later discussion, and in preliminary work of an essential character for the removal of those difficulties.

---



[Communiqué au Conseil,  
aux Membres de la Société  
et aux Délégués à l'Assemblée.]

A. 2(1). 1928.

Genève, le 3 août 1928.

**Société des Nations**

---

**Ordre du Jour**

de la

**Neuvième Session ordinaire  
de l'Assemblée**

et

**LISTE SUPPLÉMENTAIRE DES QUESTIONS**

---

**League of Nations**

---

**Agenda**

of the

**Ninth Ordinary Session of the  
Assembly**

and

**SUPPLEMENTARY LIST OF ITEMS**

<b>Publications de la Société des Nations</b>
<b>QUESTIONS GÉNÉRALES</b>
<b>1928. 2.</b>

# SOCIÉTÉ DES NATIONS

## ORDRE DU JOUR DE LA NEUVIÈME SESSION ORDINAIRE DE L'ASSEMBLÉE

*qui s'ouvrira à Genève, le lundi 3 septembre 1928, à 11 heures.*

(Communiqué conformément au paragraphe I de l'article 4 du Règlement intérieur de l'Assemblée <sup>1</sup>.)

(La liste ci-dessous ne préjuge en rien l'ordre de la discussion.)

1. Election de la Commission chargée de présenter un rapport sur la vérification des pouvoirs des délégués.
  2. Election du président.
  3. Examen et adoption de l'ordre du jour.
  4. Désignation des commissions et élection des présidents de ces commissions.
  5. Election de six vice-présidents.
- 
6. Rapport sur l'œuvre accomplie par le Conseil depuis la dernière session générale de l'Assemblée, sur les travaux du Secrétariat et sur les mesures prises pour exécuter les décisions de l'Assemblée.
- 
7. Election de trois Membres non permanents du Conseil <sup>2</sup>.

### QUESTIONS INSCRITES PAR L'ASSEMBLÉE OU RÉSULTANT DE DÉCISIONS DE CELLE-CI.

8. Convention sur l'esclavage: Rapport annuel du Conseil <sup>3</sup>.
9. Construction d'une Salle des Assemblées, de nouveaux immeubles à l'usage du Secrétariat et d'une Bibliothèque: Rapport du Comité spécial des Cinq chargé de choisir un projet <sup>3</sup>.
10. Codification progressive du droit international:
  - a) Travaux préparatoires pour la première Conférence de codification (rapport sur le travail du Comité préparatoire contenu dans le rapport à l'Assemblée sur l'œuvre du Conseil et le travail du Secrétariat et sur les mesures prises pour mettre en exécution les décisions de l'Assemblée <sup>4</sup>.)
  - A.16.1928.V. b) Proposition de la délégation du Paraguay à la huitième session de l'Assemblée en vue de la préparation d'un plan général et synthétique de codification du droit international <sup>3</sup>.
  - A.14.1928.V. c) Travaux du Comité d'experts pour la codification progressive du droit international <sup>3</sup>.
11. Question de l'alcoolisme: Proposition présentée par les délégations finlandaise, polonaise et suédoise <sup>3</sup>.
12. Relations entre la Société des Nations et les instituts ou organismes qui sont constitués sous son autorité <sup>5</sup>.
13. Répartition des dépenses de la Société <sup>6 7</sup>.

### QUESTIONS PROPOSÉES PAR LE CONSEIL ET RAPPORTS PRÉSENTÉS PAR LES ORGANISATIONS TECHNIQUES DE LA SOCIÉTÉ.

14. Rapport sur les travaux de l'Organisation économique et financière, y compris les travaux du Comité consultatif économique, et son rapport sur les progrès réalisés dans l'exécution des résolutions de la Conférence économique.

---

<sup>1</sup> Le texte de cet article est cité à l'Annexe III.  
<sup>2</sup> La résolution de l'Assemblée et un extrait d'une proposition du Bureau adoptée par l'Assemblée en 1927 sont cités à l'Annexe I.  
<sup>3</sup> La résolution de l'Assemblée est citée à l'Annexe I.  
<sup>4</sup> La recommandation de la première Commission portant qu'une information complète sur ce sujet devrait être fournie à l'Assemblée est reproduite dans l'Annexe I.  
<sup>5</sup> La résolution de l'Assemblée et un extrait du rapport de la deuxième Commission sont cités à l'Annexe I.  
<sup>6</sup> Par erreur, cette question n'a pas figuré à l'ordre du jour communiqué le 2 mai (A.2.1928).  
<sup>7</sup> La résolution de l'Assemblée est citée à l'Annexe I.

# LEAGUE OF NATIONS

## AGENDA OF THE NINTH ORDINARY SESSION OF THE ASSEMBLY

*to be held at Geneva on Monday, September 3rd, 1928, at 11 a.m.*

(Circulated in accordance with Rule 4, paragraph I, of the Rules of Procedure of the Assembly<sup>1</sup>.)

(The following list gives no indication of the order in which the questions will be taken.)

1. Election of the Committee to report on the Credentials of Delegates.
2. Election of the President.
3. Examination and Adoption of the Agenda.
4. Nomination of Committees and Election of Chairmen of these Committees.
5. Election of Six Vice-Presidents.

---

6. Report on the Work of the Council since the last General Session of the Assembly, on the Work of the Secretariat and on the Measures taken to execute the Decisions of the Assembly.

---

7. Election of three non-permanent Members of the Council<sup>2</sup>.

### ITEMS INSERTED BY OR ARISING OUT OF THE DECISIONS OF THE ASSEMBLY.

8. Slavery Convention: Annual Report by the Council<sup>3</sup>.
9. Construction of an Assembly Hall, of New Buildings for the Use of the Secretariat and of a Library: Report of the Committee of Five appointed to select a Plan<sup>3</sup>.
10. Progressive Codification of International Law:
  - (a) Preparatory Work for the First Codification Conference (Report on the Work of the Preparatory Committee contained in the Report to the Assembly on the Work of the Council and the Secretariat and on the Measures taken to execute the Assembly's Decisions)<sup>4</sup>.
  - A.16.1928.V. (b) Proposal of the Delegation of Paraguay at the Eighth Session of the Assembly for the Preparation of a General and Comprehensive Plan of Codification of International Law<sup>5</sup>.
  - A.14.A.15.1928.V. (c) Work of the Committee of Experts for the Progressive Codification of International Law<sup>5</sup>.
11. Question of Alcoholism: Proposal by the Finnish, Polish and Swedish Delegations<sup>6</sup>.
12. Relations between the League of Nations and Institutes or Bodies set up under its Authority<sup>6</sup>.
13. Allocation of the Expenses of the League<sup>6 7</sup>.

### ITEMS PROPOSED BY THE COUNCIL, TOGETHER WITH REPORTS FROM TECHNICAL ORGANISATIONS OF THE LEAGUE.

14. Report on the Work of the Economic and Financial Organisation, including the Work of the Economic Consultative Committee, and its Report on the Progress in the Execution of the Resolutions of the Economic Conference.

<sup>1</sup> The text of the Rule is quoted in Annex III.

<sup>2</sup> The Assembly Resolution and an extract from a proposal of the Committee of the Assembly adopted by the Assembly in 1927 are quoted in Annex I.

<sup>3</sup> The Assembly Resolution is quoted in Annex I.

<sup>4</sup> The First Committee's recommendation that full information on this subject should be made available is quoted in Annex I.

<sup>5</sup> The Assembly Resolution and an extract from the Report of the Second Committee are quoted in Annex I.

<sup>6</sup> This item was omitted by error from the Agenda circulated on May 2nd (A.2.1928).

<sup>7</sup> The Assembly resolution is quoted in Annex I.

15. Rapport sur les travaux de l'Organisation des communications et du transit.
16. Rapport sur les travaux de l'Organisation d'hygiène de la Société.
17. Rapport sur les travaux de la Commission consultative du trafic de l'opium et autres drogues nuisibles.
18. Rapport sur les travaux de la Commission consultative pour la protection de l'enfance et de la jeunesse:
  - A.9.1928.IV. a) Rapport du Comité de la traite des femmes et des enfants.
  - A.8.1928.IV. b) Rapport du Comité de la protection de l'enfance.
19. Rapport sur les travaux de la Commission internationale de coopération intellectuelle.
20. Budget de 1929, y compris les budgets de l'Organisation internationale du Travail et de la Cour permanente de Justice internationale.  
Vérification des comptes du neuvième exercice financier (1927).  
Rapports de la Commission de contrôle, y compris un rapport sur le coût de la vie et la fixation des traitements <sup>1</sup>.

#### AUTRES QUESTIONS.

21. Démission de M. John Bassett Moore, comme membre de la Cour permanente de Justice internationale. Question de la désignation d'un successeur. (Article 14 du Statut de la Cour <sup>2</sup>.)

#### LISTE SUPPLÉMENTAIRE DE QUESTIONS COMMUNIQUÉE CONFORMÉMENT AU PARAGRAPHE 3 DE L'ARTICLE 4 <sup>3</sup> DU RÈGLEMENT INTÉRIEUR DE L'ASSEMBLÉE.

##### *Questions proposées par le Conseil.*

22. Rapport sur les travaux du Comité d'arbitrage et de sécurité <sup>4</sup>.
23. Création d'une station radiotélégraphique de la Société des Nations: Rapport de la Commission consultative et technique des communications et du transit <sup>4</sup>.

##### *Question proposée par les Gouvernements allemand, britannique et français.*

24. Maintien en vigueur à titre exceptionnel pour les élections au Conseil en 1928 des dispositions transitoires (article 4, paragraphe 2) des règles adoptées le 15 septembre 1926 par l'Assemblée pour l'élection des Membres non permanents du Conseil <sup>5</sup>.

---

#### Annexe I.

##### *1. Nomination de trois Membres non permanents du Conseil.*

###### *a) Résolution adoptée le 15 septembre 1926.*

Chaque année, au cours de la session ordinaire, l'Assemblée procède à l'élection de trois Membres non permanents du Conseil. Ceux-ci sont élus pour une période commençant immédiatement après leur élection et se terminant le jour où l'Assemblée aura procédé aux élections, trois années après.

###### *b) Extrait d'une proposition du Bureau de l'Assemblée, adoptée le 8 septembre 1927.*

Ayant à fixer un jour où il serait procédé à ce vote et à ces élections, le Bureau a cru opportun de faire, à ce sujet, à l'Assemblée une proposition de principe, c'est-à-dire pouvant, dans une certaine mesure et jusqu'à ce que l'Assemblée en décide autrement, être considérée comme une règle à laquelle l'Assemblée se conformerait au cours de ses sessions ultérieures. Il serait admis que les élections des Membres non permanents du Conseil auraient lieu le lundi qui suivrait l'ouverture de l'Assemblée, c'est-à-dire au début de la seconde semaine de la session.

##### *2. Convention sur l'esclavage: Rapport annuel du Conseil.*

###### *Résolution adoptée le 25 septembre 1926.*

L'Assemblée désire que la Société des Nations continue à s'intéresser aux mesures destinées à assurer l'abolition progressive de l'esclavage et des conditions analogues, et elle invite, en conséquence, le Conseil à préparer et à communiquer chaque année à l'Assemblée un document indiquant les lois et règlements que les parties à la Convention de l'esclavage auront, en vertu de l'article 7, communiqué au Secrétaire général et à y joindre éventuellement les informations supplémentaires que les Membres de la Société seraient disposés à fournir spontanément sur les mesures prises par eux à cet effet.

---

<sup>1</sup> La résolution de l'Assemblée est citée à l'Annexe I.

<sup>2</sup> Le texte de l'article 14 du Statut est cité à l'Annexe V.

<sup>3</sup> Le texte de cet article est cité à l'Annexe IV.

<sup>4</sup> La résolution du Conseil est citée à l'Annexe II.

<sup>5</sup> L'Article 4, paragraphe 2, des Dispositions transitoires est citée à l'Annexe III.

15. Report on the Work of the Organisation for Communications and Transit.
16. Report on the Work of the Health Organisation of the League.
17. Report on the Work of the Advisory Committee on Traffic in Opium and other Dangerous Drugs.
18. Report on the Work of the Advisory Commission for the Protection and Welfare of Children and Young People:
  - A.9.1928.IV. (a) Report of the Committee on Traffic in Women and Children.
  - A.8.1928.IV. (b) Report of the Child Welfare Committee.
19. Report on the Work of the International Committee on Intellectual Co-operation.
20. Budget for 1929, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice.  
Audit of Accounts for the Ninth Financial Period (1927).  
Reports of the Supervisory Commission, including a Report on the Cost of Living and Adjustment of Salaries<sup>1</sup>.

#### OTHER ITEMS.

21. Resignation from the Permanent Court of International Justice of Judge John Bassett Moore.  
Question of the Appointment of a Successor. (Article 14 of the Statute of the Court)<sup>2</sup>.

#### SUPPLEMENTARY LIST OF ITEMS CIRCULATED IN ACCORDANCE WITH RULE 4<sup>3</sup>, PARAGRAPH 3, OF THE RULES OF PROCEDURE OF THE ASSEMBLY.

##### *Items proposed by the Council.*

22. Report on the Work of the Committee on Arbitration and Security<sup>4</sup>.
23. Establishment of a League of Nations Radio-telegraphic Station: Report by the Advisory and Technical Committee for Communications and Transit<sup>4</sup>.

##### *Item proposed by the British, French and German Governments.*

24. Maintenance in force, as an exceptional measure, for the 1928 Elections to the Council, of the Temporary Provisions (Article 4, paragraph 2) attached to the Rules adopted by the Assembly on September 15th, 1926, for the Election of a Non-permanent Member of the Council<sup>5</sup>.

---

#### Annex I.

##### 1. *Election of Three Non-Permanent Members of the Council.*

###### (a) Resolution adopted on September 15th, 1926.

The Assembly shall each year, in the course of its ordinary session, elect three non-permanent Members of the Council. They shall be elected for a term commencing immediately on their election and ending on the day of the elections held, three years later, by the Assembly.

###### (b) Extract of a Proposal of the Committee of the Assembly, adopted on September 8th, 1927.

As the General Committee had to fix a date for the voting and the elections, it has thought fit to make a general proposal to the Assembly on this subject. This proposal, if adopted, would, to a certain extent, and until the Assembly decides otherwise, be regarded as a rule which the Assembly would follow at future sessions. The election of the non-permanent Members of the Council would take place on the Monday following the opening date of the Assembly — that is to say, at the beginning of the second week of the session.

##### 2. *Slavery Convention: Annual Report by the Council.*

###### Resolution adopted on September 25th, 1926.

The Assembly desires that the League of Nations should continue to interest itself in securing the progressive abolition of slavery and conditions analogous thereto and therefore requests the Council to prepare and communicate to the Assembly every year a document mentioning the laws and regulations which parties to the Convention on Slavery, in accordance with Article 7, will have communicated to the Secretary-General, and that the Council will include therein any supplementary information which the Members of the League may be disposed spontaneously to furnish with regard to the measures taken by them to this end.

<sup>1</sup> The Assembly Resolution is quoted in Annex I.

<sup>2</sup> Article 14 of the Statute is quoted in Annex V.

<sup>3</sup> The text of the Rule is quoted in Annex IV.

<sup>4</sup> The Council Resolution is quoted in Annex II.

<sup>5</sup> Article IV, paragraph 2, of the Temporary Provisions is quoted in Annex III.

3. *Construction d'une Salle des Assemblées et de nouveaux immeubles à l'usage du Secrétariat.*

Résolution adoptée le 26 septembre 1926.

L'Assemblée:

Approuve le rapport du Comité spécial de cinq membres (document A.93.1927) au sujet des nouvelles constructions;

Approuve en principe que la somme à dépenser pour les nouvelles constructions soit portée à 19.500.000 francs environ. Le chiffre exact du crédit additionnel nécessaire sera soumis à l'Assemblée lors de la prochaine session;

Autorise un Comité composé comme suit:

M. ADATCI, M. OSUSKÝ, M. POLITIS, M. URRUTIA et sir Edward HILTON YOUNG à étudier les neuf projets qui ont reçu les prix égaux de 12.000 francs lors du concours d'architectes et à choisir, avec les changements éventuels, un projet qui, de l'avis du Comité, satisfait le mieux aux exigences d'ordre pratique et esthétique. La décision de ce Comité sera soumise pour approbation et ratification, au Conseil de la Société des Nations; elle sera communiquée à la prochaine session de l'Assemblée.

4. *Codification progressive du droit international.*

a) Extrait du rapport de la première Commission du 23 septembre 1927 relatif à la codification progressive du droit international.

« Le Secrétaire général fournirait, dans son rapport à la session de l'Assemblée de 1928, toutes informations utiles sur l'état d'avancement des travaux du Comité (c'est-à-dire, le Comité préparatoire pour la Conférence de codification). »

b) Résolution relative à la proposition de la délégation du Paraguay, adoptée par l'Assemblée le 27 septembre 1927.

« L'Assemblée,

« Ayant pris connaissance du rapport de la première Commission sur la proposition de la délégation du Paraguay tendant à la préparation d'un plan général et synthétique de codification du droit international,

« Tient à déclarer l'intérêt qu'elle attache à l'esprit dont s'inspire la proposition de la délégation du Paraguay,

« Prie le Conseil d'inviter le Comité d'experts à examiner, lors de sa prochaine session, dans quelles conditions pourrait être entrepris le travail envisagé dans ladite proposition,

« Et se réserve de décider la suite à lui donner après avoir pris connaissance des suggestions du Comité d'experts et de l'avis que le Conseil voudra émettre à leur sujet. »

c) Extrait de la résolution relative à la codification progressive du droit international, adoptée par l'Assemblée le 27 septembre 1927.

« L'Assemblée décide:

« 7. De prier le Comité d'experts, lors de sa prochaine session, d'achever le travail qu'il a entrepris. »

5. *Question de l'alcoolisme.*

Résolution adoptée par l'Assemblée le 23 septembre 1927.

L'Assemblée décide d'inscrire à l'ordre du jour de sa neuvième session ordinaire la proposition suivante faite par les délégations de la Finlande, de la Pologne et de la Suède.

« Considérant qu'il est désirable de coordonner les travaux que la Société des Nations a été ou sera amenée à entreprendre sur le sujet de l'alcoolisme, l'Assemblée demande au Conseil:

« 1. D'instituer une Commission d'experts en matière d'alcoolisme;

« 2. De charger cette Commission d'étudier les aspects de la question de l'alcoolisme relevant de la compétence de la Société des Nations et pouvant faire l'objet de travaux d'ordre scientifique ou pratique. »

6. *Relations entre la Société des Nations et les instituts ou organismes constitués sous son autorité.*

a) Résolution adoptée le 26 septembre 1927.

L'Assemblée considère que le moment est venu où la question générale des relations entre la Société des Nations et les instituts ou organismes qui sont constitués sous son autorité, mais qui ne font pas partie intégrante de son organisation, devrait être étudiée, et où les principes qui régiraient leur acceptation par la Société devraient être stipulés par le Conseil.

3. *Construction of an Assembly Hall and of New Buildings for the Use of the Secretariat.*

Resolution adopted on September 26th, 1927.

The Assembly:

Approves the report (document A.93.1927) of the Special Committee of five members in regard to the new buildings;

Approves, in principle, that the amount to be spent on the new buildings may be increased to approximately 19,500,000 francs. The exact amount of the supplementary credit necessary will be submitted to the Assembly at the next session;

Empowers a Committee composed as follows:

M. ADATCI, M. OSUSKÝ, M. POLITIS, M. URRUTIA and Sir Edward HILTON YOUNG to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which in its opinion complies most nearly with the practical and æsthetic requirements. The decision of this Committee will be submitted to the Council of the League of Nations for approval and ratification, and will be communicated to the Assembly at the next session.

4. *Progressive Codification of International Law.*

(a) Extract from the First Committee's Report of September 23rd, 1927, dealing with the Progressive Codification of International Law.

" In his report to the Assembly in 1928, the Secretary-General should give full information concerning the progress made by the Committee (i.e., the Preparatory Committee for the Codification Conference). "

(b) Resolution concerning the Proposal of the Delegation of Paraguay, adopted by the Assembly on September 27th, 1927.

" The Assembly:

" Having taken note of the First Committee's report on the proposal of the delegation of Paraguay for the preparation of a general and comprehensive plan of codification of international law;

" Desires to place on record the importance which it attaches to the spirit underlying the proposal of the delegation of Paraguay;

" Requests the Council to invite the Committee of Experts to consider at its next session under what conditions the work referred to in the said proposal could be undertaken;

" And will decide later upon the course to be adopted, after taking note of the suggestions of the Committee of Experts and the opinion of the Council in regard thereto. "

(c) Extract from the Resolution concerning the Progressive Codification of International Law adopted by the Assembly on September 27th, 1927.

" The Assembly decides:

" 7. To ask the Committee of Experts at its next session to complete the work it has already begun. "

5. *Question of Alcoholism.*

Resolution adopted on September 23rd, 1927.

The Assembly decides to place on the agenda of its ninth ordinary session the following proposal by the Finnish, Polish and Swedish delegations:

" Whereas it is desirable to co-ordinate the work which the League of Nations has undertaken, or will be called upon to undertake, on the subject of alcoholism, the Assembly requests the Council:

" 1. To appoint a Committee of experts on alcoholism;

" 2. To instruct this Committee to study the aspects of the question of alcoholism which come within the competence of the League of Nations, and which might be made the subject of scientific or practical work. "

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

(a) Resolution adopted on September 26th, 1927.

The Assembly considers that the moment has arrived when the general question of the relations between the League of Nations and institutes or bodies set up under its authority, but not forming part of its organisation, should be studied, and the principles which should govern their acceptance by the League of Nations be laid down by the Council.

b) Extrait du rapport de la deuxième Commission adopté par l'Assemblée le 26 septembre 1927.

« La deuxième Commission a soumis à un examen préalable le projet de résolution présenté par Mrs. Alfred Lyttelton au sujet des instituts et organismes constitués sous l'autorité de la Société des Nations.

« Elle a constaté la grande importance de cette question et propose à l'Assemblée d'inviter le Conseil à faire étudier la question et à demander qu'un rapport sur ce sujet soit présenté à l'Assemblée, à sa neuvième session ordinaire, en 1928. »

*7. Le coût de la vie et la fixation des traitements.*

Résolution adoptée par l'Assemblée le 26 septembre 1927.

L'Assemblée décide:

1. D'appliquer une fois encore le système actuellement en vigueur en vertu duquel aucune modification n'est à apporter à ces traitements en 1928;

2. De charger le Comité de fixation des traitements de préparer une nouvelle étude de l'ensemble de la question, en collaboration avec les services compétents du Secrétariat et du Bureau international du Travail et d'en soumettre le résultat à la Commission de contrôle à sa session de janvier 1928;

3. De charger la Commission de contrôle de présenter un rapport général sur la question à la neuvième session ordinaire de l'Assemblée.

*8. Répartition des dépenses de la Société des Nations.*

Résolution adoptée par l'Assemblée le 26 septembre 1925.

L'Assemblée:

1. Prie le Conseil de demander à la Commission de répartition des dépenses de suivre le développement économique des divers Etats membres en vue de soumettre un barème révisé à l'Assemblée de 1928.

---

**Annexe II.**

*1. Rapport sur les travaux du Comité d'arbitrage et de sécurité.*

Résolution adoptée par le Conseil le 4 juin 1928.

Le Conseil,

Ayant pris connaissance des travaux déjà accomplis par le Comité d'arbitrage et de sécurité, ainsi que du programme de ses travaux ultérieurs, charge le Secrétaire général d'inscrire à l'ordre du jour supplémentaire de l'Assemblée les travaux et les propositions du Comité d'arbitrage et de sécurité.

*2. Création d'une station radiotélégraphique de la Société des Nations.*

Résolution adoptée par le Conseil le 8 juin 1928.

Le Conseil décide de transmettre à l'Assemblée, en vue d'examen, le rapport de la Commission consultative des communications et du transit sur la question de la création d'une station radiotélégraphique de la Société. La Commission consultative et technique est invitée à faire parvenir le rapport complémentaire qu'elle a annoncé en temps utile pour qu'il puisse être également transmis à la prochaine Assemblée.

---

**Annexe III.**

**RÈGLES D'ÉLECTION DES NEUF MEMBRES NON PERMANENTS DU CONSEIL.**

*Article IV. — Dispositions transitoires.*

2. Parmi les neuf Membres ainsi élus en 1926, trois au maximum pourront être immédiatement déclarés rééligibles par une décision de l'Assemblée intervenant à la suite d'un vote spécial, secret, distinct pour chaque candidat, et pris à la majorité des deux tiers des suffrages exprimés.

Aussitôt après la proclamation de l'élection, l'Assemblée sera appelée à statuer sur les demandes de rééligibilité qui auront été déposées.

Au cas où l'Assemblée se trouverait saisie de plus de trois demandes de rééligibilité, seront seuls déclarés rééligibles les trois candidats qui, en sus des deux tiers, auront obtenu le plus grand nombre de voix.

---



- (b) Extract from the Report of the Second Committee, adopted by the Assembly on September 26th, 1927.

“ The Second Committee has made a preliminary examination of the draft resolution presented by the Hon. Mrs. Alfred Lyttelton with regard to institutes or bodies set up under the authority of the League of Nations.

“ It has noted the great importance of this question and proposes that the Assembly should invite the Council to have this question studied and to ask that a report on this subject should be submitted to the Assembly at its ninth ordinary session in 1928. ”

*7. Cost of Living and Adjustment of Salaries.*

Resolution adopted on September 26th, 1927.

The Assembly decides:

1. To apply once more the system at present in force under which no changes will be made in the salaries in 1928;
2. To instruct the Salaries Adjustment Committee to make a new enquiry into all the aspects of this question, with the help of the competent services of the Secretariat and of the International Labour Office, and to submit the results to the Supervisory Commission at its session in January 1928;
3. To instruct the Supervisory Commission to submit a general report on the question to the Assembly at its ninth ordinary session.

*8. Allocation of the Expenses of the League.*

Resolution adopted on September 26th, 1925.

The Assembly:

1. Requests the Council to ask the Committee on the Allocation of Expenses to follow the economic development of the various Member States with a view to submitting a revised scale to the Assembly of 1928.

---

**Annex II.**

*1. Report on the Work of the Committee on Arbitration and Security.*

Resolution adopted by the Council on June 4th, 1928.

The Council:

Having taken note of the work already done by the Committee on Arbitration and Security and of the programme for its future work;

Instructs the Secretary-General to insert on the supplementary Assembly agenda the question of the work and the proposals of the Committee on Arbitration and Security.

*2. Establishment of a League of Nations Radio-telegraphic Station.*

Resolution adopted by the Council on June 8th, 1928.

The Council decides to forward to the Assembly for consideration the report of the Advisory and Technical Committee for Communications and Transit on the question of the establishment of a League radio-telegraphic station.

The Advisory and Technical Committee is requested to furnish the supplementary report to which it has referred in time for transmission to the next meeting of the Assembly.

---

**Annex III.**

**RULES DEALING WITH THE ELECTION OF THE NINE NON-PERMANENT MEMBERS OF THE COUNCIL.**

*Article IV. — Temporary Provisions.*

2. Of the nine Members thus elected in 1926, a maximum of three may be immediately declared re-eligible by a decision of the Assembly taken by a special vote by secret ballot, a separate ballot being held for each Member, and adopted by a majority of two-thirds of the number of votes cast.

Immediately after the announcement of the results of the election, the Assembly shall decide upon the requests for re-eligibility which have been presented.

Should the Assembly have before it more than three requests for re-eligibility, the three candidates having received the largest number of votes in excess of two-thirds of the votes shall alone be declared re-eligible.

**Annexe IV.**

**ARTICLE 4 DU RÈGLEMENT INTÉRIEUR DE L'ASSEMBLÉE.**

1. L'ordre du jour de la session est établi par le Secrétaire général de la Société, avec l'approbation du président du Conseil, et communiqué en entier aux Membres, autant que possible, quatre mois avant la date de la première séance.

2. L'ordre du jour de chaque session annuelle comprendra :

- a) Un rapport sur l'œuvre du Conseil accomplie depuis la dernière session de l'Assemblée, sur le travail du Secrétariat et sur les mesures prises pour exécuter les décisions de l'Assemblée;
- b) Toutes les questions dont la mise à l'ordre du jour aura été décidée par l'Assemblée au cours d'une session antérieure;
- c) Les questions proposées par le Conseil;
- d) Les questions proposées par un Membre de la Société;
- e) Le projet de budget pour l'exercice financier suivant et le rapport sur les comptes de l'exercice précédent.

3. Tout Membre de la Société peut, un mois avant la date fixée pour la séance d'ouverture, demander l'inscription de nouvelles questions à l'ordre du jour. Ces questions figureront sur une liste supplémentaire, qui sera communiquée aux Membres de la Société des Nations trois semaines au moins avant la date fixée pour la séance d'ouverture. L'Assemblée décidera si les questions figurant sur la liste supplémentaire feront partie de l'ordre du jour de la session.

4. L'Assemblée peut, dans des circonstances exceptionnelles, inscrire de nouvelles questions à son ordre du jour, mais elle ne peut en aborder l'étude que quatre jours après leur inscription et après rapport d'une commission, à moins que l'Assemblée n'en décide autrement à la majorité des deux tiers.

5. Aucune proposition tendant à modifier la méthode de répartition des dépenses en vigueur ne sera inscrite à l'ordre du jour, si elle n'a été communiquée aux Membres de la Société quatre mois au moins avant la date fixée pour l'ouverture de la session.

---

**Annexe V.**

**ARTICLE 14 DU STATUT DE LA COUR PERMANENTE DE JUSTICE INTERNATIONALE.**

Il est pourvu aux sièges devenus vacants selon la méthode suivie pour la première élection. Le membre de la Cour élu en remplacement d'un membre dont le mandat n'est pas expiré achève le terme du mandat de son prédécesseur.

---

**Annex IV.**

**RULE 4 OF THE RULES OF PROCEDURE OF THE ASSEMBLY.**

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 of the Assembly, 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;
- (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.

---

**Annex V.**

**ARTICLE 14 OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.**

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.

---

*[Distributed to the Council, the  
Members of the League and the  
Delegates at the Assembly.]*

A. 6. 1928

5  
Geneva, June 1st, 1928.

LEAGUE OF NATIONS

Report to the Ninth Ordinary Session of the  
Assembly of the League on the Work of the  
Council, on the Work of the Secretariat and on  
the Measures taken to execute the Decisions  
of the Assembly.

Publications of the League of Nations

GENERAL.

1928. 3.

NOTE.

---

The present report summarises the work of the Council, of the Conferences and Committees of the League of Nations, and of the Secretariat from the date of the meeting of the eighth ordinary session of the Assembly until about May 15th, 1928.

A supplementary report, which will be distributed on the opening day of the ninth ordinary session of the Assembly, will summarise the work of the fiftieth session of the Council (June 1928) and of such Conferences and Committees of the League as have met between the date of the compilation of the present report and September 1928.

In conformity with the procedure adopted for the last five years, a special annex to the supplementary report will give the situation to date in regard to the progress of international conventions and engagements, as indicated by instruments deposited with the Secretariat of the League or by treaties which particularly concern the organisations of the League.

In accordance with the recommendation made by the Assembly during its fifth ordinary session, a report prepared by the Registrar of the Permanent Court of International Justice on the Work of the Court, and a report by the Director of the International Labour Office on that of the International Labour Organisation, will be distributed at the same time as the supplementary report.

Geneva, June 1st, 1928.

---

CONTENTS

	Page
1. CO-OPERATION OF SPAIN AND BRAZIL IN THE WORK OF THE LEAGUE . . . . .	5
2. LEGAL QUESTIONS :	
I. Progressive Codification of International Law . . . . .	8
II. Legal Assistance for the Poor . . . . .	10
III. Case of the Cruiser <i>Salamis</i> . . . . .	11
3. FINANCES OF THE LEAGUE :	
I. General Financial Position . . . . .	11
II. Accounts for 1927. . . . .	12
III. Surplus for the Financial Year 1927 and League Building Fund . . . . .	12
IV. Budget for 1929. . . . .	12
V. Miscellaneous Questions . . . . .	12
4. REDUCTION OF ARMAMENTS :	
I. Declaration regarding Wars of Aggression . . . . .	13
II. Civil Aviation . . . . .	13
III. Methods or Regulations to enable the Council to take such Decisions as may be necessary to enforce the Obligations of the Covenant as expeditiously as possible . . . . .	14
IV. Communications with the League in Times of Emergency . . . . .	15
V. Financial Assistance to States Victims of Aggression . . . . .	16
VI. Arbitration, Security and the Pacific Settlement of International Disputes . . . . .	16
VII. Preparatory Commission for the Disarmament Conference . . . . .	22
VIII. Private Manufacture and Publicity for the Manufacture of Arms and Ammunition and of Implements of War . . . . .	23
IX. Control of the International Trade in Arms and Ammunition and in Implements of War : Chemical and Bacteriological Warfare . . . . .	23
X. Right of Investigation under the Treaties of Versailles, St. Germain, Trianon and Neuilly . . . . .	23
XI. Request of the Governments of (a) Czechoslovakia, (b) Roumania, (c) Kingdom of the Serbs, Croats and Slovenes for consideration by the Council of the Incident which occurred on January 1st, 1928, at Szent-Gotthard Railway-Station on the Austro-Hungarian Frontier . . . . .	24
XII. Statistical Information on the Trade in Arms, Ammunition and Implements of War : Armaments Year-Book . . . . .	25
5. POLITICAL QUESTIONS :	
I. Request of the Roumanian Government under Paragraph 2 of Article 11 of the Covenant regarding the Agrarian Questions submitted to the Mixed Roumano-Hungarian Arbitral Tribunal. — Request of the Hungarian Government for the appointment by the Council, in virtue of Article 239 of the Treaty of Trianon, of two Deputy Judges for the Mixed Roumano-Hungarian Arbitral Tribunal . . . . .	25
II. Request of the Lithuanian Government dated October 15th, 1927, under Article 11 of the Covenant. — Request dated October 26th, 1927, with regard to the Expulsion of Eleven Polish Nationals on Lithuanian Territory . . . . .	32
III. The Bahrein Islands . . . . .	34
IV. Greco-Bulgarian Question : Execution of the Recommendations made by the Council on December 14th, 1925, regarding the Property of Refugees from Bulgaria and Greece . . . . .	35
6. ADMINISTRATIVE QUESTIONS :	
I. Saar Territory . . . . .	35
II. Free City of Danzig . . . . .	38
III. Greco-Bulgarian Mixed Emigration Commission . . . . .	42
IV. Mixed Commission for the Exchange of Greek and Turkish Populations . . . . .	42
7. PROTECTION OF MINORITIES :	
I. General Remarks . . . . .	43
II. Minority Schools in Polish Upper Silesia . . . . .	43
III. Complaints of the Lithuanian Government regarding the Treatment of Persons of Lithuanian Race or Speech in the Vilna Area . . . . .	45
IV. Minorities in Roumania . . . . .	45
8. MANDATES :	
I. Discussion in the Council with regard to the Work of the Eleventh Session of the Permanent Mandates Commission . . . . .	45
II. Work of the Twelfth Session of the Permanent Mandates Commission . . . . .	47
III. New Members of the Permanent Mandates Commission . . . . .	51
IV. Liquor Traffic . . . . .	51
V. Publications . . . . .	51
9. SLAVERY . . . . .	52

<b>10. WORK OF THE TECHNICAL ORGANISATIONS :</b>	
<b>I. Economic and Financial Organisation :</b>	
<b>A. Work in the Economic Field :</b>	
<b>(i) Constitution of a New Economic Organisation of the League of Nations :</b>	
1. Resolution adopted by the Eighth Ordinary Session of the Assembly on September 24th, 1927 . . . . .	52
2. Council Resolution of September 28th, 1927 . . . . .	53
3. Economic Committee — List of Members . . . . .	54
4. Consultative Committee — Constitution and List of Members . . . . .	54
<b>(ii) Work of the Economic Consultative Committee :</b>	
1. Introduction . . . . .	55
2. Economic Conditions in 1927 . . . . .	56
3. Economic Policy during the First Year after the Economic Conference . . . . .	57
4. Commerce . . . . .	59
5. Industry . . . . .	62
6. Coal and Sugar . . . . .	64
7. Agriculture . . . . .	64
8. Economic Tendencies affecting the Peace of the World . . . . .	65
9. Purchasing Power of Gold . . . . .	65
10. Scope of Work to be undertaken . . . . .	66
11. Conclusion . . . . .	66
<b>(iii) Work of the Economic Committee :</b>	
1. Commercial Policy . . . . .	67
2. Unification of Customs Nomenclature . . . . .	67
3. Treatment of Foreign Nationals and Companies . . . . .	68
4. Abolition of Export Prohibitions on Bones and Raw Hides and Skins . . . . .	68
5. Prevention of Disease in Animals and Plants: Veterinary Police Measures and Measures of Control interfering with the Exportation of Animals and Plants. . . . .	69
6. Statistics . . . . .	69
7. Assimilation of Legislation on Bills of Exchange and Cheques . . . . .	70
8. Exploitation of the Products of the Sea . . . . .	71
9. Application of the International Convention of November 3rd, 1923, relating to the Simplification of Customs Formalities . . . . .	71
10. Commercial Arbitration . . . . .	71
<b>(iv) Conference for the Abolition of Import and Export Prohibitions and Restrictions</b>	72
<b>(v) Meeting of Government Representatives regarding Export Prohibitions and                 Duties on Raw Hides and Skins and on Bones. . . . .</b>	73
<b>B. Work of the Financial Committee :</b>	
(i) Greek Stabilisation Scheme and Settlement of Greek Refugees . . . . .	74
(ii) Settlement of Bulgarian Refugees and Bulgarian Stabilisation Scheme . . . . .	80
(iii) Mixed Greco-Bulgarian Emigration Commission . . . . .	83
(iv) Financial Reconstruction of Portugal . . . . .	84
(v) Publication of Monetary and Banking Laws . . . . .	84
(vi) Various Questions . . . . .	84
(vii) Double Taxation and Fiscal Evasion . . . . .	84
<b>I. C. Publications of the Economic Intelligence Service . . . . .</b>	85
<b>II. Organisation for Communications and Transit . . . . .</b>	86
<b>III. Health Organisation . . . . .</b>	90
<b>11. HUMANITARIAN QUESTIONS :</b>	
<b>I. Protection and Welfare of Children and Young People :</b>	
<b>A. Traffic in Women and Children . . . . .</b>	97
<b>B. Child Welfare . . . . .</b>	100
<b>II. Traffic in Opium and Other Dangerous Drugs . . . . .</b>	102
<b>12. ARMENIAN REFUGEE SETTLEMENT SCHEME . . . . .</b>	107
<b>13. INTERNATIONAL RELIEF UNION . . . . .</b>	107
<b>14. INTELLECTUAL CO-OPERATION . . . . .</b>	109
<b>15. INTERNATIONAL BUREAUX . . . . .</b>	111
<b>16. INTERNATIONAL CONFERENCE OF PRESS EXPERTS . . . . .</b>	112
<b>17. CONSTRUCTION OF AN ASSEMBLY HALL, OF NEW BUILDINGS FOR THE SECRETARIAT, AND OF A NEW LIBRARY . . . . .</b>	114
<b>18. RATIFICATION OF AGREEMENTS AND CONVENTIONS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS . . . . .</b>	115
<b>19. PRESENT SITUATION WITH REGARD TO INTERNATIONAL ENGAGEMENTS REGISTERED BY THE SECRETARIAT OF THE LEAGUE OF NATIONS . . . . .</b>	116

## 1.

### CO-OPERATION OF SPAIN AND BRAZIL IN THE WORK OF THE LEAGUE.

The President of the Council, during its meeting of March 8th, 1928, called the attention of his colleagues to the fact that, according to the notices given during the year 1926, Brazil would cease to be a Member of the League from a date immediately following the next session of the Council, and Spain from a date coinciding with that of the next following session. He proposed that the Council should invite the two Governments in question to consider whether the reasons which had led them, in 1926, to give notice of withdrawal from the League had lost something of their force through events which had since taken place, or whether those reasons were still so strong in 1928 that they felt bound to take the final step.

The President felt that such an invitation would give one more unquestionable proof to Brazil and Spain of the value which not only the Council but the League as a whole set on their continued co-operation, and that it might remind those countries of the immense importance for the whole world of the decision which they would shortly have to take.

The proposal of the President was cordially welcomed by all the Members of the Council.

#### CORRESPONDENCE WITH THE SPANISH GOVERNMENT.

The Council on March 9th, 1928, adopted the following resolution :

“ The Council :

“ Noting with deep concern that, in accordance with the notice given during 1926, Spain will cease to be a Member of the League from the month of September next ;

“ Convinced that the co-operation of the Spanish nation is of the utmost value for the successful work of the Council and of the Assembly for the preservation of peace and of good international relations ;

“ Expresses the hope that the Spanish Government will give the most favourable consideration to the possibility of continuing its participation in the work of the League, to which in the past it has contributed so much.”

The Council, at the same time, approved the terms of the covering letter to be addressed to the Spanish Government by the President of the Council :

“ I have the honour, on behalf of the Council of the League of Nations, and at its unanimous request, to communicate, for the consideration of your Government, a resolution which the Council adopted at its meeting on March 9th.

“ At the same time, I feel I should like to acquaint you with the spirit in which the Council adopted the resolution in question, the terms of which necessarily give an inadequate idea of the feeling of all the Members of the Council in regard to Spain.

“ I would state at the outset that the Council has been most careful to avoid even the appearance of an expression of opinion in regard to the possible interests of Spain in the decision which is now before your Government. If the Council sought to give an opinion on this point it would be exceeding its competence and departing from the principles which have continually guided the action of the League. The point which the Council now desires to make clear beyond any possibility of doubt is the keen desire which is felt by the whole League of Nations to see Spain once more co-operating fully in the progressive work which it is endeavouring to carry out.

“ It is inevitable that the Council should attach a very special importance to the co-operation of Spain. Spain is to all the world a country which has a secure place amongst the nations. In art and in letters, in her historical prestige, in her great contribution to the development of modern civilisation, and in the extension of Spanish civilisation to one of the most important regions of the world, Spain holds a pre-eminent position. The recent history of Spain clearly shows that her future will be no less splendid than her past. But to us who are Members of the Council, Spain means much more even than this. She was one of the original Members of the Council and, as the only one of the original Members not involved in the Great War, was marked out to play a part of special importance in our deliberations. She did, in fact, play that part in a spirit of impartiality and wisdom, to which other nations have on many occasions paid tribute.

“ There is, we believe, no doubt that the influence and prestige of the League have steadily grown since its inception and are destined to grow much more. But in proportion as its influence increases, its responsibility increases also. The League has faced more than one moment of difficulty ; and the fact that it has faced them



with success makes it all the more certain that, should some new and graver crisis arise, it is to the League that humanity will look to save it from disasters equal to or greater than those that are within the memory of us all. It is because the League of Nations, and especially the Council, must endeavour to ensure with increasing certainty that, if a crisis arises, they may be strong enough to prevent the outbreak of war, that we view with special anxiety the prospect of being deprived of the collaboration of Spain.

"It is therefore with deep concern that the Council, through me, ventures to ask you to give your earnest attention to our resolution, taking into account — as you must — both the interests of your country and also, I hope, the considerations which I have ventured to set forth as to the importance which the decision of your Government will have on the future of the League of Nations and the consolidation of international peace.

" (Signed) URRUTIA,  
" President of the Council."

The Spanish Government on March 22nd, 1928, replied as follows :

"I have the honour to acknowledge the receipt of your kind letter of the 9th instant, communicating to me, on behalf of the Council of the League of Nations and in accordance with the wish expressed by all its Members, the resolution adopted by the Council at its meeting on that day, for the consideration of His Majesty's Government.

"The cordial terms of your letter, in which you avoid even the appearance of an expression of opinion in regard to our national aspirations, merely stating your earnest desire that the League should not be deprived of the co-operation of Spain, so that she might continue to assist the League in its great and disinterested work, have made a profound impression on my Government, which met in Council for the express purpose of considering this important communication.

"During these last years, Spain has not ceased to pursue the lofty ideal which inspires the League of Nations, and she has proposed and concluded treaties of conciliation and arbitration with various States. We therefore greatly appreciate the Council's invitation transmitted by you, and in reply, the Spanish Government has no alternative but to express its gratitude and to accept the invitation unconditionally and without reservation. We leave it to the Assembly to decide the form which Spain's co-operation should take and the position due to her in order that her rôle may be effectual and valuable and in consonance with her special situation as a great Power which was neutral during the last war, and with her great past, as the creator of nations and civilisations.

"In conclusion, I should like you to convey my sincerest gratitude to the representatives of all the countries which have expressed affection and respect for the Spanish nation, with its long and glorious past, and I would renew to Your Excellency the special assurance of my highest consideration.

" (Signed) Miguel PRIMO DE RIVERA."

The President of the Council has acknowledged the receipt of this letter and asked the Secretary-General to communicate it to all the Members of the League.

#### CORRESPONDENCE WITH THE GOVERNMENT OF BRAZIL.

The Council on March 9th, 1928, adopted the following resolution :

"The Council :

"Noting with deep concern that, in accordance with the notice given during the year 1926, Brazil will cease to be a Member of the League from a date immediately following the next session of the Council ;

"Convinced that the co-operation of the Brazilian nation is of the utmost value for the successful work of the Council and of the Assembly for the preservation of peace and of good international relations :

"Expresses the hope that the Brazilian Government will give the most favourable consideration to the possibility of continuing its participation in the work of the League, to which in the past it has contributed so much."

The Council at the same time approved the terms of the covering letter to be addressed to the Government of Brazil by the President of the Council :

"I have the honour to forward to you a resolution adopted by the Council of the League of Nations at its meeting on March 9th.

"No one who has worked for international peace and co-operation at the meetings of the League of Nations can forget the important part which the Brazilian delegations have taken in all our activities.

“ Brazil has been one of the protagonists of arbitration and international justice : the Statute of the Permanent Court of International Justice bears the profound imprint of the ideas put forward by Brazil, and the Brazilian delegates, to whose views their colleagues have always listened with respect, have year by year defended the cause of arbitration. I venture to say that they have seen the ideas they sowed bear a rich harvest, for the great movement towards arbitration which has taken place in recent years is undoubtedly due mainly to the existence of the League of Nations and to the action taken at its Assemblies by delegations inspired by a spirit of idealism and justice.

“ The League is, however, far from having reached its full development. Last year it dealt with the great problems of world economic organisation, and at this first Economic Conference, which is to be followed by further endeavours, Brazil once again gave the League the valuable assistance of her Government delegates and her experts. The problems raised by the great questions of the security of nations and the reduction and limitation of armaments are also among those dealt with by the League. Will not Brazil come to the League's aid alike with her idealism and her practical wisdom ? Will she discontinue her co-operation in all the other work — technical, intellectual and social — in which she has hitherto taken part as a Member of the League ?

“ Having the honour, at the moment, of being President of the Council of the League, it is my duty to express to you my colleagues' views ; and, being myself a citizen of one of those nations of the New World which have done so much and may yet do so much to realise the great ideal of international organisation and peace, I feel bound to associate myself with these views, with especial sympathy, but too inadequately expressed in this letter.

“ *(Signed)* URRUTIA,  
“ *President of the Council.* ”

The Brazilian Minister for Foreign Affairs on April 9th, 1928, replied as follows :

“ I have the honour to acknowledge receipt of Your Excellency's letter together with the text of the resolution on the relations between Brazil and the League of Nations adopted by the Council at the sitting held on March 9th.

“ I hereby renew to Your Excellency and to the Council the thanks I had the opportunity of expressing on answering the telegram in which you informed me of that resolution and advised me of the despatch of the documents which I have now received. I must furthermore express Brazil's appreciation of the very cordial terms in which these documents are worded.

“ On June 10th and 12th, 1926, Brazil announced her intention of withdrawing from the League of Nations, setting forth fully the grounds for her action. The facts which preceded that decision of the Brazilian Government are well known. The widest publicity was given to the occurrence in its divers phases, and to all commentaries aroused by it.

“ The Government now responsible for the policy of Brazil, duly considering the subject, both from the political and from the moral standpoint, reviewing all the documents of the case, with the sole purpose of being loyal to the duties and responsibilities of this country, find no determining factor for altering, under such delicate circumstances, a situation which has already been clearly defined, since the contingencies which brought it about are nowise changed. If therefore, collaboration with the League of Nations implies permanence as a Member thereof, the Brazilian Government is the first to regret that the present circumstances do not allow such collaboration.

“ It would appear to me, however, that it is not only by occupying a seat in the Assembly or in the Council that a country can collaborate with the League of Nations. Such countries collaborate as recognise its service to civilisation and to humanity. Countries that do honour to the great organisations created by the League of Nations, amongst which the Permanent Court of International Justice stands foremost, and join in conferences through which the League of Nations strives for universal welfare by working out problems of general interest, rightly consider themselves collaborators. Lastly, it is clear that support is also brought to the League of Nations by those countries that preach and practise, in whatever part of the world they may be, to the utmost of their power the true policy of preserving peace, in no matter what emergency, by the employment of juridical solutions, by their disinterestedness, by their amity and by their spirit of justice and of concord.

“ Collaboration being thus understood, I beg Your Excellency and the Council to consider my country one of the most devoted collaborators of the League of Nations, and if, in the future, Brazil finds it possible to return thereto, she will only have ground

for rejoicing both at the honour of being once more a Member and at the facts in consequence of which her return to that great institution will have been made possible. Brazil sincerely wishes that the blessings of mankind may be showered ever increasingly upon the League of Nations.

“ (Signed) Octavio MANGABEIRA.”

#### CO-OPERATION OF COSTA RICA.

The President, in submitting his draft resolution to the Council on March 9th, reminded his colleagues that the Government of Costa Rica had three years previously notified its intention of withdrawing from the League. He pointed out that the time-limit fixed by the Covenant had expired over a year previously, and that Costa Rica had therefore ceased to be a Member of the League. He ventured to emphasise, however, on behalf of the Members of the Council, the great satisfaction which would be felt by the League if the Government of Costa Rica, reversing its decision, would consent to participate again in that institution.

It was suggested that the Secretary-General should forward to the Government of Costa Rica the statement made by the President as an expression of the feelings of all the Members of the Council, and this suggestion has since been carried into effect.

## 2.

### LEGAL QUESTIONS

#### I. PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

(See Agenda of the Assembly of 1928, Item No. 10 A, B and C.)

##### A. WORK OF THE PREPARATORY COMMITTEE FOR THE FIRST CODIFICATION CONFERENCE.

By its resolution of September 27th, 1927<sup>1</sup>, the Assembly, after considering the reports presented by the Committee of Experts for the Progressive Codification of International Law<sup>2</sup>, decided to submit to examination by a first Codification Conference, to be held, if possible, in the year 1929, the following questions :

- (a) Nationality ;
- (b) Territorial Waters ;
- (c) Responsibility of States for Damage done in their Territory to the Person or Property of Foreigners.

The preparatory work for the Conference was entrusted by the Assembly to a Committee of five experts to be appointed by the Council. By a resolution of September 28th, 1927, the Council appointed as members of the Preparatory Committee : Professor BASDEVANT, Councillor Carlos CASTRO-RUIZ, Professor FRANÇOIS, Sir Cecil HURST and M. Massimo PIOTTI.

The method of work to be followed by the Preparatory Committee is set out in the report submitted to the Assembly by the First Committee.

The first task of the Committee is to draw up for each of the questions on the agenda of the Conference a schedule indicating the various points considered suitable for examination. The schedules are to be submitted to the Governments, through the Secretariat, with the request that information may be furnished from the three following points of view :

- (a) The state of their positive law, internal and international, with, as far as possible, circumstantial details as to the bibliography and jurisprudence ;

<sup>1</sup> The Minutes of the Assembly's discussions on the subject of codification are printed separately in document C.548.M.196.1927.V.

<sup>2</sup> See, in particular, document C.196.M.70.1927.V.

- (b) Information derived from their own practice at home and abroad ;
- (c) Their wishes as regards possible additions to the rules in force and the manner of making good present deficiencies in international law.

At the next stage of its work the Preparatory Committee is to examine the information and the expressions of opinion received from the Governments. It may, if necessary, address further enquiries to the Governments. When the necessary enquiries have been completed, the Committee is to establish the points on which agreement or divergency of view exists and to embody its conclusions in a report intended to serve as a detailed basis for the discussions of the Conference.

It will then be for the Council of the League to decide as to the date of meeting of the Conference and the form of the invitations to be issued to the Governments. In issuing the invitations, the Council is to consider the advisability of formulating special rules for the conduct of the Conference, more particularly with reference to certain questions specified in the Assembly's resolution of September 27th, 1927.

The Assembly contemplated that the Council would convene the Conference at The Hague by agreement with the Netherlands Government.

The first stage of the above programme of work was accomplished by the Preparatory Committee at a session held at Geneva from February 6th to 15th, 1928. A report (document C.44.M.21.1928.V) was drawn up setting out the three schedules of points on which the Governments are invited to furnish information. This report was transmitted to the Governments by the Secretary-General under cover of Circular Letter No. 36, dated March 1st, 1928.

In agreement with the Preparatory Committee, the Secretary-General has requested the Governments to transmit their replies to the Secretariat not later than October 31st, 1928, and has informed them that the Preparatory Committee considers it essential to have the replies by that date in order that it may be able to undertake the second part of its task at a session beginning on January 28th, 1929. The following passage from the Secretary-General's letter explains the views of the Preparatory Committee with regard to the subsequent progress of its work.

"In view of the Assembly's decision that the forthcoming Conference shall, if possible, be held in the year 1929, and of the considerable time which will evidently be required by the Committee for the purpose of examining the information furnished by the Governments and drawing up the contemplated bases of discussion for the Conference, the Committee has requested me to state that it attaches the greatest importance to receiving answers from all the Governments by a date not later than October 31st next. It has decided to hold a session to consider these answers not later than January 28th, 1929. These periods have been fixed with the view, on the one hand, of allowing to the Governments at least the period of six months contemplated by the report of the First Committee for the purpose of preparing their replies and, on the other hand, with the view of permitting sufficient time for the preparation of the resulting material for consideration by the Committee when it meets. Their observance appears to be essential if the Conference is to be held within the period fixed by the Assembly."

The Preparatory Committee has been invited to avail itself of any assistance which can be obtained from the various learned associations established for the study and development of international law. Accordingly, its report has been transmitted to these associations, and any communications which may be received from them will be considered by the Committee at the same time as the information supplied by the Governments.

As recommended by the First Committee of the Assembly, the Committee is also devoting special attention to the work of codification which has been undertaken by the Pan-American Union.

#### B. PROPOSAL OF THE DELEGATION OF PARAGUAY AT THE EIGHTH ORDINARY SESSION OF THE ASSEMBLY FOR THE PREPARATION OF A GENERAL AND COMPREHENSIVE PLAN OF CODIFICATION OF INTERNATIONAL LAW.

The Assembly decided that the Committee of Experts for the Progressive Codification of International Law should be invited to consider at its next session under what conditions effect could be given to this proposal.

The question has therefore been placed on the agenda of the fourth session of the Committee which opens on June 22nd, 1928.

#### C. WORK OF THE COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

This Committee was established in execution of the Assembly's resolution of September 22nd, 1924, with the mandate to prepare provisional lists 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, and, after obtaining the opinion of the Governments, to report as to the questions which are sufficiently ripe for international action and on the procedure which might be followed with a view to preparing eventually for conferences for their solution.

After presenting the reports referred to in Section A above, the Committee had still a number of subjects under consideration.

At its session of 1927, the Assembly resolved that the Committee should be invited to complete the work which it had already begun.

The next session of the Committee of Experts has been convened for June 22nd, 1928, and information concerning its work will accordingly be given in the supplementary report to the Assembly.

#### D. EFFECT GIVEN TO RECOMMENDATIONS OF THE COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW MADE IN ITS REPORTS TO THE COUNCIL IN 1927.

##### (a) *Procedure of International Conferences and Procedure for the Conclusion and Drafting of Treaties.*

In consequence of a recommendation of the Committee of Experts, the Secretariat has, under resolutions of the Assembly and the Council, been instructed to undertake a study of this question. The necessary measures are being taken for this purpose.

##### (b) *Exploitation of the Products of the Sea.*

After considering the recommendations made by the Committee of Experts, the Assembly, by its resolution of September 27th, 1927, decided that this subject, which it recognised to be of great importance and urgency, should be referred for consideration to the Economic Committee of the League, on whose agenda it has accordingly been placed. In consequence, information on the subject will henceforward be given in connection with the work of the Economic Committee, and not under the heading of Codification of International Law.

## II. LEGAL ASSISTANCE FOR THE POOR.

### EXECUTION OF THE ASSEMBLY'S RESOLUTION OF SEPTEMBER 20TH, 1924

The Assembly's resolution of September 20th, 1924, concerning legal assistance for the poor contemplated:

1. The collection, by enquiries addressed to the Governments, and the publication of (a) information regarding the treaties, laws and other provisions regulating legal assistance to poor persons in the various countries and between the various countries; (b) a list of the agencies, both public and private, which afford legal assistance to poor persons; and (c) a list of authorities or persons nominated by Governments to answer enquiries regarding legal assistance to the poor from authorities or duly qualified persons in foreign countries.

2. An enquiry as to how far the various Governments "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 July 17th, 1905, and whether possibly they would desire to propose any modification of such principles".

The collection of texts referred to above has now been issued by the Secretariat and communicated to all the Governments. The first part of the Assembly's resolution of September 20th, 1924, has therefore been executed.

As regards the enquiry concerning the extent to which the Governments would be disposed to become parties to a Convention dealing with free legal aid for the poor, the Council, on December 5th, 1927, decided that it was not necessary for the League to take steps with a view to the international regulation of the question, as it would in all probability be examined by the Conference on International Private Law, which was to be held at The Hague in the beginning of 1928 under the auspices of the Netherlands Government.

The Conference on International Private Law, which took place in January of this year at The Hague, examined the question of legal aid for the poor and adopted a new Convention.

### III. CASE OF THE CRUISER *SALAMIS*.

At its sessions of September and December 1927, the Council dealt with a request from the Hellenic Government that measures should be taken to establish the interpretation of certain articles of the Treaty of Versailles upon which partly depended the issue of proceedings brought before the Greco-German Mixed Arbitral Tribunal by the Hellenic Government for the cancellation of contracts for a cruiser known as the *Salamis*, which the Hellenic Government had concluded in 1914 with the Vulcan Company.

The Hellenic Government suggested that the Council might ask for an advisory opinion from the Permanent Court of International Justice.

The German Government informed the Council that it did not see any reason why the Council should intervene in the matter.

On December 12th, 1927, the Council approved a report drawn up by a Committee composed of the legal advisers of its members, to whom the subject, and more particularly the question of the Council's competence, had been referred. The principal conclusions of this report may be summarised as follows :

The matter which the legal advisers had to study was particularly a question of competence of the Council.

It will not be contested that, as a general principle, and in the absence of some special attribution of competence, the Council should not intervene in a question pending before another international organ, such as a Mixed Arbitral Tribunal, when (a) the request for the Council's intervention is made by only one of the parties ; and (b) when the case is being dealt with by that international organ, with the consent of both Parties, and is regarded by it as within its competence. If this rule were not followed as a general principle, the position of all international tribunals would be prejudiced and an intolerable burden would be imposed on the Council of the League of Nations.

The above principle would not apply if both parties to the case joined in asking the Council to intervene, or if the Mixed Arbitral Tribunal itself did so. The German representative, however, has not joined in the request to the Council, and the Mixed Arbitral Tribunal, for its part, has not made any application to the Council.

In view of the importance of the principle that the Council should not take any action which could be misinterpreted as an encroachment on the sphere of an international tribunal which has been duly seized of a question, it would be courteous for the Council to address a communication to the Mixed Arbitral Tribunal to the effect that, if it should judge it to be desirable that an interpretation of Article 192 (and Article 190, if that article is considered relevant) should be obtained by way of an advisory opinion by the Permanent Court of International Justice and should address a communication to the Council to that effect, the Council would defer to such a desire.

On December 12th, 1927, the Council adopted the report of the Committee of Jurists.

On instructions from the Council, the Secretary-General sent a letter to the President of the Mixed Arbitral Tribunal in the sense proposed by the Committee of Jurists.

## 3.

### FINANCES OF THE LEAGUE.

#### I. GENERAL FINANCIAL POSITION.

During the year 1927, 87 per cent of the amount of the contributions due for that year was received from the States Members, as against 86¾ per cent of the budget for 1926 during that year.

The total amount received on account of arrears during 1927 was 1,659,322.19 gold francs, as compared with 1,965,032.55 gold francs in 1926.

The cash position of the three autonomous organisations of the League on December 31st, 1927, was as follows :

Organisation	Gold francs	
	Surplus	Deficit
Secretariat	1,189,096.43	—
International Labour Organisation	—	328,700.16
Permanent Court of International Justice	230,197.25	—
	<u>1,419,293.68</u>	<u>328,700.16</u>

The work of the Treasury since the last ordinary session of the Assembly may perhaps be most conveniently illustrated by reference to the reports of the Supervisory Commission, which has met on two occasions since last September.

The Commission is now composed of the following members :

His Excellency M. Stefan OSUSKÝ, Czechoslovakia, *Chairman*.  
Lord MESTON OF AGRA, India, *Vice-Chairman*.  
Dr. J. A. NEDERBRAGT, Netherlands, *Rapporteur*.  
M. Jean RÉVEILAUD, France.  
His Excellency M. C. PARRA-PÉREZ, Venezuela.

## II. ACCOUNTS FOR 1927.

The Commission examined points raised in the report drawn up by the League's auditor, M. Ceresa, as well as certain general observations made by the Rapporteur. After having considered with the Secretary-General and the responsible officials of the autonomous organisations certain broad questions of principle, the Commission made recommendations regarding further improvements which might be made in the form of the accounts.

## III. SURPLUS FOR THE FINANCIAL YEAR 1927 AND LEAGUE BUILDING FUND

The Commission recommended that the *net* surplus (*i. e.*, the total surplus less the deficit of the International Labour Organisation), amounting to 1,090,593.52 gold francs, should be returned to the Members of the League in accordance with Article 38 (*a*) of the Financial Regulations.

The Commission noted that the Building Fund would probably reach, after the sale of the Hôtel National and various receipts such as interest had been credited to it, the sum of 16½ million francs. At its last session, the Assembly had, however, approved in principle that the amount to be spent on the new building should be increased to approximately 19,500,000 francs. In these circumstances, the Commission considered it essential that some immediate steps should be taken to bridge over the difference between the amount available in the Building Fund Account and the commitments which it will have to meet. The Commission recommended therefore that the amount to be returned, in 1929, out of the Building Fund should be fixed at 700,000 gold francs, as against 1,400,000 francs during each of the two previous years.

## IV. BUDGET FOR 1929.

The budget for 1929, as forwarded to the Members of the League, for consideration by the Assembly, amounts to 26,871,244 francs, as compared with 25,333,817 francs for 1928.

The Commission, having noted that the major part of the increase was due to work that was being undertaken under direct or implied instructions from the Assembly and the International Labour Conference, decided to submit in its general bearings the problem of the increase of the budget for the consideration and orders of the Assembly.

## V. MISCELLANEOUS QUESTIONS.

The Commission, at its January and April sessions, began the consideration of the various administrative questions which had been submitted to it by the Assembly during its eighth ordinary session. This study is still being continued and will be completed at a further session to be held in June.

---

4.

## REDUCTION OF ARMAMENTS.

### I. DECLARATION REGARDING WARS OF AGGRESSION.

The Assembly, at its eighth ordinary session on September 24th, 1927, adopted the following resolution :

“ The Assembly :  
“ Recognising the solidarity which unites the community of nations :  
“ Being inspired by a firm desire for the maintenance of general peace ;  
“ Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime ;  
“ Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament :

“ Declares :

“ (1) That all wars of aggression are, and shall always be, prohibited ;

“ (2) That every pacific means must be employed to settle disputes of every description, which may arise between States.

“ The Assembly declares that the States Members of the League are under an obligation to conform to these principles. ”

In view of this resolution, the Council adopted the following resolution on September 27th, 1927 :

“ The Council :

“ In view of the resolution adopted by the Assembly on September 24th, 1927, prohibiting all wars of aggression and declaring that every pacific means must be employed to settle disputes of every description which may arise between States,

“ Requests the Secretary-General to bring this resolution to the notice of all States Members of the League. ”

The Secretary-General communicated the resolutions of the Assembly and of the Council to the Governments in a circular letter dated October 18th, 1927.

### II. CIVIL AVIATION.

The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution :

“Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organisation, between the requirements and developments of civil aviation and those of military aviation ;

“And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation ;

“The Assembly :

“Declares that it is desirable for this purpose that the development of civil aviation should be directed solely towards economic ends to the exclusion of military interests ;

“Recommends all States Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Preparatory Commission for the Disarmament Conference ;

“And requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations. ”

The Council, on September 27th, 1927, after considering this resolution, asked the Secretary-General to forward it to the States Members of the League of Nations, and to the Advisory and Technical Committee for Communications and Transit.

The Secretary-General, on October 18th, 1927, sent to all States Members a circular letter communicating to them the resolution of the Assembly.



The Advisory and Technical Committee for Communications and Transit, which met at Geneva on February 27th, 1928, decided to instruct a special Committee of Enquiry to determine the steps to be taken as a consequence of this resolution. The appointment of this special Committee was entrusted to the Chairman, who was authorised to take any measures that might facilitate the co-operation of the Governments concerned.

### III. METHODS OR REGULATIONS TO ENABLE THE COUNCIL TO TAKE SUCH DECISIONS AS MAY BE NECESSARY TO ENFORCE THE OBLIGATIONS OF THE COVENANT AS EXPEDITIOUSLY AS POSSIBLE.

(a) The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution :

“The Assembly :

“Having taken note of the report (document C.169.M.119.1927) approved by the Committee of the Council on March 15th, 1927, with regard to the methods and regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible ;

“Approves this report and recommends its adoption by the Council as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency.”

The Council, on December 6th, 1927, adopted the following resolution on this subject :

“The Council :

“Having taken note of the report approved by the Committee of the Council on March 15th, 1927, with regard to the methods or regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible ;

“Approves this report and adopts it as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in case of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency.”

(b) Number III (e) of the report of March 15th, 1927, referred to in the above resolution, is as follows :

“In order to satisfy itself of the way in which these measures have been carried out and to keep itself informed of the course of events, the Council may think it desirable to send representatives to the locality of the dispute. The Secretary-General, duly authorised by the Council, would keep lists of experts — political, economic, military, etc. — on the basis of lists supplied by the States Members of the League and of applications for employment submitted direct to him. These lists, classified according to categories, would be held by the Secretary-General at the disposal of the Council which, in case of crisis, would thus have names of suitable experts before it. The Council may also have recourse in this connection to diplomatic personages stationed in the neighbourhood who belong to States not parties to the dispute.”

The Secretary-General, in accordance with these suggestions, has taken the necessary steps with a view to compiling the lists mentioned, basing these lists on spontaneous offers of assistance which have reached him, on the lists of the members of the various Committees and Sub-Committees previously or at the moment in existence, and on the information contained in the files of the Secretariat regarding persons who have already assisted the League of Nations in its work. No Government has yet sent to the Secretary-General any list of experts of this character.

(c) A reference may here be inserted to No. 7a of the resolution adopted by the Council of December 8th, 1926. The resolution is as follows :

“The Council requests the Secretary-General :

“To collect systematically precise information regarding the economic and financial relations of the various States, with a view to a possible application of Article 16 of the Covenant. This work will be carried out in accordance with a plan to be submitted to the Council by the Secretary-General after consulting the technical organisations of the League, including, if necessary, the Joint Committee.”

The Secretary-General, acting on this resolution, has consulted the Economic and Financial Committees, whose views are embodied in two reports which were adopted by the

Council on March 9th and December 21st, 1927 respectively. These two reports have been communicated to the Committee on Arbitration and Security (mentioned below) and the Council expressed the view, in a resolution dated March 6th, 1928, that, at present, no further action on the part of the Secretariat was necessary.

(d) For the work of the Committee on Arbitration and Security, see Section VI below.

#### IV. COMMUNICATIONS WITH THE LEAGUE IN TIMES OF EMERGENCY.

(a) The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution :

“ The Assembly :

“ Being desirous of adopting all measures likely to make possible the prompt application of the system contemplated by the Covenant for the maintenance of peace, and of giving to States Members of the League of Nations a greater feeling of security ;

“ Convinced that, in this connection, it is of the utmost importance to ensure the rapid working of the organs of the League of Nations at times of emergency ;

“ Considering that their intervention in the shortest possible time may prove to be an essential condition for the prevention of war ;

“ Trusting that greater facilities for the immediate operation of the machinery of the League of Nations will assist the work of disarmament ;

“ Inspired by the spirit and provisions of the Covenant ;

“ Reasserts that it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council in times of emergency ;

“ Invites the States Members of the League of Nations to take in advance all necessary measures for this purpose ;

“ Congratulates the Council on having studied the question, to which the Assembly attaches the greatest importance, and requests the Council to continue its studies, particularly in regard to telephonic communications between the seat of the League and the different capitals, the identification of air-craft making journeys of importance to the League of Nations at times of emergency, the establishment of a radio-telegraphic station at the seat of the League, the adaptation of a landing-ground in the neighbourhood of the seat of the League, and, more generally, provisions enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity. ”

The Council, acting on this resolution, adopted the following resolution on September 27th, 1927 :

“ The Council :

“ Having regard to the resolution adopted by the Assembly on September 26th, 1927, regarding meetings of the Council and of the organs of the League of Nations in times of emergency ;

“ Notes that the Assembly asserts that ‘it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council in times of emergency’, and calls the attention of the States Members of the League to the consequences of this obligation ;

“ Forwards to the States Members of the League of Nations this resolution of the Assembly ; and

“ Requests the Secretary-General to communicate it to the Advisory and Technical Committee for Communications and Transit with the request that it will continue the investigations which it has already started on this question. ”

This resolution of the Council, together with the resolution of the Assembly, was communicated by the Secretary-General to all the Members of the League of Nations in a circular letter dated October 19th, 1927.

The Advisory and Technical Committee for Communications and Transit, at its meeting on February 27th, 1928, continued its study of the questions affecting rapid communications between the seat of the League and the rest of the world, and particularly the questions mentioned in the resolutions quoted above.

For the details of the decisions taken and the present position of the work, reference should be made to that part of the report which deals with the work of the Organisation for Communications and Transit.

(b) The Committee on Arbitration and Security adopted on March 7th, 1928, a resolution on communications with the League in times of crisis. See Section VI below.

## V. FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION.

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution :

“ The Assembly :

“ Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for ensuring financial aid to any State victim of aggression ;

“ Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament :

“ Requests the Council to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special Conference to be convened for the purpose.

“ The Assembly suggests to the Council that it would be advisable to submit the plan referred to, and the documents relating to Article 16 prepared by the Legal Section of the Secretariat, the observations submitted by the several Governments and the Minutes of the discussions in the Third Committee on this subject, to the Committee which it proposes should be appointed in pursuance of its resolution relative to arbitration, security and disarmament. ”

The Council took the following decision on September, 27th, 1927 :

“ The Council :

“ Notes the Assembly's resolution of September 26th, 1927, concerning financial aid to States victims of aggression ;

“ Forwards this resolution to the Preparatory Commission for communication to the Committee which it is to appoint to study questions relating to arbitration and security ;

“ Authorises that Committee to consult the Financial Committee whenever it thinks fit and, if necessary, to request the latter to make technical studies of the question ;

“ Requests the Financial Committee to co-operate with the Committee on Arbitration and Security and the Preparatory Commission for the Disarmament Conference for the purposes mentioned above. ”

As a result of the discussions in the Committee on Arbitration and Security, a Joint Committee was established composed of four members of the Committee on Arbitration and Security and three members of the Financial Committee. This Joint Committee held a session in the month of March 1928. A second session was arranged for the beginning of June 1928.

## VI. ARBITRATION, SECURITY AND THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution :

“ The Assembly :

“ Noting the progress achieved in the technical sphere by the Preparatory Commission for the Disarmament Conference and by the Committee of the Council towards enabling the Council to be rapidly convened and to take decisions in case of emergency ;

“ Being anxious to bring about the political conditions calculated to assure the success of the work of disarmament ;

“ Being convinced that the principal condition of this success is that every State should be sure of not having to provide unaided for its security by means of its own armaments and should be able to rely also on the organised collective action of the League of Nations ;

“ Affirming that such action should aim chiefly at forestalling or arresting any resort to war and, if need be, at effectively protecting any State victim of an aggression ;

“ Being convinced that the burdens which may thereby be imposed on the different States will be the more readily accepted by them in proportion as ;

“ (a) They are shared in practice by a greater number of States ;

“ (b) The individual obligations of States have been more clearly defined and limited :

“ 1. Recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments ;

“2. Recalls its resolution of September 24th, 1926, which reads as follows :

“ ‘Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the Limitation and Reduction of Armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible.’

“ Accordingly requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and to convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed ;

“3. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of an initial Conference on the limitation and reduction of armaments, and whose work must continue until the final goal has been achieved, the necessary instructions for the creation without delay of a Committee consisting of representatives of all the States which have seats on the Commission and are Members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire.

“ This Committee would be placed at the Commission’s disposal and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

“ The Assembly considers that these measures should be sought :

“ In action by the League of Nations with a view to promoting, generalising, and co-ordinating special or collective agreements on arbitration and security ;

“ In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant ;

“ In agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States ;

“ And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council’s decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council’s decisions or recommendations.”

The Council adopted the following resolution on September 27th, 1927 :

“ The Council :

“ Forwards to the Governments Members and non-Members of the League of Nations the resolution adopted by the Assembly on September 26th, 1927, with regard to arbitration, security and disarmament ;

“ Draws these Governments’ attention to the recommendations made by the Assembly with a view to ‘the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments’ ;

“ Invites the Preparatory Commission of the Disarmament Conference to hasten the completion of its technical work in order that the Council may convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed ;

“ Requests the Preparatory Commission to appoint a Committee which will be placed at its disposal and whose duty will be ‘to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement’.

“ This Committee will consist ‘of representatives of all the States which have seats on the Commission and are Members of the League of Nations, the other States represented on the Commission being invited to take part if they so desire’.”

The Preparatory Commission constituted on November 30th, 1927, a Committee on Arbitration and Security. The resolution of the Council provides that the States non-Members of the League of Nations represented on the Preparatory Commission should

be invited to take part if they so desire. The representative of the United States of America on the Preparatory Commission replied to a question put to him on the subject by the Chairman to the following effect :

“ At such time as the Committee on Arbitration and Security, working parallel to this Commission, may submit its recommendations to this body, my Government will be glad, in the light of its traditional and historic policy, to take these recommendations into careful consideration. That these recommendations would be productive of fruitful results is, I assure you, our sincere hope. ”

The representative of the Union of Socialist Soviet Republics replied to the question of the Chairman as follows :

“ The Soviet delegation is unable to participate as a member of the Committee on Arbitration and Security. The Soviet delegation is, however, prepared to observe and follow with the closest attention the work of the Committee within such limits and forms as may be permitted by the Preparatory Commission and satisfactory to ourselves. ”

The Commission, in view of this declaration, agreed that the Government of the Union of Socialist Soviet Republics should send an observer to the Committee on Arbitration and Security.

The Committee on Arbitration and Security first met on December 1st, 1927. Its bureau was constituted as follows : Chairman : M. BENEŠ (Czechoslovakia), Vice-Chairmen : M. URRUTIA (Colombia) and M. UNDÉN (Sweden).

To guide the Committee in its work, the Preparatory Commission transmitted to it the resolutions of the Assembly and the Council, to which reference has already been made. The Committee, on the basis of these texts, established a programme dealing with the following three classes of questions : Treaties of Arbitration and Conciliation ; Security Agreements ; Articles 10, 11 and 16 of the Covenant and Financial Assistance to States Victims of Aggression.

Three Rapporteurs, M. HOLSTI (Finland), M. POLITIS (Greece), and M. RUTGERS (Netherlands) were respectively asked to prepare, on each of these three questions, memoranda which might serve as a basis of discussion at the second session of the Committee arranged for February 1928.

It was understood that these memoranda, before being sent to the members of the Committee, would be co-ordinated by the Rapporteurs, in collaboration with the Chairman, who would endeavour to make of them an organic whole.

The Preparatory Commission was informed at its meeting on December 3rd, 1927, of the programme of work of the Committee on Arbitration and Security.

In conformity with this programme, the draft memoranda prepared by the three Rapporteurs were co-ordinated by them in collaboration with the Chairman of the Committee during a meeting held at Prague from January 26th to February 1st, 1928. The Rapporteurs and the Chairman, endeavoured to take into account, as far as possible, the indications contained in notes which had been sent by certain Governments (Germany, Belgium, Great Britain, Norway and Sweden) as well as the observations made by the representatives of other Governments during the previous discussions on the questions of arbitration and security.

The second session of the Committee began at Geneva on February 20th, when the document prepared at Prague was discussed (document C.A.S. 10). This document included :

1. Introduction to the three memoranda on arbitration, security and the articles of the Covenant, submitted by the Chairman and the Rapporteurs ;
2. A memorandum on arbitration and conciliation, submitted by M. Holsti ;
3. A memorandum on security questions, submitted by M. Politis ;
4. A memorandum on Articles 10, 11 and 16 of the Covenant, and on financial assistance afforded to States victims of aggression, submitted by M. Rutgers.

On the basis of discussions at the plenary meetings of the Committee, a Drafting Committee was instructed to prepare at once the following texts :

1. A model general convention for the pacific settlement of all international disputes ;
2. A model general convention relating to judicial settlement, arbitration and conciliation ;
3. A model general conciliation convention ;
4. A model collective treaty of mutual assistance ;
5. A model collective treaty relating to non-aggression ;
6. A model bi-lateral treaty of the same type ;
7. Various draft resolutions.

These texts were then submitted for approval to the Committee on Arbitration and Security, which decided :

1. To authorise its Chairman to convene it for a third session, not later than the end of June 1928 ;
2. To proceed, at its third session, with the second reading of the model treaties drawn up during its second session ;
3. To examine, at its third session, certain suggestions for the prevention of war made by the German delegation at the second session (M. Rolin Jaequemyns (Belgium) was asked to prepare a memorandum on this question) ;
4. To study, at the same session, draft model bi-lateral treaties ;
5. To continue the examination of the articles of the Covenant in accordance with the resolution of the Assembly of 1927.

The supplementary report on the work of the Council will deal with the model arbitration and security treaties, which must be read a second time, together with the German suggestions for the prevention of war, which are to be examined during the next session of the Committee.

The texts adopted by the Committee during its second session are given below. They take the form of draft resolutions which the Committee recommends should be submitted to the Assembly in September (see document C.P.D. 108).

#### RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF MODEL GENERAL CONVENTIONS ON CONCILIATION, ARBITRATION AND JUDICIAL SETTLEMENT.

“ The Assembly :

“ Having noted with satisfaction the model general conventions prepared by the Committee on Arbitration and Security regarding conciliation, arbitration and judicial settlement ;

“ Fully appreciating the value of these model general conventions ;

“ And convinced that their adoption by the largest possible number of States would contribute towards strengthening the guarantees of security ;

“ Recommends them for consideration by all States Members or non-Members of the League of Nations ;

“ Hopes that they may serve as a basis for States desiring to conclude conventions of this sort ;

“ Draws the attention of Governments which might find it impossible to assume general undertakings to the fact that they would be free to accept the rules established by these model conventions by means of private agreements or by a simple exchange of notes with States of their own choosing ;

“ In view of this possibility, invites the Council to issue to the Secretariat of the League of Nations the necessary instructions for the keeping of a register, in which would be entered the separate undertakings given within the framework of the general conventions, in order that States Members or non-Members of the League of Nations may be rapidly informed of the progress made in the extension of this indirect effect of the general conventions.”

#### RESOLUTION REGARDING THE GOOD OFFICES OF THE COUNCIL.

##### *Arbitration.*

“ The Assembly :

“ In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security ;

“ Recognising that the development of procedures for the pacific settlement of any disputes which may arise between States is an essential factor in the prevention of wars ;

“ Expresses its appreciation of the progress achieved in concluding treaties of this kind, and its desire to see *the application of* the principle of the pacific settlement of all disputes extended as far as possible ; and

“ Invites the Council to inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding, for this purpose, a treaty to ensure the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested—after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue.”

**RESOLUTION CONCERNING THE OPTIONAL CLAUSE OF ARTICLE 36 OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.**

“ The Assembly :

“ Referring to the resolution of October 2nd, 1924, in which the Assembly, considering that the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice are sufficiently wide to permit States to adhere to the special Protocol opened for signature in virtue of that article, with the reservations which they regard as indispensable, and convinced that it is in the interest of the progress of international justice 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 to the said Protocol at the earliest possible date :

“ Noting that this recommendation has not so far produced all the effect that is to be desired ;

“ Being of opinion that, in order to facilitate effectively the acceptance of the clause in question, it is expedient to diminish the obstacles which prevent States from committing themselves ;

“ Being convinced that the efforts now being made through progressive codification to diminish the uncertainties and supply the deficiencies of international law will greatly facilitate the acceptance of the optional clause of Article 36 of the Statute of the Court, and that, meanwhile, attention should once more be drawn to the possibility offered by the terms of that clause to States, which do not see their way to accede to it without qualification, to do so subject to appropriate reservations limiting the extent of their commitments, both as regards duration and as regards scope ;

“ Noting, in this latter connection, that the reservations conceivable may relate, either generally to certain aspects of any kind of dispute, or specifically to certain classes or lists of disputes, and that these different kinds of reservation can be legitimately combined.

“ Recommends that States which have not yet acceded to the optional clause of Article 36 of the Statute of the Permanent Court of International Justice should, failing accession pure and simple, consider, with due regard to their interests, whether they can accede on the conditions above indicated ;

“ Requests the Council to communicate the text of this resolution to those States as soon as possible, desiring them to notify it of their intentions in the matter ; and

“ Asks the Council to inform it at the next session of the replies received by that date.”

**RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF MODEL TREATIES OF NON-AGGRESSION AND MUTUAL ASSISTANCE.**

“ The Assembly :

“ Having noted with satisfaction the model treaties of non-aggression and mutual assistance prepared by the Committee on Arbitration and Security ;

“ Fully appreciating the value of these model treaties ;

“ And convinced that their adoption by the States concerned would contribute towards strengthening the guarantees of security :

“ Recommends them for consideration by States Members or non-Members of the League of Nations ; and

“ Hopes that they may serve as a basis for States desiring to conclude treaties of this sort.”

**RESOLUTION CONCERNING THE GOOD OFFICES OF THE COUNCIL.**

*Security.*

“ In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security.

“ The Assembly :

“ Convinced that the conclusion between States in the same geographical area of security pacts providing for conciliation, arbitration and mutual guarantees against aggression by any one of them constitutes one of the most practical means that can now be recommended to States anxious to secure more effective guarantees of security ;

“ Being of opinion that the good offices of the Council, if freely accepted by all the parties concerned, might facilitate the conclusion of such security pacts ;

“ Invites the Council to inform all the States Members of the League of Nations that should States feel the need of reinforcing the general security conferred by the Covenant and of concluding a security pact for this purpose, and should the negotiations relating thereto meet with difficulties, the Council would, if requested — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue.”

RESOLUTION CONCERNING M. RUTGERS' MEMORANDUM ON ARTICLES 10, 11 AND 16  
OF THE COVENANT.

" The Committee on Arbitration and Security :

" Having taken note of the memorandum on Articles 10, 11 and 16 of the Covenant,

" Appreciates the great importance of the work accomplished in regard to the application of these provisions ;

" Considers that the data regarding the criteria of aggression collected in this memorandum constitute a useful summary of the Assembly's and the Council's work in regard to this matter and of the provisions of certain treaties ;

" Draws particular attention to the fact that the action which the Council, under Article 11 and the other articles of the Covenant, is called upon to take in case of conflict will provide it with valuable indications to enable it to form an opinion and decide who is the aggressor if war breaks out in spite of all endeavours to prevent it ;

" Considers that the examination of Article 11 of the Covenant, which lays down that the League 'shall take any action that may be deemed wise and effectual to safeguard the peace of nations', forms a useful corollary to the enquiry undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the recommendation of the Assembly, and at the same time clearly demonstrates — without in any way detracting from the force of the other articles of the Covenant — that the League must in the first place endeavour to prevent war, and that, in all cases of armed conflict or threat of armed conflict of any kind, the League should take action to prevent hostilities or to bring hostilities to a standstill if they have already begun ;

" Notes the suggestions contained in the memorandum with regard to Article 16 ;

" Recommends these studies to the Assembly as a valuable contribution in that they do not propose any rigid and detailed procedure to be followed in times of crisis, and do not add to or retract from the rights and duties of the Members of the League, but constitute highly instructive indications of the possibilities inherent in the various articles of the Covenant and the manner in which those articles can be applied without prejudice to the methods of application which an infinite variety of circumstances may demand."

RESOLUTION CONCERNING COMMUNICATIONS WITH THE LEAGUE  
IN TIMES OF EMERGENCY.

" The Committee on Arbitration and Security,

" Considering that, in case of emergency, rapidity and security in the matter of communications between the Secretary-General, the Members of the Council, the States concerned, or the special missions of the Council, are of particular importance with a view to ensuring efficacious action by the League ;

" Noting that the importance of this was recognised by the Assembly, during its last ordinary session, in Resolution No. III, adopted on September 26th, 1927, on the proposal of the Third Committee ;

" While gratified at the results of the initial efforts of the Committee for Communications and Transit to make the best possible use of existing means of communication ;

" Directs attention to the following passage in the report of the Committee for Communications and Transit, dated March 1927, which was submitted to the Council and the Assembly :

" ' . . . that at a time of general emergency — for example, immediately before mobilisation and, above all, during the actual period of mobilisation — the total or partial taking over by the State of the means of communication must inevitably mean that, in many cases, communications of importance to the League might be rendered less rapid or less certain despite the successful application of the measures laid down in the report approved by the Council at its December session, unless some special means, independent of the general system of national communications . . . ' ;

" Considers that the systematic study of the means to be employed by the organs of the League to enable Members to carry out the obligations devolving upon them in virtue of the different articles of the Covenant, requires that communications for the purposes of League action in case of emergency should have every guarantee of independence and should be as little affected as possible by the disturbance which a state of emergency will necessarily produce in the regular working of the communications controlled by the different Governments ;

" Trusts that the supplementary technical studies undertaken by the Transit Committee, at the request of the Council and in conjunction with all the authorities concerned, with a view to providing the League of Nations with independent air communications and a radiotelegraphic station enabling it to communicate direct with as many Members of the League as possible, may be rapidly completed ;

" And emphasises the desirability of enabling the Assembly, during its next ordinary session, to take steps to put these schemes into effect, more particularly as regards the establishment of a radio-telegraphic station."



The Committee on Arbitration and Security further expressed the wish that the results of its second session should be communicated to all the States in time for discussion at the next ordinary session of the Assembly.

The Preparatory Commission, during its session held in March, 1928, expressed its satisfaction with the work done, and approved the direction which had been given to that work by the Committee. It supported the recommendation of the Committee by the following resolution :

“According to precedent, the report of the Committee on Arbitration and Security on the work of its second session, together with the Minutes of that session, will be communicated to all Governments. The Commission seconds the recommendation adopted by the Committee that these documents should be transmitted in sufficient time to allow of their discussion at the next session of the Assembly.”

## VII. PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

(a) The constitution of the Preparatory Commission for the Disarmament Conference provides that the Council may change its composition if the composition of the Council itself should change. Taking into account the changes made in its membership owing to the last election, the Council, in a resolution of September 28th, 1927, noted the inclusion in the membership of the Preparatory Commission of the new Members of the Council. Among the members leaving the Council, the representative of Salvador, expressed a desire to leave the Commission in order to avoid unduly enlarging its membership. The Council, on the other hand, decided to invite the Governments of Belgium and Czechoslovakia, which were leaving the Council, to continue their collaboration with the work of the Commission, and the Greek Government to participate in that work.

Subsequently the Council, by a resolution of March 9th, 1928, invited the Government of the Turkish Republic to sit as a member of the Preparatory Commission. The Turkish Government was represented at the fifth session by its Minister for Foreign Affairs, and accepted on that occasion an invitation to become a member of the Committee on Arbitration and Security.

(b) The Preparatory Commission has held two sessions since the eighth ordinary session of the Assembly. The fourth session took place between November 30th and December 3rd, 1927. During that session it constituted the Committee on Arbitration and Security which met at once and adopted its programme of work. The Minutes of the fourth session of the Preparatory Commission and of the first session of the Committee on Arbitration and Security have been communicated to the Members of the League in document C.667.M.225.1927.IX.

The fifth session of the Commission was held from March 15th to 24th, 1928. During that session the Preparatory Commission examined the preliminary report of the Committee on Arbitration and Security, and adopted the resolution which was quoted in Section VI above.

Moreover, the Preparatory Commission examined a proposal submitted to it by the delegation of the Union of Socialist Soviet Republics on November 30th, 1927, which was later amplified by a draft Convention for immediate, complete and general disarmament.

Finally, the Commission noted the position of the work as a whole. With reference to this last point, Count Bernstorff, delegate of Germany, submitted to the Commission a proposal relating to the last paragraph of Article 8 of the Covenant. Similarly, the delegation of the Union of Socialist Soviet Republics, after having noted that the Commission did not favour the adoption of the proposal to which reference has just been made, submitted a new and subsidiary proposal on the reduction of armaments.

The Preparatory Commission, after considering these various proposals and the question of the continuation of its work, adopted the following resolution on March 24th, 1928 :

“The Preparatory Commission for the Disarmament Conference :

“I. Having examined the bases of the draft Convention for immediate, complete and general disarmament submitted by the Union of Socialist Soviet Republics, notes that the immense majority of its members are of opinion that this draft cannot be accepted by the Commission as a basis for its work, which work must be pursued along the lines already mapped out ;

“II. Takes note of the proposal submitted by the German delegation regarding the last paragraph of Article 8 of the Covenant, and of the new draft Convention submitted by the delegation of the Union of Socialist Soviet Republics on the question of the reduction of armaments, and, while reserving their consideration until its next session, commends them to the attention of the various Governments ;

“III. Decides to leave its President free to fix, according to circumstances, the date at which it would be practically useful to convene a new session of the Commission in order to proceed to the second reading of the draft Convention on the Reduction and Limitation of Armaments. The Commission expresses the hope that the new session will begin at the earliest suitable date, if possible, before the next session of the Assembly.”

The Secretary-General communicated this resolution to the Members of the League of Nations in document C.164.M.49.1928.IX.

### VIII. PRIVATE MANUFACTURE AND PUBLICITY FOR THE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

At its eighth ordinary session, the Assembly adopted the following resolution on this subject on September 24th, 1927 :

“ The Assembly :

“ Having noted the report (document C.219.M.142.1927) of the Special Committee appointed by the Council to draft a Convention on the supervision of the private manufacture and the publicity regarding the manufacture of arms and ammunition and of implements of war ;

“ Reaffirming the importance it attaches to the establishment of a Convention which would enable non-producing and producing countries to be placed on an equal footing, as contemplated in the declaration embodied in the Final Act of the Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War ;

“ Convinced that the establishment of a Convention for the supervision of private manufacture and the publicity regarding manufacture is of the highest importance for the putting into force of the Convention on the International Trade ;

“ Request the Council to convey its views to the Special Committee, in order that the latter may agree upon a single text which will enable the Council to convene an international Conference as speedily as possible.”

The Council endorsed the resolution of the Assembly in its resolution of September 27th, 1927, and forwarded that resolution to the Special Commission. The Chairman of the Special Commission took advantage of the session of the Preparatory Commission in March 1928 to get into touch with the other members of the Special Commission. During these discussions, it was decided that the Chairman should call a meeting of the Special Commission a few days before the next session of the Preparatory Commission, or in any case, immediately before the session of the Council which preceded the opening of the next session of the Assembly.

As regards the composition of this Special Commission, it is to be noted that the Council in a resolution dated September 26th, 1927, decided, in view of the importance of Belgium and Czechoslovakia as producing countries, and the competence of the persons representing those countries on the Special Commission, and the special competence of Dr. Guerrero, delegate of Salvador, to maintain Belgium, Czechoslovakia and Salvador on the Special Commission.

### IX. CONTROL OF THE INTERNATIONAL TRADE IN ARMS AND AMMUNITION AND IN IMPLEMENTS OF WAR : CHEMICAL AND BACTERIOLOGICAL WARFARE.

(a) The Convention signed at Geneva on June 17th, 1925, concerning the control of the international trade in arms and ammunition and in implements of war has been ratified, since the eighth ordinary session of the Assembly, by China and Venezuela. Before the eighth ordinary session of the Assembly, France had ratified the Convention and Liberia had adhered.

(b) The Protocol on Chemical and Bacteriological Warfare, drawn up at the same time as the Convention mentioned above, has been ratified, since the eighth ordinary session of the Assembly, by Italy, the Union of Socialist Soviet Republics and Venezuela. Liberia has signified its adhesion.

### X. RIGHT OF INVESTIGATION UNDER THE TREATIES OF VERSAILLES, ST. GERMAIN, TRIANON AND NEUILLY.

(a) PRESIDENTS OF THE COMMISSIONS OF INVESTIGATION.

The Council, during its session held in December 1927, made the following appointments for a period of one year, with possibility of renewal :

Commission of Investigation in Germany : General BARATIER ;  
Commission of Investigation in Austria : General CALCAGNO ;  
Commission of Investigation in Bulgaria : Colonel SCHUURMAN ;  
Commission of Investigation in Hungary : General G. C. CLIVE.

The changes made in 1927 in the composition of the Council involved corresponding changes in the possible composition of the Commission of Investigation. In conformity with the regulations adopted by the Council, administrative arrangements have been made by the Secretariat.

(b) INTER-ALLIED MILITARY CONTROL IN BULGARIA.

The President of the Conference of Ambassadors sent to the Secretary-General on December 31st, 1927, on behalf of the British, French, Italian and Japanese Governments,

a letter informing him that the Liquidation Board, to which the Conference had entrusted the duty of securing the continued enforcement of the military clauses of the Treaty of Neuilly after the termination of the work of the Commission of Control established under Articles 94 and following of that Treaty, had concluded its operations on June 30th, 1927. The President also forwarded to the Secretary-General a final report drawn up by the Liquidation Board with a view to the possible application by the Council of the League of Article 104 of the Treaty of Neuilly.

In the same letter, the Conference drew the special attention of the Council to the general conclusions set forth in Chapter XXIV of the report, and added that it would be for the Council of the League of Nations to draw its own conclusions from the facts reported by the Liquidation Board, particularly if it became necessary to apply Article 104 of the Treaty.

This letter was forwarded to the Council, and was published in the *Official Journal* of the League of Nations in March 1928.

(c) APPLICATION OF ARTICLE 89 OF THE TREATY OF NEUILLY.

The President of the Conference of Ambassadors addressed to the Secretary-General on August 31st, 1927, a letter enclosing a series of documents embodying an agreement made between the Governments represented on the Conference of Ambassadors and the Bulgarian Government, with a view to ensuring the application of Article 89 of the Treaty of Neuilly (article contained in Part IV, Section 3, clauses concerning military and naval aviation).

This letter intimated that the duties of the Liquidation Board of the Inter-Allied Commission of Control had ceased simultaneously with the entry into force of the regime provided for by the above agreement.

The agreement was communicated to the Members of the Council, registered by the Secretariat in accordance with Article 18 of the Covenant, and published in the *Official Journal* for March 1928.

(d) APPLICATION OF ARTICLE 128 OF THE TREATY OF TRIANON.

The President of the Conference of Ambassadors sent to the Secretary-General on December 3rd, 1927, a letter enclosing a series of documents embodying an agreement between the Governments represented on the Conference of Ambassadors and the Hungarian Government, with a view to ensuring the application of Article 128 of the Treaty of Trianon (article contained in Part V, section 3, clauses concerning military and naval aviation).

This letter intimated that the system established under the agreement had come into force. The agreement was communicated to the Members of the Council, registered with the Secretariat in accordance with Article 18 of the Covenant, and published in the *Official Journal* of March, 1928.

(e) INTER-ALLIED AERONAUTICAL CONTROL IN GERMANY.

The President of the Conference of Ambassadors sent on March 20th, 1928, to the Secretary-General the following letter, which has been forwarded to the Members of the Council :

" I have the honour to forward to you the final report of the Committee of Aeronautical Guarantees in Germany, whose duties came to an end on September 1st, 1926.

" This report, which was drawn up after that date by Colonel BURDETT, Chairman of the Committee, contains a survey of the development of German civil aviation between August 1922 and March 1926 and gives precise information regarding the position of aviation at the end of March 1926 ; it thus constitutes a link between the final report of the Aeronautical Commission in Germany, which was sent to the Secretariat of the League of Nations on April 28th, 1922, and the Air Agreements of May 22nd, 1926, which regulate the present German air position.

" On behalf of the Governments represented in the Conference of Ambassadors, I have to request that you will bring this communication to the notice of the Members of the Council of the League of Nations. "

XI. REQUEST OF THE GOVERNMENTS OF (a) CZECHOSLOVAKIA, (b) ROUMANIA, (c) KINGDOM OF THE SERBS, CROATS AND SLOVENES FOR CONSIDERATION BY THE COUNCIL OF THE INCIDENT WHICH OCCURRED ON JANUARY 1st, 1928, AT SZENT-GOTTHARD RAILWAY-STATION, ON THE AUSTRO-HUNGARIAN FRONTIER.

This question was placed on the agenda of the Council at its session of March 1928 at the request of the three Governments mentioned above. In their letters to the Secretary-General, dated February 1st, the representatives of these three Governments referred to the various decisions of the Council of the League of Nations concerning the exercise of the right of investigation provided for by the Peace Treaties, and to the regulations adopted by the Council on the same subject. The representatives of the three Governments urged that it was the duty of the Council, in virtue of the aforementioned decisions and the provisions of the Treaty of Trianon, to intervene.

At its meeting of March 7th 1928, the Council, appointed the representatives of the Netherlands, Chile and Finland to form a Committee to examine the documents and declarations made to the Council on the subject. The Committee submitted to the Council on March 10th, 1928, the following preliminary report :

“ By its resolution of March 7th, 1928, the Council appointed the representatives of the Netherlands, Chile and Finland to form a Committee entrusted with an examination of the documents and statements submitted to the Council in regard to this matter. The Committee was asked to make a report at a later meeting of the Council, and was authorised to request the assistance of any experts in the various League organisations that it considered necessary to call upon.

“ The members of the Committee have examined, either individually or together, in the course of several long meetings, the information submitted to the Council. They are of opinion that this incident is worthy of the Council's close attention and consider that it is indispensable that all suitable measures should be taken to elucidate the incident as fully as possible. They have come to the conclusion that, in order to submit the report requested by the Council, it will be necessary to obtain further information on various points. Amongst others, it is necessary to ask the Hungarian Government for information which it could hardly furnish immediately.

“ The Committee will, if necessary, use the powers conferred upon it by the Council resolution to consult technical experts chosen from among the League organisations, who might be sent to the spot, if the Committee finds that desirable for the execution of its task.

“ The Committee will consider at later meetings the information thus collected. It proposes to communicate its report to the Council before the June session.

“ The Committee, during its preliminary discussions, has also considered the question of conservatory measures to be taken in cases similar to that on which it is engaged and reserves the right to return to this question in its report to the Council.

“ The Committee requests the Council to approve the procedure indicated in the present preliminary report.”

The preliminary report of the Committee was approved by the Council.

The Committee of Three, after having obtained supplementary information from the Hungarian Government, and after having consulted a number of experts, met at The Hague from May 3rd to May 7th, 1928, and drew up two reports. One report dealt with the incident of Szent-Gotthard, and the other with the measures to be taken in the interval between the sessions of the Council. These reports have been distributed to the members of the Council and will be examined at its June session.

## XII. STATISTICAL INFORMATION ON THE TRADE IN ARMS, AMMUNITION AND IMPLEMENTS OF WAR : ARMAMENTS YEAR-BOOK.

The Secretariat continues to publish the *Statistical Information* on the trade in arms, ammunition and implements of war and the *Armaments Year-Book* (general information and statistics on land, naval and air armaments). These volumes have been still further developed this year. The first gives information on fifty-six countries, the second on fifty-eight.

Reference might be made, in this connection, to the proposals made by the delegate of Germany on the Preparatory Commission for the Disarmament Conference in regard to the last paragraph of Article 8 of the Covenant (see Section VII above).

---

### 5.

## POLITICAL QUESTIONS.

---

### I. REQUEST OF THE ROUMANIAN GOVERNMENT UNDER PARAGRAPH 2 OF ARTICLE 11 OF THE COVENANT REGARDING THE AGRARIAN QUESTIONS SUBMITTED TO THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

### REQUEST OF THE HUNGARIAN GOVERNMENT FOR THE APPOINTMENT BY THE COUNCIL, IN VIRTUE OF ARTICLE 239 OF THE TREATY OF TRIANON, OF TWO DEPUTY JUDGES FOR THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

On February 26th, 1927, the Roumanian representative on the Council informed the Secretary-General that his Government had notified the President of the Mixed Roumano-Hungarian Arbitral Tribunal set up in virtue of Article 239 of the Treaty of Trianon that the Roumanian arbitrator would no longer sit for the discussion of agrarian questions introduced by Hungarian nationals. The Roumanian Government expressed the desire, in virtue of Article 11, paragraph 2, of the Covenant, to inform the Council of the reasons on which its decision was based.

On March 8th, 1927, the Council, after hearing the Roumanian and Hungarian representatives, requested the representative of the British Empire, assisted at his request by the representatives of Chile and Japan, to make a careful investigation of the important question before it and to submit to it a report at its next session.

At its meeting on June 13th, 1927, the Council decided, at the Hungarian representative's instance, to add to the Roumanian Government's request under paragraph 2 of Article 11 of the Covenant a request by the Hungarian Government for the appointment, by the Council, in virtue of Article 239 of the Treaty of Trianon, of two deputy judges for the Mixed Roumano-Hungarian Arbitral Tribunal.

On June 16th, 1927, the Committee of Three appointed at the previous session informed the Council that it had held several meetings and, after numerous exchanges of views with the Hungarian and Roumanian representatives, had requested them to ask their respective Governments to make a fresh study of the question. The Council accepted the Committee's proposal, and decided to examine the question at its next ordinary session in September, 1927.

The conciliatory proposals submitted by the Committee of Three to the two parties not having been accepted by them, the Committee convened the parties again on September 2nd, with a view to a new attempt at conciliation, but this also failed.

The Committee then decided to ask the opinion of a certain number of distinguished jurists, and, after receiving this opinion, drew up the following report :

" This question, as set out in the above titles, is only one aspect of the question which was submitted successively to the Conference of Ambassadors and the Council of the League of Nations in 1922 and 1923.

" On August 16th, 1922, the Hungarian Government applied to the Conference of Ambassadors in regard to the expropriation — undertaken by Roumania in connection with the scheme of agrarian reform — of the immovable property of persons who, while possessing rights of citizenship (*indigénat*) in the territories transferred to the Kingdom of Roumania by the Treaty of Trianon, had opted for Hungarian nationality under Articles 63 or 64 of that Treaty, and also under Article 3 of the Roumanian Minorities Treaty. The Conference of Ambassadors, in a note dated August 31st, 1922, informed the Hungarian Government that its claims related entirely to the stipulations of the Treaty between Roumania and the Principal Allied and Associated Powers concerning minorities, and should, under the Treaty, be addressed to the League of Nations. On a further request by the Hungarian Government, the Conference of Ambassadors, in a letter dated February 27th, 1923, informed Hungary that she, or another Member of the League, should take the initiative in bringing the matter before the Council.

" Hungary therefore applied to the League of Nations, stating that a satisfactory solution had not been obtained by direct negotiations, and formulating the following demands :

" 1. That the Council should deal with the substance of the question, in view of the urgency of the matter, at its next session ;

" 2. That it should give a ruling on the substance of the question by declaring that the Roumanian legislative and administrative enactments in question were contrary to the Treaties ; by insuring, as regards the future, that Roumania should act in conformity with the provisions of the Treaties ; by ordering that the immovable property of Hungarian optants should be restored to them and that it should in future be free from all charges contrary to the provisions of the Treaties ; and, finally, that full compensation for damage should be given to the injured parties.

" The Council considered this question in April and July 1923. The proposals made at the April session to refer the question to the Permanent Court to obtain a decision, or even an advisory opinion, were not accepted by the Roumanian representative.

" M. Adatci, the Rapporteur, was then requested to prepare the ground for a fresh discussion before the July session of the Council, and the Council expressed the hope that, in the interval between the sessions, the two Governments would do their best to reach an agreement. With this object, the representatives of Hungary and Roumania proceeded, on the invitation of M. Adatci, to Brussels on May 6th, 1923. The results of these negotiations will be found in a report to which a draft recommendation and a summary of the conversations were appended (see Annex 533a, page 1011, of the *Official Journal*, August 1923).

" On July 5th, 1923, during the twenty-fifth session of the Council, the Brussels negotiations were the subject of protracted discussions, the Roumanian delegate appealing to the Brussels 'Agreements' and the Hungarian delegate stating that no agreement had been reached. The following resolution was then proposed :

" ' The Council :

" ' After examining the report by M. Adatci dated June 5th, 1923, and the documents annexed thereto ;

" ' Approves the report ;

" ' Takes note of the various declarations contained in the Minutes attached to the report of the Japanese representative, and hopes that both Governments

will do their utmost to prevent the question of Hungarian optants from becoming a disturbing influence in the relations between the neighbouring two countries.

“ ‘ The Council is convinced that the Hungarian Government, after the efforts made by both parties to avoid any misunderstanding on the question of optants, will do its best to reassure its nationals ;

“ ‘ And that the Roumanian Government will remain faithful to the Treaty, and to the principle of justice upon which it declares that its agrarian legislation is founded, by giving proof of its goodwill in regard to the interests of the Hungarian optants.’

“ This resolution was adopted by all the members of the Council, with the exception of the Hungarian delegate, who refrained from voting and stated that, in his opinion, the whole problem remained open ; he added, *inter alia*, that his Government reserved the right to take any further steps which the Treaties and the Covenant of the League of Nations might allow in order to obtain justice for those whom he had the right and the duty to represent.

“ From December 1923 onwards, a number of applications from Hungarian nationals or optants owning lands in the territories transferred to Roumania were submitted to the secretariat of the Roumano-Hungarian Mixed Arbitral Tribunal, provided for in Article 239 of the Treaty of Trianon, asking, among other matters, that the Tribunal should declare that the measures restricting their right of ownership, which had been applied to their movable and immovable property by the Roumanian State, were contrary to the provisions of Article 250 of the Treaty of Trianon, and that it should order the Roumanian State to make restitution.

“ In 1925, the Roumanian Government submitted applications objecting to the jurisdiction of the Tribunal. After hearing the counsel of the two parties between December 15th and 23rd, 1926, the Tribunal, on January 10th, 1927, declared itself competent, in virtue of Article 250, paragraph 3, of the Treaty of Trianon, and called upon the defendant (Roumania) to forward her reply within a period of two months.

“ On February 24th, 1927, Roumania informed the Tribunal that she would refrain from submitting her reply regarding the substance of the question and that, consequently, her arbitrator would no longer sit in connection with any of the agrarian matters brought forward by Hungarian nationals. At the same time, she submitted to the Council, in virtue of Article 11, paragraph 2, of the Covenant, a request to allow her to acquaint the Council with the reasons on which her attitude was based.

“ This question came before the Council on March 7th, 1927.

“ The Roumanian representative explained the reasons which had led the Roumanian Government to withdraw its arbitrator from the Tribunal.

“ The Hungarian representative asked the Council to appoint, in accordance with the Treaty of Peace, two deputy members to enable the Tribunal to continue its work.

“ The Council, on the proposal of the President, requested the British representative to report on this question at its next session. Sir Austen Chamberlain having expressed the desire that two of his colleagues should be appointed to act with him for the purpose of examining the question, the Council requested the representative of Japan and the representative of Chile to assist Sir Austen Chamberlain in preparing a report for the next session. The two parties to the dispute accepted this proposal, which was adopted by the Council.

“ On May 31st, Sir Austen Chamberlain, on behalf of the Committee of Three, convened the Roumanian and Hungarian representatives in London. The conversations took place on May 31st and June 1st. The delegates of both countries stated at the outset that they could not definitely bind their Governments. The Committee first of all heard the additional statements of the two parties and certain particulars which they furnished. The Committee thought it its duty to try all possible means of reaching a final solution by conciliation. In doing so, it was confident that it was fulfilling the wishes of the Council and conforming to the established practice of that body. It therefore asked the delegates to obtain from their respective Governments all possible concessions with a view to reaching a satisfactory solution. On the proposal of the Committee, the delegates of the two Governments agreed to inform the Committee of the point of view of their respective Governments at the June session of the Council.

“ At the June session of the Council, the Committee of Three met on several occasions at Geneva and maintained close contact with the representatives of the two Governments.

“ Looking at the problem as a whole, the Committee desired to find a solution which would allay discontent. It could not forget that the matter had originally been submitted to the Council not under Article 239 of the Treaty of Trianon but under Article 11 of the Covenant, and that its intervention had been asked for, on that occasion, first of all by Roumania and then by Hungary. In these circumstances, it could not evade the duty imposed on it by the Covenant and confine itself simply to the election of the two deputy members for the Mixed Arbitral Tribunal, which the Hungarian representative, as a result of the proceedings, demanded.

“ If it did so, it would have failed to discharge its political duties as a mediator and conciliator in a dispute which extended far beyond the actual terms in which it had been originally submitted by the two parties.

“ Moreover, the Committee could not take a purely and strictly legal view of the Council's duties, especially as it realised that the election of the two deputy members would not have finally ended a difference which had been successively submitted to three international authorities.

“ On the contrary, it attempted on more than one occasion to bring about a general settlement which would have terminated the controversy and led to better feelings.

“ The Council, however, had further reasons for not playing a purely mechanical part.

“ In 1923 — as to-day — the two parties stated their points of view at great length and dealt with all aspects of the dispute both as regards substance and form.

“ The Council has merely followed the discussions of the two parties, and, having regard to the complexity of the problem, it recommended them in 1923 to do everything possible to prevent the question of the optants from becoming a disturbing influence in the relations between the two neighbouring countries.

“ It recommended Hungary to reassure her nationals and Roumania to give evidence of goodwill in regard to the interests of the Hungarian optants.

“ Would the question with which we have been dealing since our session last March have arisen if the two parties had followed these recommendations ?

“ The Committee of the Council during its June session submitted certain formulas to the two parties, always with a view to conciliation and in the hope that the two Governments would agree.

“ The Committee is forced to confess that its hopes have been disappointed and that the two parties have been unable to accept the conciliatory formulas which it proposed.

“ As the two parties rejected the compromise proposed by the Committee of Three, the latter convened them again on September 2nd, with a view to a final attempt at conciliation. During these fresh conversations, the representatives of the two countries communicated certain proposals to the Committee. The Hungarian representative renewed the offer made in March that the question of jurisdiction of the Mixed Arbitral Tribunal should be referred to the Permanent Court of International Justice, but declared that he was unable to make new concessions. This offer was not accepted by the Roumanian representative, who in his turn submitted certain formulas based on the proposals made by the Committee of Three with a view to compromise. These formulas were rejected by the Hungarian representative. Under these circumstances, the Committee of Three was compelled to abandon its hope of reaching a settlement by direct conciliation.

“ The Committee was therefore obliged to seek a solution by other methods. A minute examination of the question of the Mixed Arbitral Tribunal's jurisdiction seemed to be of primary importance. It therefore asked the following questions :

“ 1. Is the Mixed Roumano-Hungarian Arbitral Tribunal entitled to entertain claims arising out of the application of the Roumanian Agrarian Law to Hungarian optants and nationals ?

“ 2. If the answer to that question be in the affirmative, to what extent and in what circumstances is it entitled to do so ?

“ The Committee, after examining these questions and having them examined by eminent legal authorities, arrived at the following conclusions :

“ The Mixed Roumano-Hungarian Arbitral Tribunal owes its establishment to the Treaty of Trianon. It is an international tribunal and its jurisdiction is therefore fixed by the terms of the Treaty which created it. It has no jurisdiction beyond that which the agreement of the contracting parties has conferred on it. The limits of its jurisdiction are defined by Articles 239 and 250 of the Treaty of Trianon.

“ The question at present submitted to the Council for examination relates to the claims addressed under Article 250 to the Mixed Arbitral Tribunal by Hungarian nationals. The provisions of this article prohibit the retention and liquidation, dealt with in Article 232 and in the Annex to Section IV of Part X of the Treaty, of the property of Hungarian nationals situated in the territory of the former Austro-Hungarian Monarchy. They also provide for the restitution to their owners of goods freed from any measure of this kind and from any other measure of disposal, of administration or of sequestration taken in the period which elapsed between the Armistice and the entry into force of the Treaty. They authorise the submission of claims, by claimants who are Hungarian nationals, to the Mixed Roumano-Hungarian Arbitral Tribunal provided for in Article 239.

“ If it could be established in any particular case that the property of a Hungarian national suffered retention or liquidation or any other measure of disposal under the terms of Articles 232 and 250 as a result of the application to the said property of the Roumanian Agrarian Law and if a claim were submitted with a view to obtaining restitution, it would be within the jurisdiction of the Mixed Arbitral Tribunal to give relief.

“ The Mixed Arbitral Tribunal is not competent to give decisions on claims arising out of the application of an agrarian law as such unless the case mentioned in the preceding paragraph arises. In this latter case, the jurisdiction of the Mixed Arbitral Tribunal would not be ousted on the ground that the application of an agrarian law was involved.

“ Since these considerations show that the claim of a Hungarian national for restitution of property in accordance with Article 250 might come within the jurisdiction

of the Mixed Arbitral Tribunal even if the claim arises out of the application of the Roumanian Agrarian Law, we shall proceed to the definition of the principles which the acceptance of the Treaty of Trianon has made obligatory for Roumania and Hungary.

*“ 1. The provisions of the peace settlement effected after the war of 1914-18 do not exclude the application to Hungarian nationals (including those who have opted for Hungarian nationality) of a general scheme of agrarian reform.*

“ Article 250 forbids the application of Article 232 to the property of Hungarian nationals in the transferred territory. Under the terms of Article 250, the prohibition to retain and liquidate cannot restrict Roumania's freedom of action beyond what it would have been if Articles 232 and 250 had not existed. Even if none of these provisions appeared in the Treaty, Roumania would none the less be entitled to enact any agrarian law she might consider suitable for the requirements of her people, subject to the obligations resulting from the rules of international law. There is, however, no rule of international law exempting Hungarian nationals from a general scheme of agrarian reform.

“ The question of compensation, whatever its importance from other points of view, does not here come under consideration.

*“ 2. There must be no inequality between Roumanians and Hungarians, either in the terms of the Agrarian Law or in the way in which it is enforced.*

“ Any provision in a general scheme of agrarian reform which either expressly or by necessary implication singled out Hungarians for more onerous treatment than that accorded to Roumanians, or to the nationals of other States generally, would create a presumption that it was intended to disguise a retention or liquidation of the property of Hungarian nationals *as such* in violation of Article 250 and would entitle the Mixed Arbitral Tribunal to give relief. The same would apply in the case of a discriminatory application of the Agrarian Law.

“ The prohibition against the holding of immovable property by Hungarians in the territories transferred to Roumania, even if applied to all foreigners, would not be in accordance with the obligation which Roumania has contracted by the Treaty to permit Hungarian optants to keep their immovable property, but this is a question which does not come within Article 250.

*“ 3. The words ‘retention and liquidation’ mentioned in Article 250, which relates only to the territories ceded by Hungary, apply solely to the measures taken against the property of a Hungarian in the said territories and in so far as such owner is a Hungarian national.*

“ The right which the Allied Powers reserved to themselves under Article 232 to retain and liquidate Hungarian property within their territory at the time of the entry into force of the Treaty applies to the property of a Hungarian inasmuch as he is a national of an ex-enemy country. It is not sufficient that these measures entail the retention of Hungarian property by the Government and that the owner of this property is a Hungarian. The measure must be one which would not have been enacted or which would not have been applied as it was if the owner of the property were not a Hungarian.

“ The Committee of the Council therefore ventures to suggest that the Council should make the following recommendations :

“ (a) To request the two parties to conform to the three principles enumerated above :

“ (b) To request Roumania to reinstate her judge on the Mixed Arbitral Tribunal.

“ The Committee of the Council hopes that the two parties, in so far as each is concerned, will accept these proposals.<sup>1</sup>

“ In the even of a refusal by Hungary, the Committee considers that the Council would not be justified in appointing two deputy members in accordance with Article 239 of the Treaty of Trianon.

---

<sup>1</sup> Before reading the three concluding paragraphs of his report, Sir Austen Chamberlain said :

“ The Committee would have been glad if it could terminate its report at this point, where it proposes a solution honourable alike to both parties and securing justice for both alike ; a solution which further permits the normal functioning of the Arbitral Tribunal — to which we attach great importance, for there are many such international tribunals in existence — to continue with the assent and goodwill of both parties. But it is possible that one or other party, or even both parties, may even if the Council adopts the reports, refuse to accept these proposals, and we have therefore reluctantly and with the hope that it may never be necessary to have recourse to them, felt it our duty to suggest to the Council in what way they should deal with any one of these three contingencies. »



“ In the event of a refusal by Roumania, in spite of the acceptance by Hungary of the above proposals, the Committee considers that the Council would be justified in taking appropriate measures to ensure in any case the satisfactory working of the Mixed Arbitral Tribunal.

“ In the event of a refusal of the above recommendations by both parties, the Committee considers that the Council will have discharged the duty laid upon it by Article 11 of the Covenant.”

At its September session, the Council devoted four meetings (on September 17th and 19th, 1927) to the examination and discussion of this report, which was submitted to it by the British representative on the Council, Chairman of the Committee of Three. After the representatives of the two parties had stated their attitude (see Minutes of the forty-seventh session), the other members of the Council expressed their opinion on the Committee of Three's report. Finally, the Council adopted the following proposal, submitted to it by its President, the Chilean representative :

“ I proposed that the Council should pronounce on the recommendations contained in that part of the report which I have indicated<sup>1</sup>, but I deliberately excepted the two members of the Council who are parties to the dispute. I invited the latter not to give a final answer till the month of December, so that their Governments could examine carefully, and I hope favourably, the report of the Council.

“ I trust that the two parties will agree to delay till December their formal opinion on the part of the report in question and inform the Secretary-General in sufficient time before that meeting of their final decision, so that the Council may examine what further action, if any, may then be required.

“ If the parties will accept the suggestion I have just made, I ask my colleagues to join with me in submitting the recommendations contained in the report to the consideration of the Governments interested and to beg them to conform to the principles indicated therein.”

The Roumanian and Hungarian replies reached the Secretariat a few days before the session of the Council held in December 1927. Roumania stated that she accepted the report “ as a whole with its conclusions ”. Hungary said that she was unable to accept “ the text recommended by the Council as a basis of agreement with Roumania ”.

In a letter dated November 29th, 1927, the representative of Hungary also submitted to the Council a memorandum setting forth the reasons for her decision.<sup>2</sup> One of the annexes to this memorandum contained a copy of a letter in which the Hungarian Government applied direct to the Roumanian Government “ in order that they might come to an agreement for the friendly settlement of the matter ”. In the Hungarian Government's opinion, such an agreement would avoid touching on questions of principle ; it would aim only at practical results and would be based on an exact study of fact and on practical considerations, without prejudice to the rights invoked or maintained in this affair up to that time.

The Roumanian Minister for Foreign Affairs, representing his country on the Council having fallen ill before the opening of the session of December 1927, the representative of the British Empire, acting as Rapporteur, sent him a personal telegram in which he advised him not to undertake the journey to Geneva in the present state of his health and before the Roumanian Government, which had recently suffered the loss of its Prime Minister, had been able to give full and complete consideration to the proposal that direct negotiations should be undertaken by the parties without prejudice to their legal position or to the procedure before the Committee of Three and the Council. The Rapporteur also informed the Council that he would regret the renewal of the discussion before the Roumanian Government had had time fully to consider the possibility of concluding a direct agreement between the two parties, in conformity with the desire expressed by the Council at its September session.

With the approval of the representatives of the two parties, the Council sent the Roumanian Minister for Foreign Affairs a telegram confirming the personal one the British representative had sent.

On March 7th, 1928, the Secretary-General communicated to the Council a note<sup>3</sup> addressed by the Roumanian Government to the Hungarian Government in reply to the Hungarian offer of direct negotiations.

The Roumanian Government informed the Hungarian Government that if the latter accepted the report of the Committee of Three, the Roumanian Government would be prepared, as an act of grace, to allow a certain sum to be deducted from the reparations due to her by Hungary. This sum would be paid by the Hungarian Government to the complainants (optants or non-optants), the suits would be withdrawn and the claims definitely cancelled.

Each party refusing to accept the proposals made by the other, the direct negotiations fell through. Proceedings were, therefore, resumed before the Council, as provided for in its decision of December 1927, and, on the Rapporteur's proposal, the President of the

<sup>1</sup> Namely up to and including point (a) of the last part of the report.

<sup>2</sup> See document C.619.1927.VII. *Official Journal*, April 1928, page 554.

<sup>3</sup> See document C.114.1928.VII, *Official Journal*, April 1928, page 573.

Council, at the meeting of March 8th, 1928, asked the representatives of Roumania and Hungary to state what action had been taken by their Governments as a result of the resolution adopted by the Council in September 1927.

The Roumanian representative renewed his acceptance of the report in its entirety. The Hungarian representative maintained that his Government could not accept the principles laid down in this report, and repeated the proposal that the question whether or not the Mixed Arbitral Tribunal had exceeded its powers in declaring itself competent to deal with agrarian questions should be submitted to the Permanent Court of International Justice. If the Roumanian Government repeated its refusal, Hungary proposed that the Court should be asked for an Advisory Opinion on the question whether the three principles contained in the report of the Committee of Three were to be deduced from the obligations assumed by Hungary and by Roumania in virtue of the Treaty of Trianon.

After the representatives of the two parties had made further speeches in support of their contentions, the Rapporteur put the following proposal to the other members of the Council :

“ Would my colleagues be prepared to recommend the representatives of the Hungarian and Roumanian Governments to agree that the Council should name two persons, nationals of States which were neutral in the war, who should be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, that Tribunal including the Roumanian member, who would be restored to it by his Government) and that to this Arbitral Tribunal of five members there should be submitted the claims which have been filed under Article 250 of the Treaty of Trianon by Hungarian nationals who have been expropriated under the agrarian reform scheme in the territory of the former Austro-Hungarian Monarchy transferred to Roumania ? ”

The members of the Council having accepted the Rapporteur's proposal, this was officially submitted to the two parties at the meeting held on March 9th.

The Roumanian representative said that he could accept the proposal on condition that the two supplementary judges should be compelled to respect, as a compromise, the three rules incorporated in the report of the Committee of Three of September 1927.

The Hungarian representative stated that his Government gave its full approval to the Rapporteur's proposal, but that it did not accept the amendment suggested by the Roumanian representative.

The Roumanian representative having pointed out that there was a contradiction between the Council's decision of September 1927 and the Rapporteur's new proposal, the Rapporteur suggested that, as an act of courtesy to the Tribunal, the Council should send it the complete Minutes of the discussions on the question. He added that, in his opinion, the resolutions taken previously were not contradicted by his new proposal.

After an exchange of views the President proposed to the Council the following draft resolution :

“ The Council, considering that the best method of settling the dispute was by friendly negotiation between the two parties, recommended that method to them in September 1927, and stated three principles which, in its opinion, might serve as an equitable basis for this negotiation.

“ Finding, however, that such friendly negotiation has not been possible between the parties, the Council, while considering its recommendation of September 19th, 1927, to be of value, and without modifying its views which are contained in the Minutes of its discussions, submits unanimously for the acceptance of the parties the following recommendation :

“ That the Council should name two persons, nationals of States which were neutral in the war, who should be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, that Tribunal including a Roumanian member, who would be restored to it by his Government), and that to this Arbitral Tribunal of five members there should be submitted the claims which have been filed under Article 250 of the Treaty of Trianon by Hungarian nationals who have been expropriated under the agrarian reform scheme in the territory of the former Austro-Hungarian Monarchy transferred to Roumania.

“ The Council requests the representatives of the Hungarian and Roumanian Governments to inform it at its next session of the replies of those Governments, and decides at once to insert the question on the agenda of that session. ”

This resolution was adopted by the Council and accepted by the representative of Hungary.

The Roumanian representative abstained from voting.

The question was placed on the agenda of the Council session of June 1928.

II. REQUEST OF THE LITHUANIAN GOVERNMENT DATED OCTOBER 15TH, 1927, UNDER ARTICLE 11 OF THE COVENANT.  
REQUEST, DATED OCTOBER 26TH, 1927, WITH REGARD TO THE EXPULSION OF ELEVEN POLISH NATIONALS ON LITHUANIAN TERRITORY.

In a telegram dated October 9th, 1927, the Lithuanian Prime Minister, informed the Secretary-General of the closing of a number of seminaries and 45 primary schools, and of the imprisonment of 120 Lithuanians, headmasters of schools, priests and teachers in the Vilna district.

In this telegram the Lithuanian Government asked that the provisions of the Polish Minorities Treaty of June 28th, 1919, should be applied. He added that a detailed complaint would follow his telegram.

In a letter dated October 15th, 1927, the Lithuanian Prime Minister brought to the notice of the Council a number of facts which had given rise in his country to the fear that Poland might be intending to interfere in the domestic affairs of Lithuania. He stated that the Lithuanian Government had first of all regarded this matter as being merely a violation of the Minorities Treaty, but that later it had become convinced that the Polish Government was putting into operation a far-reaching scheme directed against the very existence of an independent Lithuania. The Lithuanian Government therefore asked that its complaint should be included in the agenda of the next Council session, in virtue of Article 11 of the Covenant, "in order that the legal position might be restored and the responsibility of the Polish Government established."

Other communications followed regarding the expulsion of eleven Polish nationals on Lithuanian territory, and the Lithuanian Government asked that this question of the exiles should also be included in the agenda of the December session under the same heading as the above-mentioned request (of October 15th), in order that the two questions might be considered simultaneously.

At its session in December 1927, the Council devoted two meetings, on December 7th and December 10th respectively, to this question.

The Lithuanian representative again stated his country's complaints and explained to the Council that the absence of definite relations, as well as the uncertainty reigning in this part of Europe, had created a state of mind unfavourable to peace. He requested the Council to be good enough to send a Commission to conduct an enquiry into the situation on the Polish-Lithuanian frontier, both on the Lithuanian and the Polish side.

The Lithuanian representative also observed that his Government considered that the Polish Government was entirely responsible for the organisation, on territory administered by the Polish Government, of *bandes de diversion* with a view to invading Lithuania under arms. An indirect attack might, he said, be more serious than a direct attack — in other words, than an attack by Polish regular troops.

Moreover, as the persecution of the Lithuanians in the Vilna district had not ceased, the Lithuanian Government requested the Council to order an enquiry and, in accordance with the results of that enquiry, to formulate a recommendation.

In reply to the various Lithuanian complaints, the Polish representative on the Council of the League pointed out that in minorities questions it was preferable to adhere strictly to established procedure, which laid down that the Secretary-General and the Committee of Three should examine the question before any further action was taken.

He assured the Council once more that Poland recognised the political independence and territorial integrity of Lithuania and harboured no designs against this independence. At the same time, he drew the Council's attention to the harmful nature, from the point of view of friendly relations between the two countries, of the arguments invoked by Lithuania, namely, that a "state of war" existed between Poland and Lithuania.

Replying to the Polish representative, the Lithuanian representative expressed the hope — indeed, the conviction — that Poland would no longer in the future constitute a menace to Lithuania. He explained that Lithuania, perhaps more than any other country, required a friendly understanding with all countries, and that the expression "state of war" referred solely to the non-existence of normal relations between the two countries; the political engagements of Lithuania and Poland entirely excluded the possibility of warfare.

After the statements of the two parties (see Minutes of the forty-eighth session of the Council, fourth and seventh meetings), the Netherlands representative on the Council and Rapporteur on this question submitted to the Council a report and resolution. This resolution was worded as follows:

"The Council of the League of Nations:

"Declares that a state of war between two Members of the League is incompatible with the spirit and the letter of the Covenant, by which Lithuania and Poland are bound;

"Takes note of the solemn declarations made by the Lithuanian representative that Lithuania does not consider herself in a state of war with Poland and that in consequence peace exists between their respective countries;

"Takes note of the solemn declarations of the Polish representative that the Polish Republic fully recognises and respects the political independence and territorial integrity of the Lithuanian Republic;

“Recommends the two Governments to enter into direct negotiations as soon as possible in order to establish such relations between the two neighbouring States as will ensure ‘the good understanding between nations upon which peace depends’ ;

“ Places at the disposal of the two parties the good offices of the League and of its technical organs should their assistance be desired in the negotiations which it recommends ;

“ Decides that the Lithuanian Government’s complaints regarding the treatment of persons of Lithuanian race or speech, referred to in its appeal, shall be examined by a Committee consisting of the Acting President of the Council and two other Members of the Council appointed by him. This Committee will report to the Council in due course ;

“ Decides that, in the event of a frontier incident or threat of an incident, the Secretary-General of the League of Nations may, at the request of one of the parties, consult the Acting President of the Council and the Rapporteur, who shall then advise any steps they consider necessary to bring about a better state of feeling. The Council notes that both parties have agreed to facilitate any enquiry by the League of Nations ;

“ Notes with satisfaction the Polish representative’s declaration to the effect that the Polish nationals referred to in the Lithuanian Government’s appeal will be authorised to return to Poland without hindrance. In case of unforeseen difficulties, the Rapporteur would place his good offices at the disposal of the parties with a view to removing those difficulties.

“ The Council declares that the present resolution in no way affects questions on which the two Governments have differences of opinion.”

The Council adopted this resolution and the representatives of Poland and Lithuania accepted it on behalf of their Governments.

Further, the representatives of Great Britain, France and Italy, acting on a decision taken by the Council in private session, instructed their respective military attachés in the two countries to proceed without delay to the Polish-Lithuanian frontier zone, in order to make an inspection and submit a report to the Council. The military attachés’ report, stating that there was no abnormal concentration in that zone, was distributed to the Members of the Council in December 1927.

During the session of March 1928 the Rapporteur — the representative of the Netherlands — was requested by the Council at its meeting of March 5th to submit a report on the official information received from the Polish and Lithuanian Governments since the session in December 1927. The Rapporteur, at the meeting of March 9th, stated that he had telegraphed on March 5th to the Lithuanian Prime Minister so that the Lithuanian Government might, if it wished, be represented at the Council in case the report requested by the Council should come under discussion. The Lithuanian Prime Minister replied that, owing to the short notice given, he found it physically impossible to arrive at Geneva for the session then in course, and the Rapporteur therefore proposed that, out of courtesy to the representative of Lithuania, the subject should not be placed on the agenda for that session. The Council requested the Secretary-General to place the question on the agenda for the session of June 1928. The Rapporteur announced that he hoped to be in a better position at that time to inform the Council of the progress made.

As the result of the resolution of December 10th, the two parties, with a view to entering into the direct negotiations recommended by the Council, had already proceeded to a preliminary exchange of letters regarding the date and place of these negotiations, as well as the questions to be discussed.

In accordance with the procedure established in similar cases, the complaints relating to the treatment of Lithuanian minorities had been submitted for examination by a Committee of Three, consisting of the representative of China, Acting President of the Council, assisted by the representatives of the Netherlands and Colombia.

After the conclusion of the March session of the Council, the Secretary-General received a letter, dated April 6th, from the Polish Minister for Foreign Affairs, with which he forwarded the text of certain documents relating to the first meetings of the Polish-Lithuanian Conference which took place at Königsberg from March 30th to April 2nd. These documents showed that the two parties had succeeded at this first session in drawing up an agenda covering the following points :

1. Frontier traffic ;
2. Postal and telegraphic communications ;
3. Railway communication ;
4. Questions relating to transit ;
5. Liquidation of the consequences of the occupation of Vilna by General Zeligowski ;
6. Lithuanian security.

The inclusion in the agenda of the first four questions had been asked for by the Polish delegation and that of the other two by the Lithuanian delegation. The Polish delegation had submitted to the Lithuanian Government four proposals relating to the first four questions, and had made counter-proposals in regard to the fifth.

The Polish delegation had accepted the procedure suggested by the Lithuanian Prime Minister, viz., an examination of definite proposals in regard to the subjects on the agenda, their general discussion, and thereafter the constitution, if necessary, of Committees to study them.

By March 30th the two parties had been able to agree upon the Rules of Procedure of the Conference.

The Lithuanian delegation made the following proposals in regard to its complaints concerning, firstly, the military detachments of Lithuanian emigrants alleged to have been formed at Vilna and at Lida, and to be supported by Polish military and civilian authorities, and, secondly, the question of Lithuanian security ;

1. The institution of a Joint Committee to enquire into the organisation of the military detachments of Lithuanians ;
2. The consideration of the question of creating a demilitarized zone between Lithuania and Poland, together with other military measures likely to render impossible a Polish attack on Lithuania.

On April 1st, the Polish delegation replied that the complaints concerning the military organisations lacked foundation and were based on false reports. In order to safeguard the Lithuanian Government henceforth from false information of this type, the Chairman of the Polish delegation invited the Lithuanian Prime Minister to send to Warsaw an accredited representative who would be in a position to furnish the Lithuanian Government with definite and accurate information.

In regard to Lithuanian security, however, the Chairman of the Polish delegation referred to the formal declaration made by him before the Council of the League of Nations, that " the Polish Republic fully recognises and respects the political independence and territorial integrity of the Lithuanian Republic ". In order to render mutual aggression impossible, he proposed, moreover, that the Lithuanian Government should immediately conclude a Treaty of non-aggression with his country.

The foregoing is a summary of the information contained in documents received at the Secretariat in regard to the Königsberg Conference. Any further information which may be received will be summarised in the supplementary report on the work of the Council.

### III. THE BAHREIN ISLANDS.

On November 23rd, 1927, the Persian Government communicated to the Secretary-General, for the information of States Members of the League, a protest which it had forwarded on the previous day to the British Minister at Teheran. The Persian Government maintained that Article 6 of the Treaty signed at Jeddah on May 20th, 1927, by the representatives of Great Britain and the Hedjaz, relating to the Bahrein Islands, to which Persia had " indisputable rights ", constitutes an infringement of territorial integrity as guaranteed by Article 10 of the Covenant of the League of Nations. At the time of the conclusion of the special Agreement between the British Government and the Sheikh of Bahrein, the Persian Government protested, and Lord Clarendon, in his reply of April 29th, 1869, " officially recognised the justice of that protest ".

In conformity with the Persian Government's request, its note was forwarded for information to the States Members of the League of Nations<sup>1</sup>, and the Secretary-General informed the British Government that he would similarly communicate any observations it might wish to make.

On February 25th, 1928, the British Government sent a letter to the Secretary-General, to which was annexed a copy of the reply addressed to the Persian Government. The reply stated that His Majesty's Government was not aware of any valid grounds upon which the claim of the Persian Government to sovereignty over the Bahrein Islands could be based. Those islands were not a part of Persia geographically, nor were the inhabitants of Persian race. Persia had exercised no effective control over them since about 1783, when they were invaded by Arab tribes under the leadership of the direct lineal ancestor of the present Sheikh. Furthermore, the successive treaties which since 1820 had regulated the relations between His Majesty's Government and the Sheikhs of Bahrein had all been concluded on the basis that the Sheikh of Bahrein was an independent ruler. Lord Clarendon's note of April 29th, 1869, in no way admitted the validity of the Persian claims, and, since then, numerous agreements had been entered into between the British Government and the Sheikhs which quite excluded the possibility of Great Britain ever recognising either Persian or Turkish claims to sovereignty in the islands. The attitude of the British Government had been still more clearly defined in 1906, when the British Minister at Teheran had addressed to the Persian Government a Note stating that " His Majesty's Government have never admitted the ownership or sovereignty of Persia over Bahrein ".

The communication from the British Government has been forwarded for the information of the Members of the League<sup>2</sup>.

<sup>1</sup> See *Official Journal*, May 1928, page 605.

<sup>2</sup> See *Official Journal*, May 1928, pages 605-607.

#### IV. GRECO-BULGARIAN QUESTION: EXECUTION OF THE RECOMMENDATIONS MADE BY THE COUNCIL ON DECEMBER 14TH, 1925, REGARDING THE PROPERTY OF REFUGEES FROM BULGARIA AND GREECE.

##### 1. REFUGEES.

At its session in September 1927, the Council was informed of the progress made in the work of valuation and liquidation of the properties of refugees who had been exchanged under the Emigration Convention between Bulgaria and Greece<sup>1</sup>.

The rather difficult question still outstanding, namely, that of compensation to the emigrants, was technical and financial rather than political in character, as the commitments of the two Governments resulting from the liquidations were expected to amount to considerable sums. The question arose as to the way in which these obligations could be met, and it was decided to request the Financial Committee to give advice on the technical aspects of the problem' regarding which the President of the Mixed Commission might wish to consult it.

The result of this consultation will be found in the section of this report dealing with the work of the Technical Organisations.

##### 2. NOMINATION OF A PRESIDENT OF THE CONCILIATION COMMISSION ON THE GRECO-BULGARIAN FRONTIER.

As was stated in the report to the last Assembly<sup>1</sup>, the question of the appointment of the President of the Conciliation Commission had been postponed in September 1926. In September 1927, the Council considered a report on this subject from the Swedish officers attached to the Bulgarian and Greek frontier forces. These officers, who had not yet found a suitable candidate, were of the opinion that, on the completion of their mission in February 1928, they should be replaced on the Conciliation Commission by an official of the Ministry for Foreign Affairs of each country, and that a neutral President should be appointed who should have certain additional duties during the following two years. The Bulgarian and Greek Governments agreed to the nomination of civilian officials from their respective Foreign Offices as members of the Conciliation Commission to take the place of the Swedish officers. In view, however, of the good relations existing between Bulgaria and Greece and on grounds of economy, the two Governments stated that they saw no necessity, for the moment, for the nomination of a neutral President of the Conciliation Commission. The Council took note of the replacement of the Swedish officers on the Conciliation Commission by officials of the Ministries for Foreign Affairs, and decided to leave open the question of the completion of the Commission by the appointment of a neutral President.

## 6.

### ADMINISTRATIVE QUESTIONS.

#### I. SAAR TERRITORY.

Since September 1927, the Council has dealt with only one question relating to the Saar Territory, viz., the appointment of the Chairman and members of the Governing Commission.

The representative of Italy acted as Rapporteur. The Council and the Members of the League have been kept informed of different questions concerning the Saar Territory by the periodical reports from the Governing Commission (published in the *Official Journal*).

#### GOVERNING COMMISSION.

On March 10th, 1928, the Council appointed the five members and the Chairman of the Governing Commission for a period of one year commencing on April 1st, 1928. M. Lambert (Belgian), who had been a member of the Commission since 1920, had expressed the wish not to have his term of office renewed.

The Commission at present consists of the following members :

M. EHENROTH (Finnish),  
M. KOSSMANN (Saar),  
M. MORIZE (French),  
M. VEZENSKY (Czechoslovak),  
Sir Ernest WILTON (British), Chairman.

<sup>1</sup> See report to the eighth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 54. page 253.

In accordance with the Treaty of Versailles, the expenses of the Governing Commission are met out of the revenue of the Territory.

DOCUMENTS PRESERVED FOR THE PLEBISCITE OF 1935 : CHANGES AFFECTING DOCUMENTS PRESERVED FOR THE PLEBISCITE.

In his report of October 31st, 1923, the Provisional Records Commissioner for the Saar Plebiscite made certain recommendations, to the effect that the Secretariat of the League of Nations and the Governing Commission should be officially notified of any change in the position — as indicated in the original returns prepared by him — of documents preserved for the plebiscite.

In pursuance of these recommendations the seven Landräte of the Territory and the Bürgermeister of the town of Saarbruck have sent in quarterly reports on the period April 1st, 1927, to March 31st, 1928, and the Governing Commission has also sent in two half-yearly reports for 1927. The local authorities have continued to send in a special notification in the case of every change in the position of the documents, as was stipulated in the recommendations referred to above.

PETITIONS FROM THE INHABITANTS OF THE SAAR TERRITORY.

Since the last report to the Assembly, only one petition from the inhabitants of the Saar Territory has been communicated to the Council under the terms of its resolution of May 17th, 1920. It was submitted by certain trade unions, and related to the number of days' unemployment enforced upon miners of the Territory.

GENERAL QUESTIONS.

On May 17th, 1920, the Council approved an arrangement in accordance with which the Governing Commission has to supply the League of Nations with detailed information on all political, economic, financial, social and other questions concerning the Saar Territory which might be of interest to the League of Nations, together with all the official publications of the Governing Commission.

In accordance with this arrangement, the Governing Commission has sent to the League of Nations its thirty-first, thirty-second and thirty-third periodical reports, relating respectively to the third and fourth quarters of 1927 and the first quarter of 1928.

Some of the questions dealt with in those reports are given below :

1. *Political Situation.*

(a) In the course of its sessions between July 1927 and March 1928, the Advisory Council gave its opinion on various draft decrees prepared by the Governing Commission and relating to the following questions : compulsory vocational training, taxation of transferable securities and income, housing, bills of exchange, civil and criminal procedure, child welfare, free labour exchanges in the Saar, pensions and allowances for men disabled in the war, adhesion of the Saar to the International Convention regarding the measurement of vessels employed in inland navigation, etc.

During the same period, the Technical Committee also gave its opinion on the afore-mentioned draft decrees, and on the questions of the valorisation of mortgages and the tax on business turnover.

(b) The term of office of the members of the Advisory Council elected in July 1924 having expired, the elections for the new Advisory Council were held on March 25th, 1928. Whereas at the last elections the system of optional selection from various lists (*panachage*) had been allowed, the system of "blocked lists" (*listes bloquées*), which had already been employed at the elections for the district and municipal councils in 1926, was applied in these new elections. Further, all persons entitled to vote, even if not natives of the Territory, will henceforth be eligible for the Advisory Council, provided they have been continuously resident in the Territory for six years. In future, only voting papers prepared by the Administration may be employed.

The following is the number of seats obtained by the various political parties at the new elections for the Advisory Council, which consists of 30 members<sup>1</sup> :

Social-Democratic Party, 5 ;  
Communist Party, 5 ;  
German Economic Group (Saar Section), 1 ;  
German Democratic Party of the Saar Territory, 0 ;

<sup>1</sup> For the results of the last elections to the Advisory Council held in 1924, see report to the fifth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 23, page 270.

Saar-German Popular Party, 3 ;  
Christian Socialist Party of the Saar Territory, 1 ;  
German Nationalist Party, 1 ;  
Centre Party, 14.

The term of office of the members of the Technical Committee, which had expired on December 31st, 1927, was extended to December 31st, 1928.

## 2. *Economic, Financial and Social Situation.*

During the period from July 1st, 1927, to March 31st, 1928, economic questions engaged the Governing Commission's attention and, in particular, commercial negotiations affecting the interests of the Saar Territory. The scope of the provisional Franco-German Agreements concerning commercial transactions between the Saar Territory and Germany, dated August 5th, 1926, and November 6th, 1926, respectively, has been profoundly modified by the conclusion of the Franco-German Treaty of Commerce of August 17th, 1927, which extends to the whole Customs territory certain advantages hitherto reserved to the Saar Basin. On the other hand, it has considerably raised the minimum French tariff on many products in respect of which the latter formed the basis of the concessions granted to German imports into the Territory. The two Governments agreed to enter into negotiations in October 1927 for the adaptation of the Franco-German Agreement concerning commercial transactions in the Saar Territory to the situation created by the signature of the Treaty of Commerce.

On February 23rd, 1928, was signed the new Franco-German Agreement concerning commercial transactions between the Saar Territory and Germany, by which the provisional agreements were supplemented and extended. Certain industries have obtained the extension of the markets allotted to them in Germany, while others have secured fresh outlets. The number of items in the German tariff affected by the 1926 Agreement has been increased from 105 to 171. Former privileges have been maintained and increased as regards the Saar industries supply of machinery and raw materials, and special facilities have been provided in respect of certain raw materials classed as products for export. Further, Saar trade has received important advantages in respect of a certain number of articles of which Germany is the sole purveyor. As in the previous agreements, precautions have been taken to secure that these privileges would be confined to transactions between Germany and the Saar. As in the past, the Governing Commission has undertaken the task of allotting the quotas among those concerned. It has also obtained the right to supervise the utilisation of the quotas, and measures have been taken to make the first allotment of quotas before April 1st, 1928, *i.e.*, the date of the entry into force of the Agreement.

Paragraph 13 of the Annex to the Treaty of Versailles dealing with the Saar Territory lays down that the amount contributed by the French State Mines and their accessories and subsidiaries, either to the local budget of the Territory or to the communal funds, shall be fixed with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin.

In March 1924, an agreement was reached on this point between the Governing Commission and France, by which the contribution of the mines was fixed for a period of three years. In the first quarter of 1927, the Governing Commission had decided to ask the French Government to open negotiations with a view to determining, with effect as from April 1st, 1928, the coefficient serving as a basis for the calculation of the mines' contribution. These negotiations were opened in January 1928. After a very thorough discussion, the Governing Commission reached an agreement with the French Government on the basis of the maintenance of the *status quo* as regards the contribution of the mines to the budget of the Territory and of an increase in the French Government's contribution to the budgets of the Saar communes. In addition, negotiations are to continue with a view to a revision of the 1924 settlement by friendly agreement.

Owing to the effects on the Saar mines of the European coal crisis, which makes it difficult for Saar coal to find a market, the French Mines Administration was obliged to introduce compulsory days of unemployment and to discharge a certain number of workmen. In the period from April 9th to the end of August 1927, about 800 workers were discharged. Between October 1st and December 31st, 1927, the total number of workers registered with the Public Labour Exchanges decreased by 1,866. On March 1st, 1928, approximately 3,800 workers were dismissed, 2,000 of whom were inhabitants of the Territory. In spite of these discharges, the effectives of the Saar mines remained higher than the 1920 figure. On March 15th, 1928, the total number of unemployed amounted approximately to 4,500, *i.e.*, 2.6 per cent of the workers employed in the Territory.

The Governing Commission did what it could to assist the discharged workmen. In 1927, moreover, it endeavoured by certain adjustments of railway rates to facilitate the marketing of Saar coal, and it negotiated a common scale of rates with the Reichsbahn with a view to enabling larger quantities of Saar coal to be disposed of in South Germany.

In August 1927, the Trade Unions organised a demonstration to protest against the days of enforced unemployment and the discharge of the miners by the Mines Administration. Proceedings were taken by the Governing Commission against the chief authors of the disturbances which occurred during this demonstration.



During the last quarter of 1927, some 26,000 workers employed in the heavy metal industry went on strike, because the employers had refused to accept an award regarding wages. This strike ended after four days as the result of action taken by the Governing Commission. A strike of railway employees involving 7,000 out of 8,000 workers also took place in December 1927, in consequence of a demand for a rise in wages ; it lasted eleven days.

The Committee of Conciliation intervened in a number of different cases and rendered several arbitral awards.

### 3. *External Relations.*

(a) *Social Insurance.* — After prolonged negotiations, a final Agreement was signed on October 13th, 1927, at Heidelberg between the Governing Commission and the German Government modifying the Agreement on social insurance, concluded in 1923 at Frankfurt-on-the-Main. Under this new Agreement the question of old-age pensions for miners was also considered. During the first quarter of 1928, negotiations took place at Düsseldorf and Berlin between the representatives of Saar and German Insurance Associations regarding the application of the Heidelberg Agreement.

Negotiations have also taken place between the representatives of the Governing Commission and those of the French Government concerning questions of social insurance arising between the Saar Territory and Alsace-Lorraine.

(b) *Justice.* — On December 14th, 1927, the Governing Commission and the French Government signed two declarations on the subject of judicial relations, dealing with the question of actions brought by Saar inhabitants in France, and actions brought by French citizens in the Saar Territory, and that of reciprocal legal assistance.

(c) *Posts, Telegraphs and Telephones.* — Negotiations which have been conducted with the administrations concerned resulted, during the last quarter of 1927 and the first of 1928, in the adjustment or reorganisation of different parts of the postal system, on the basis of the provisions of the Universal Postal Union, for purposes of correspondence between the Saar Territory and a number of countries.

The Governing Commission was represented at the Conference of the Universal Postal Union administrations which met on September 1st, 1927, at The Hague to draw up international regulations for air posts.

### 4. *Instruction in Schools regarding the League of Nations.*

The Governing Commission has continued to devote attention to the question of instruction in schools regarding the League of Nations. It has given subsidies to members of the teaching staff desirous of gaining information on international questions by attendance at various courses organised at Geneva. Steps have also been taken to introduce officially in the schools of the Territory instruction on the subject of the League of Nations.

### 5. *Administrative activities of the Governing Commission.*

The periodical reports of the Governing Commission contain, in addition to detailed information on numerous questions concerning the administrative activities of the Commission, chapters dealing with the following questions: finance, social insurance, labour, housing, administration of mines, public works, public education, situation of officials, justice, public relief and social hygiene, agriculture and forests, etc.

## II. FREE CITY OF DANZIG.

At its sessions in September and December 1927 and March 1928, the Council dealt with the following questions concerning the Free City of Danzig: financial situation of the Free City; manufacture of aircraft in Danzig; transport of Polish munitions and war material in transit through Danzig, access to and anchorage in the Port of Danzig for Polish war vessels (a question formerly referred to as *port d'attache* for Polish war vessels in the Port of Danzig) and jurisdiction of Danzig Courts in actions brought by the Danzig railway officials against the Polish Railways Administration.

The two questions concerning the police of the Port of Danzig and the protection of the interests of Danzig nationals in Poland (Ruetzen-Kositzkau case), which had been included in the provisional agenda of the session of the Council in September 1927, were adjourned, at the request of the Danzig and Polish Governments.

The representative of Chile acted as Rapporteur for all the Danzig questions, with the exception of those relating to the financial situation of Danzig. These are dealt with in the chapter of the present report concerning the work of the Financial Committee.

In April 1928, a report dated February 1928 from the League High Commissioner at Danzig was communicated to the Council. This report, which covers the period from 1926 to 1928, is of a general character and deals more particularly with the relations between the Danzig and Polish Governments, Danzig's relations with other States, financial and economic questions concerning the Free City and the situation of the Polish minority at Danzig.

The Secretary-General communicated to the Council certain publications prepared by the Danzig Senate and containing the decisions given by the High Commissioner in 1926-27, a summary of the legal effects of the decisions given by the High Commissioner during the period 1921-27, and a collection of the important treaties concluded between Danzig and Poland in 1924-27.

#### MANUFACTURE OF AIRCRAFT WITHIN THE TERRITORY OF THE FREE CITY.

On June 13th, 1927, the Council asked the Air Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air Questions for its opinion concerning a request submitted by the Danzig Government to the effect that, in the interests of Danzig industry and of scientific research at Danzig, the question of the restrictions imposed on the Free City in 1921 and 1922 in regard to the manufacture of aeronautic material might be re-examined.

On September 3rd, 1927, the Council examined the Air Sub-Commission's report and the relevant observations thereon made by the Danzig Government and the High Commissioner. The Rapporteur observed that the documents submitted seemed to show that the establishment of an aircraft industry at Danzig was a question of no practical interest at the moment. The question was really one of principle raised by the Senate: Should the Free City be placed in an inferior position, in this respect, to other States? The Rapporteur noted that the regulations approved by the Council on June 23rd, 1921, concerning the manufacture of civil aeronautic material at Danzig were subject to revision every two years and must therefore be considered out of date. Accordingly, they could not be regarded by Danzig as placing the Free City in a position of inferiority. The Rapporteur proposed the following solution, which was adopted by the Council: In the event of a definite request for the establishment of a civil aircraft industry at Danzig, the High Commissioner would be called upon to supervise that industry in accordance with the instructions of the League of Nations. He might, in that case, if he felt any doubts on the matter, refer it to the Council, who would, if necessary, ask the Air Sub-Commission to frame regulations to assist the High Commissioner in exercising this supervision.

#### TRANSPORT OF POLISH MUNITIONS AND WAR MATERIAL IN TRANSIT THROUGH DANZIG.

##### (a) *Cancelling of the Council's Resolution of March 14th, 1924.*

In July 1927, the Danzig Government asked the Council "to revise the procedure concerning the dispute between the Free City of Danzig and the Polish Republic regarding the establishment of a Polish depot for munitions of war in the port of Danzig and to cancel the resolution adopted by the Council on March 14th, 1924". By this resolution the Council had decided that the Westerplatte peninsula in the Port of Danzig should be placed at the Polish Government's disposal as a site for a depot for explosives and war material consigned to Poland, in transit through Danzig.

At the meeting on September 1st, 1927, the President of the Council stated that, in the ordinary course of events, disputes between Danzig and Poland were submitted to the Council, either by an appeal against a decision of the High Commissioner or at the request of the High Commissioner, who was authorised to refer to the Council a dispute which had been submitted to him for decision. He observed that, in the case under consideration, this procedure had not been followed. The Polish representative reminded the Council that the handing over of the Westerplatte to Poland was the result of a Danzig-Polish Agreement and, further, of a decision taken by the Council on March 14th, 1924. The Council was therefore required to settle the two following preliminary questions: Did the cancelling of the Danzig-Polish Agreement fall within the competence of the Council of the League? and, Could the resolution of the Council, based on this Agreement and already executed, be invalidated by the Council without the consent of both parties? After a discussion on the question of principle raised by Poland, in which several members of the Council took part, the Council decided to appoint a Committee of Jurists to submit a report.

The Committee of Jurists in its report, which was submitted to the Council on September 15th, 1927, concluded:

" . . . that, as regards procedure and form, the request to place the item in question on the agenda, submitted on July 25th, 1927, to the Council by the Senate of Danzig is not in conformity with the procedure laid down in the Polish-Danzig

Treaty ; that the Council — supposing the matter to have been regularly submitted to it — could only take a fresh decision on a site for the transit of Polish war material if the Council had before it a new question arising out of a new state of affairs — a matter on which the Committee cannot give an opinion ; and that, while not laying down here in regard to the revision of international decisions a rule which cannot be affirmed in the present position of international law, it is desirable to point out that, in any case, the request of the Senate of Danzig cannot be complied with without a modification in Treaty stipulations, and that such modification cannot take place without the consent of the contracting parties. ”

On the basis of the report of the Committee of Jurists, the Council decided that no action should be taken on the request submitted by the Danzig Government.

(b) *Utilisation of the Westerplatte.*

At its meeting on September 27th, 1927, the Council resumed the examination of the question which it had adjourned at its session in June 1927, concerning certain technical points relating to the utilisation of the Westerplatte. This question embraced the following matters, provisionally settled by the High Commissioner in a memorandum dated April 8th, 1927, and submitted by him to the Council for a final decision :

(1) Right of admittance of Danzig authorities to the Westerplatte ; (2) control and supervision of the observance of the safety regulations in this area ; (3) manner in which the Customs service is to be regulated ; (4) regulations applicable to consignments of war material and explosives leaving the Westerplatte ; (5) definition of “ war material ” which may be transported *via* the Westerplatte ; (6) appointment of an observer nominated by the High Commissioner.

The Rapporteur stated that the results of his examination confirmed all the essential points in the High Commissioner’s memorandum regulating these questions. The representative of the Danzig Government and the German representative requested the Council to carry out a thorough examination of certain legal aspects of the problem, more particularly of the questions of principle attaching to the points mentioned under Nos. 2 and 3 above. The Polish representative raised the question of the definition of war material. The Council decided to postpone the whole matter to its session in December 1927 to enable the Rapporteur to obtain the views of two jurists, chosen by himself, concerning the legal points raised during the course of the Council’s discussion.

On December 8th, 1927, the Rapporteur submitted to the Council the report of the two jurists, Sir Cecil Hurst (British) and M. Pilotti (Italian), and asked the Council to express an opinion on the procedure to be adopted. The Danzig representative accepted the jurists’ opinion. The Polish representative, after an exchange of views between certain members of the Council, expressed himself in favour of direct negotiations between the parties.

On December 12th, 1927, the Council invited the two Governments to open direct negotiations with regard to the practical settlement of the questions pending, and recommended them to take into consideration all the material contained in the documents on the question, including the views expressed in the jurists’ opinion. These negotiations would be presided over by the High Commissioner at Danzig, who, in accordance with the recognised procedure, might consult technical experts. If the negotiations failed to secure any result before the session of the Council in March 1928, the Rapporteur would submit proposals to the Council for a definite settlement.

In February 1928, the High Commissioner informed the Council that the two Governments had agreed to continue the conversations with a view to a final settlement of the matter, without resorting to the formal procedure laid down by the Council in December 1927.

On March 5th, 1928, the Council declared that, far from making any objection to the desire of the two Governments, it welcomed the proposal with satisfaction, and expressed the hope that it would be possible at a subsequent session to register a final agreement.

ACCESS TO AND ANCHORAGE IN THE PORT OF DANZIG FOR POLISH WAR-VESSELS.<sup>1</sup>

In August 1927, the Danzig Government informed the Council that it had denounced the provisional agreement of October 8th, 1921, concluded between Danzig and Poland with the object of providing the necessary facilities and security for Polish warships in the Port of Danzig. It added that Poland had not agreed to this denunciation. The Danzig Government was of opinion that the works in the Polish port of Gdynia were sufficiently far advanced to enable Polish warships to shelter there in bad weather or during the winter. Accordingly, the Danzig Senate requested the Council to re-examine the question and to settle it by a decision.

<sup>1</sup> In November 1927, the Danzig and Polish Governments agreed in future to describe as “ access to and anchorage in the Port of Danzig for Polish war-vessels ” the question hitherto described as “ *port d’attache* for Polish men-of-war at Danzig ”.

At the meeting of the Council on September 1st, 1927, the Danzig representative repeated his request for an immediate settlement, while the Polish representative asked for an adjournment of the question.

On September 8th, 1927, the Council asked the Polish Government to put forward its observations on the substance of the questions before October 15th, 1927. At the same time, the two Governments were invited to enter into direct negotiations under the presidency of the High Commissioner and with the participation of the President of the Harbour Board. The High Commissioner was to report on the results of the negotiations before the session of the Council in December. If the conversations at Danzig had not resulted in a settlement by November 15th, 1927, the question would be referred for an opinion to the Naval Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air Questions.

As the negotiations referred to in the above-mentioned Council resolution could not take place, owing to various circumstances, the Council, at its meeting on December 8th, 1927, decided once more to invite the two parties to engage in direct negotiations under the presidency of the High Commissioner and with the participation of the President of the Harbour Board. If no agreement were reached four weeks before the session of the Council in March 1928, the President of the Naval Sub-Commission was to appoint two experts to assist the High Commissioner, in order to enable him to present to the Council definite proposals regarding the technical regulations required.

In February 1928, the High Commissioner informed the Council that the two Governments had agreed, as in the above-mentioned case of the utilisation of the Westerplatte, to discuss the question in a friendly manner with a view to settling it without resorting to the formal procedure laid down by the Council, and on March 5th, 1928, the Council expressed itself in the terms which it had adopted in regard to the question of the Westerplatte.

#### JURISDICTION OF DANZIG COURTS IN ACTIONS BROUGHT BY DANZIG RAILWAY OFFICIALS AGAINST THE POLISH RAILWAYS ADMINISTRATION.

In January 1926, the High Commissioner was informed that the Polish Government would not in future take cognisance of actions brought by Danzig railway officials in virtue of the Danzig-Polish Agreement of October 22nd, 1921, and would not enforce any judgments given in such actions by the Danzig Courts. The Danzig Government requested the High Commissioner to mediate with a view to obtaining the withdrawal of the Polish statement. After prolonged conferences, the Danzig Government, in January 1927, submitted the question to the High Commissioner for decision.

On April 8th, 1927, the High Commissioner decided that Danzig railway officials were entitled to bring actions in respect of pecuniary claims before the Courts of the Free City, but that such claims could not be based on the Agreement of October 22nd, 1921.

The Free City appealed to the Council against the second part of this decision.

On September 22nd, 1927, the Council asked the Permanent Court of International Justice for an advisory opinion as to whether the High Commissioner's decision, given as a result of the requests made by Danzig, was legally well founded as regards those points where the decision did not satisfy those requests.

On March 2nd, 1928, the Danzig and Polish Governments agreed to accept the opinion of the Court in advance.

That opinion was handed down on March 3rd, 1928.

On March 9th, 1928, the Council took note of the opinion of the Permanent Court and of the Agreement concluded between Danzig and Poland on March 2nd, 1928.

#### PRESIDENCY OF THE DANZIG PORT AND WATERWAYS BOARD.

The Danzig and Polish Governments agreed in April 1928, in accordance with the provisions of paragraph 2 of Article 19 of the Danzig-Polish Treaty of November 9th, 1920, to extend the term of office of M. de Loës (Swiss) as President of the Danzig Port and Waterways Board for a further period of three years, dating from April 24th, 1928. M. de Loës accepted the extended term of office.

#### RELATIONS BETWEEN THE DANZIG AND POLISH GOVERNMENTS.

##### (a) Danzig-Polish Agreements.

In 1926 and 1927, the two Governments concluded direct agreements in regard to various questions, including, *inter alia*, the application of export duties; Polish stamp duties, Customs duties and handling charges; the apportionment of Customs receipts; the social insurance of railway officials; the establishment of a tobacco monopoly in the territory of the Free City of Danzig. The two parties entered into direct negotiations concerning various other economic and commercial questions.

(b) *Decisions of the High Commissioner.*

In addition to the above-mentioned decisions concerning the jurisdiction of the Danzig Courts and the Westerplatte, the High Commissioner, in virtue of Article 39 of the Danzig-Polish Treaty of November 9th, 1920, gave seven decisions during the years 1926 and 1927, relating to the following questions: sheds in the Port of Danzig; the liquidation of the property of M. Knospe situated in Poland (an appeal by Danzig against this decision was subsequently withdrawn); the appointment of experts in the matter of payments claimed by the Danzig Municipality from the Harbour Board and payments to the Danzig Municipality by the Harbour Board: case of Mottlau-Kaiserhafen (Danzig and Poland had appealed against these two decisions, but at the request of the two Governments these appeals were not placed on the agenda of the Council); the ratification by Poland of the Danzig-Polish Agreement concerning railway tariffs in the territory of the Free City of Danzig; Poland's obligation to pay contributions for the upkeep of dikes to the "Danzig Dikes Association"; the establishment of a Maritime Chamber of the Polish Merchant Services at Danzig. Other questions were submitted to the High Commissioner for arbitral decision or for mediation.

PARTICIPATION OF DANZIG IN INTERNATIONAL TREATIES AND AGREEMENTS.

In August 1927<sup>1</sup> and March 1928<sup>2</sup>, the Secretary-General communicated to the Council lists of international conventions to which the Free City had become a party, or expressed its intention of becoming a party, and treaties of interest to Danzig concluded between Poland and certain other countries. The Secretary-General added that the High Commissioner of the League of Nations at Danzig saw no reason to exercise in respect of the said instruments the right of veto provided under Article 6 of the Danzig-Polish Treaty of November 9th, 1920.

III. GRECO-BULGARIAN MIXED EMIGRATION COMMISSION.<sup>3</sup>

At its meeting on September 3rd, 1927, the Council examined the reports on the progress made in the execution of certain recommendations formulated by the Council on December 14th, 1925, regarding the property of refugees from Bulgaria and Greece. The Council noted that the question of compensation to the emigrants, and the commitments arising therefrom for the two Governments, presented great difficulties, but that these seemed to be of a technical rather than of a political nature. The Council accordingly requested the Financial Committee to be good enough to give advice on any technical aspects of the problem regarding which the President of the Mixed Commission might wish to consult it.

The President of the Mixed Commission immediately submitted the whole problem to the Financial Committee. The latter, at its session in December 1927, approved the general lines on which an attempt might be made to find a solution. Negotiations subsequently took place and resulted, on December 9th, in the conclusion of an Agreement which was signed by the Finance Ministers of the two countries and by the President of the Mixed Commission.

At its meeting on December 12th, 1927, the Council took note of this Agreement, and accepted it so far as the League of Nations was concerned.

As the Agreement had not been ratified when the Financial Committee met in March 1928, the Committee reported to the Council the difficulties which this delay involved, and the Council, at its meeting on March 10th, recommended the two Governments to ratify the Agreement as soon as possible.

IV. MIXED COMMISSION FOR THE EXCHANGE OF GREEK AND TURKISH POPULATIONS.<sup>4</sup>

In a letter to the Secretary-General, dated February 4th, 1928, the President of the Mixed Commission for the exchange of Greek and Turkish populations, referring to a report submitted to the Council by the Japanese representative on October 31st, 1924, requested that the Permanent Court of International Justice should be asked for an advisory opinion on the interpretation to be given to Article IV of the Final Protocol annexed to the Greco-Turkish Agreement signed at Athens on December 1st, 1926, the application of which was entrusted by the two Governments to the Mixed Commission.

<sup>1</sup> See *Official Journal*, November 1927, page 1555.

<sup>2</sup> See *Official Journal*, May 1928, page 757.

<sup>3</sup> The Mixed Commission, appointed in virtue of the Convention of November 27th, 1919, between Greece and Bulgaria, consists of one member appointed by each of the two contracting parties and two members (from among whom the President must be chosen) appointed by the Council of the League of Nations. The two members appointed by the Council are at present Mr. CORRE (New Zealand) and M. DE REYNIER (Switzerland).

<sup>4</sup> The Mixed Commission appointed in virtue of the Convention concluded between the Greek and Turkish Governments on January 30th, 1923, consists of two members representing Greece, two members representing Turkey, and three neutral members chosen by the Council of the League of Nations. The office of President of the Commission is held in turn by each of the three neutral members. In March 1928, one of the neutral members, M. Widding (Danish) resigned, in view of his appointment as a member of the Memel Harbour Board. The remaining two neutral members are M. HOLSTAD (Norwegian) and General DE LARA (Spanish).

On March 5th, 1928, the Council decided to appoint a Committee of Jurists to advise it on the preliminary question of the application of the report of the Japanese representative dated October 31st, 1924, to the case under consideration.

On March 7th, 1928, the Council took note of the report of the Committee of Jurists, which had come to the conclusion that the Council, acting in accordance with the spirit of its decision of October 31st, 1924, might decide to place the Mixed Commission's request on its agenda. The Committee suggested, however, that it might be desirable, before doing so, to ask the two Governments concerned whether they were prepared to consent to the Council submitting to the Court the question raised by the Mixed Commission. The Greek Government replied in the affirmative. As, however, the Turkish Government's reply had not arrived before the close of the session, the Council decided to leave the matter open. In a letter dated May 5th, 1928, the Turkish Government also agreed that the question be submitted to the Court.

---

## 7.

### PROTECTION OF MINORITIES

---

#### I. GENERAL REMARKS.

As was indicated in the reports to the sixth, seventh and eighth ordinary sessions of the Assembly, the Minorities Committee, composed, for each particular case, of three members of the Council, has in practice become a normal body for dealing with that part of the work of the League of Nations connected with the protection of minorities. Since the drafting of the report to the eighth ordinary session of the Assembly, this activity has continued in the usual manner. At each session of the Council a certain number of minorities petitions have been examined by these Committees and almost all the members of the Council have sat on the Committees as occasion required.

#### II. MINORITY SCHOOLS IN POLISH UPPER SILESIA.

##### 1. APPLICATION OF THE COUNCIL RESOLUTION OF MARCH 12TH, 1927.

The Council dealt at its forty-fourth session (March 1927) with a question raised by a petition from the "Deutscher Volksbund" of Polish Silesia concerning the admission of children to the primary German minority schools in the Voivodie of Silesia<sup>1</sup>.

The resolution adopted by the Council in March 1927 prescribed that, in cases which seemed doubtful to the Polish authorities, a linguistic examination of the children concerned should be made by a neutral expert acting as assistant to the President of the Mixed Commission for Upper Silesia. For the school year 1926-27, the Polish authorities presented for examination 971 doubtful cases, of whom the neutral experts, M. Maurer, found that 444 might be regarded as linguistically fit to attend the minority schools, and that 527 were not so qualified.

In a letter addressed to the Secretary-General on October 18th, 1927, the Polish Government stated that, among the entries to minority schools for the new school year 1927-28, there were 735 children who did not understand German. The Polish Government therefore asked the Rapporteur to be good enough to exercise the interpretative authority conferred upon him by the Council resolution of March 12th, 1927, by pronouncing that the system of enquiry established by that resolution might also be applied to the 735 children concerned. This question of interpretation was duly submitted by the Secretary-General to the Rapporteur to the Council, the representative of Colombia. The latter, after consulting the two members of the Council, the representatives of Italy and the Netherlands, who had acted with him on the Committee which examined this question in March 1927, decided that the system of enquiry established by the resolution, whilst not intended to be maintained permanently, was applicable to the 735 children mentioned in the Polish letter of October 18th, 1927. This decision was based on a paragraph of the resolution reading as follows :

"A similar system of enquiry might also be applied in the case of any fresh demands for the admission of children that may subsequently be received from persons legally responsible for their education, when such cases appear doubtful to the Polish school authorities."

---

<sup>1</sup> A record of the proceedings before the Council and a summary of the case will be found in document A.13.1927 (Report to the Eighth Ordinary Session of the Assembly of the League on the Work of the Council, on the Work of the Secretariat, and on the Measures taken to execute the Decisions of the Assembly — See *Official Journal*, Special Supplement No. 54, page 261).

On November 14th, 1927, the Secretary-General received a telegram from the German Government stating that in its opinion the extension of the system of enquiry to children belonging to the school year 1927-28 was a mistaken application of the resolution of March 12th, 1927, and requesting that it might be made clear before the Council that the resolution in question was an exceptional measure which was not to be extended to children who might later be admitted to the minority schools.

The matter was accordingly placed on the agenda of the forty-eighth session of the Council, and discussed at the meeting held on December 8th, 1927. The German representative, having referred to the reservation he made in adopting the resolution of March 12th, 1927, pointed out that there was a divergence of view among the members of the Council on an essential point concerning the scope of that resolution. He did not desire to examine in detail the reasons for this divergence of view, and considered that the best method of settling the dispute would consist in securing a final legal decision on the principles governing the admission of children to the German minority schools. He therefore announced the intention of his Government to apply, under the provisions of the Geneva Convention, to the Permanent Court of International Justice at The Hague for a judgment on the questions of principle involved.

The Rapporteur, the representative of Colombia, made certain explanations regarding the considerations which had led him to give his decision extending the system of enquiry to children of the school year 1927-28.

On the proposal of the President, the Council thereupon decided to take note of the intention of the German Government to refer the question to the Permanent Court of International Justice for judgment. It was to be understood that the examinations already begun of children belonging to the school year 1927-28 should continue, and that the decision which might be taken by the Court would decide whether children who, as a consequence of those examinations, might be transferred to Polish schools should finally be admitted to the minority schools.

The German Government, in pursuance of the intention announced before the Council, submitted to the Permanent Court of International Justice for judgment certain questions relating to this matter. The judgment of the Court was delivered on April 26th, 1928, and has been sent by the Secretary-General to the States Members of the League.

## 2. ESTABLISHMENT OF A PRIMARY MINORITY SCHOOL IN THE SCHOOL DISTRICT OF BIERTULTOWY, POLISH UPPER SILESIA.

By a petition dated January 30th, 1928, addressed directly to the Council in virtue of Article 147 of the Germano-Polish Convention of May 15th, 1922, the "Deutscher Volksbund" of Polish Silesia submitted to the Council a question concerning the establishment of a primary German minority school in the school district of Biertultowy, Polish Upper Silesia.

The "Deutscher Volksbund" explained that the President of the Mixed Commission for Upper Silesia had, on October 10th, 1926, given an Opinion to the effect that the primary minority school at Biertultowy should forthwith be opened. As the local Polish authorities did not give effect to this Opinion, the petitioner, through the Minorities Office at Katowice, appealed on December 9th, 1926, to the Council of the League under Articles 149 and 157 of the Geneva Convention. The school not having been opened at the beginning of the new school year on September 1st, 1927, the petitioner enquired of the Minorities Office whether the appeal had been forwarded to the Council. No reply was received to this enquiry, and the petitioner therefore exercised the right of direct recourse to the Council provided by Article 147 of the Convention.

The question thus raised was placed on the agenda of the forty-ninth session of the Council held in March 1928. On March 1st, 1928, the Polish Government, to whom the petition had been forwarded by the Secretary-General, sent in certain observations. It stated that the fact that it had not so far forwarded the appeal mentioned in the petition was due, not to a desire to modify in any way the normal procedure laid down in the Geneva Convention for the examination of minorities petitions, but to the fact that the Government was of opinion that the question raised could not usefully be examined by the Council at the present juncture. The Government was of opinion that the request of the "Deutscher Volksbund" with regard to the school at Biertultowy was related to the general question of the interpretation to be given to Articles 106 and 131 of the Convention, which were actually the subject of proceedings before the Permanent Court of International Justice at The Hague.

The Council examined this question at its meeting held on March 7th, 1928. The Rapporteur, the representative of Colombia, took note of the fact that the Polish Government fully realised how important it was for the efficient operation of the system of minorities protection instituted in Upper Silesia by the Geneva Convention that appeals from the minority under Articles 149 and 157 of the Convention should be forwarded to the Council without delay. As regards the question of substance, he proposed that the Council should take note of the Polish Government's statement, and decide to postpone its judgment in the proceedings to which the Polish Government had referred.

The representative of Germany, in accepting the report, emphasised the fact that, in his view, Articles 149 and 157 of the Geneva Convention, as well as the report, imposed on the Polish and German Governments the obligation of ensuring the prompt forwarding, without any exception, of appeals made by minorities.

The report was adopted by the Council, and the question thereby placed on the agenda of the session in June 1928.

### III. COMPLAINTS OF THE LITHUANIAN GOVERNMENT REGARDING THE TREATMENT OF PERSONS OF LITHUANIAN RACE OR SPEECH IN THE VILNA AREA.

At its meeting on December 10th, 1927, the Council adopted a resolution concerning an appeal made on October 15th, 1927, under Article 11 of the Covenant, by the Lithuanian Government. According to the terms of this resolution, the Council decided :

“ . . . that the Lithuanian Government's complaints regarding the treatment of persons of Lithuanian race or speech referred to in its appeal shall be examined by a Committee consisting of the Acting President of the Council and two other members of the Council appointed by him. This Committee will report to the Council in due course. ”

The representative of China, who was at that time President of the Council, invited his colleagues the representatives of Colombia and the Netherlands to become members of the Committee mentioned in this resolution. The Committee met for the first time on December 12th, 1927, when it decided to inform the Polish Government of its desire to be acquainted with any observations which the Government might wish to make on the subject with a view to facilitating the drafting of the report which the Committee must in due course submit to the Council. The Polish Government's observations were forwarded to the Secretariat in a letter dated February 27th, 1928. At a meeting held on March 5th, 1928, the Committee took note of the arrival of these observations, and decided to proceed to the examination of the whole question with a view to submitting a final report to the Council at the session in June 1928.

### IV. MINORITIES IN ROUMANIA.<sup>1</sup>

In a letter dated April 11th, 1928, from the Roumanian delegation accredited to the League of Nations, the Roumanian Government gave the Secretary-General definitive information regarding the distribution of the sum of 700,000 gold francs to the colonists of Hungarian race in the Banat and Transylvania who had been affected by certain agrarian reform measures in Roumania. This information, which was communicated to the Members of the Council on April 20th, 1928<sup>2</sup>, was accompanied by 10 files, giving details of the distribution by districts and colonies. These files contain the autograph signatures of the colonists who have accepted the sums distributed. The Roumanian Government explains that the amount due to the colonists who refused to share in the distribution — a sum of about 5,000,000 lei — has been deposited with the departmental financial administrations, where it will be held at the disposal of the parties concerned for five years, after which period it will, as provided by the Roumanian laws, revert to the State in cases where the interested parties persistently refuse to accept payment. The Roumanian Government adds that, if the average rate of the leu when the money was distributed is taken into consideration, the sum actually made available, amounting to 28,000,000 lei, represents not 700,000 gold francs but about 20 per cent more, the sum of the payments already accepted by the colonists representing alone 700,000 gold francs.

---

## 8.

### MANDATES.

---

#### I. DISCUSSION IN THE COUNCIL WITH REGARD TO THE WORK OF THE ELEVENTH SESSION OF THE PERMANENT MANDATES COMMISSION<sup>3</sup>.

The documents connected with the work of the eleventh session of the Permanent Mandates Commission and a report by the Netherlands representative on this subject were examined by the Council on September 8th, 1927. There were present at this meeting :

---

<sup>1</sup> See *Official Journal*, Special Supplement No. 44, pages 199 and 298. See also *Official Journal*, Special Supplement No. 54, page 329.

<sup>2</sup> See *Official Journal*, June 1928.

<sup>3</sup> See *Official Journal*, Special Supplement No. 54, page 330.



On November 14th, 1927, the Secretary-General received a telegram from the German Government stating that in its opinion the extension of the system of enquiry to children belonging to the school year 1927-28 was a mistaken application of the resolution of March 12th, 1927, and requesting that it might be made clear before the Council that the resolution in question was an exceptional measure which was not to be extended to children who might later be admitted to the minority schools.

The matter was accordingly placed on the agenda of the forty-eighth session of the Council, and discussed at the meeting held on December 8th, 1927. The German representative, having referred to the reservation he made in adopting the resolution of March 12th, 1927, pointed out that there was a divergence of view among the members of the Council on an essential point concerning the scope of that resolution. He did not desire to examine in detail the reasons for this divergence of view, and considered that the best method of settling the dispute would consist in securing a final legal decision on the principles governing the admission of children to the German minority schools. He therefore announced the intention of his Government to apply, under the provisions of the Geneva Convention, to the Permanent Court of International Justice at The Hague for a judgment on the questions of principle involved.

The Rapporteur, the representative of Colombia, made certain explanations regarding the considerations which had led him to give his decision extending the system of enquiry to children of the school year 1927-28.

On the proposal of the President, the Council thereupon decided to take note of the intention of the German Government to refer the question to the Permanent Court of International Justice for judgment. It was to be understood that the examinations already begun of children belonging to the school year 1927-28 should continue, and that the decision which might be taken by the Court would decide whether children who, as a consequence of those examinations, might be transferred to Polish schools should finally be admitted to the minority schools.

The German Government, in pursuance of the intention announced before the Council, submitted to the Permanent Court of International Justice for judgment certain questions relating to this matter. The judgment of the Court was delivered on April 26th, 1928, and has been sent by the Secretary-General to the States Members of the League.

## 2. ESTABLISHMENT OF A PRIMARY MINORITY SCHOOL IN THE SCHOOL DISTRICT OF BIERTULTOWY, POLISH UPPER SILESIA.

By a petition dated January 30th, 1928, addressed directly to the Council in virtue of Article 147 of the Germano-Polish Convention of May 15th, 1922, the "Deutscher Volksbund" of Polish Silesia submitted to the Council a question concerning the establishment of a primary German minority school in the school district of Biertultowy, Polish Upper Silesia.

The "Deutscher Volksbund" explained that the President of the Mixed Commission for Upper Silesia had, on October 10th, 1926, given an Opinion to the effect that the primary minority school at Biertultowy should forthwith be opened. As the local Polish authorities did not give effect to this Opinion, the petitioner, through the Minorities Office at Katowice, appealed on December 9th, 1926, to the Council of the League under Articles 149 and 157 of the Geneva Convention. The school not having been opened at the beginning of the new school year on September 1st, 1927, the petitioner enquired of the Minorities Office whether the appeal had been forwarded to the Council. No reply was received to this enquiry, and the petitioner therefore exercised the right of direct recourse to the Council provided by Article 147 of the Convention.

The question thus raised was placed on the agenda of the forty-ninth session of the Council held in March 1928. On March 1st, 1928, the Polish Government, to whom the petition had been forwarded by the Secretary-General, sent in certain observations. It stated that the fact that it had not so far forwarded the appeal mentioned in the petition was due, not to a desire to modify in any way the normal procedure laid down in the Geneva Convention for the examination of minorities petitions, but to the fact that the Government was of opinion that the question raised could not usefully be examined by the Council at the present juncture. The Government was of opinion that the request of the "Deutscher Volksbund" with regard to the school at Biertultowy was related to the general question of the interpretation to be given to Articles 106 and 131 of the Convention, which were actually the subject of proceedings before the Permanent Court of International Justice at The Hague.

The Council examined this question at its meeting held on March 7th, 1928. The Rapporteur, the representative of Colombia, took note of the fact that the Polish Government fully realised how important it was for the efficient operation of the system of minorities protection instituted in Upper Silesia by the Geneva Convention that appeals from the minority under Articles 149 and 157 of the Convention should be forwarded to the Council without delay. As regards the question of substance, he proposed that the Council should take note of the Polish Government's statement, and decide to postpone consideration of the question until the Permanent Court of International Justice had given its judgment in the proceedings to which the Polish Government had referred.

The representative of Germany, in accepting the report, emphasised the fact that, in his view, Articles 149 and 157 of the Geneva Convention, as well as the report, imposed on the Polish and German Governments the obligation of ensuring the prompt forwarding, without any exception, of appeals made by minorities.

The report was adopted by the Council, and the question thereby placed on the agenda of the session in June 1928.

### III. COMPLAINTS OF THE LITHUANIAN GOVERNMENT REGARDING THE TREATMENT OF PERSONS OF LITHUANIAN RACE OR SPEECH IN THE VILNA AREA.

At its meeting on December 10th, 1927, the Council adopted a resolution concerning an appeal made on October 15th, 1927, under Article 11 of the Covenant, by the Lithuanian Government. According to the terms of this resolution, the Council decided :

“ . . . that the Lithuanian Government's complaints regarding the treatment of persons of Lithuanian race or speech referred to in its appeal shall be examined by a Committee consisting of the Acting President of the Council and two other members of the Council appointed by him. This Committee will report to the Council in due course. ”

The representative of China, who was at that time President of the Council, invited his colleagues the representatives of Colombia and the Netherlands to become members of the Committee mentioned in this resolution. The Committee met for the first time on December 12th, 1927, when it decided to inform the Polish Government of its desire to be acquainted with any observations which the Government might wish to make on the subject with a view to facilitating the drafting of the report which the Committee must in due course submit to the Council. The Polish Government's observations were forwarded to the Secretariat in a letter dated February 27th, 1928. At a meeting held on March 5th, 1928, the Committee took note of the arrival of these observations, and decided to proceed to the examination of the whole question with a view to submitting a final report to the Council at the session in June 1928.

### IV. MINORITIES IN ROUMANIA.<sup>1</sup>

In a letter dated April 11th, 1928, from the Roumanian delegation accredited to the League of Nations, the Roumanian Government gave the Secretary-General definitive information regarding the distribution of the sum of 700,000 gold francs to the colonists of Hungarian race in the Banat and Transylvania who had been affected by certain agrarian reform measures in Roumania. This information, which was communicated to the Members of the Council on April 20th, 1928<sup>2</sup>, was accompanied by 10 files, giving details of the distribution by districts and colonies. These files contain the autograph signatures of the colonists who have accepted the sums distributed. The Roumanian Government explains that the amount due to the colonists who refused to share in the distribution — a sum of about 5,000,000 lei — has been deposited with the departmental financial administrations, where it will be held at the disposal of the parties concerned for five years, after which period it will, as provided by the Roumanian laws, revert to the State in cases where the interested parties persistently refuse to accept payment. The Roumanian Government adds that, if the average rate of the leu when the money was distributed is taken into consideration, the sum actually made available, amounting to 28,000,000 lei, represents not 700,000 gold francs but about 20 per cent more, the sum of the payments already accepted by the colonists representing alone 700,000 gold francs.

---

## 8.

### MANDATES.

---

#### I. DISCUSSION IN THE COUNCIL WITH REGARD TO THE WORK OF THE ELEVENTH SESSION OF THE PERMANENT MANDATES COMMISSION<sup>3</sup>.

The documents connected with the work of the eleventh session of the Permanent Mandates Commission and a report by the Netherlands representative on this subject were examined by the Council on September 8th, 1927. There were present at this meeting :

---

<sup>1</sup> See *Official Journal*, Special Supplement No. 44, pages 199 and 298. See also *Official Journal*, Special Supplement No. 54, page 329.

<sup>2</sup> See *Official Journal*, June 1928.

<sup>3</sup> See *Official Journal*, Special Supplement No. 54, page 330.

Mr. J. S. Smit, representing the Union of South Africa; Sir James Parr, representing New Zealand; Sir George Pearce, representing Australia; and M. Van Rees, Vice-Chairman of the Permanent Mandates Commission.

#### OBSERVATIONS ON THE ADMINISTRATION OF VARIOUS TERRITORIES UNDER MANDATE.

The Council decided in every case to forward to the Government of the mandatory Power concerned the special observations on the administration of the eight mandated territories which the Commission had discussed at that session<sup>1</sup>. At the same time the Council requested these Governments to be good enough to take such action as might be necessary.

#### PETITIONS.

The conclusions of the Commission with regard to the petitions which it had examined were approved by the Council, and the Secretary-General was instructed to bring them to the notice of the mandatory Power and the petitioner concerned in each case.

#### QUESTION OF THE APPOINTMENT OF AN ADDITIONAL MEMBER OF GERMAN NATIONALITY TO THE PERMANENT MANDATES COMMISSION.

The Council decided to modify the constitution and Rules of Procedure of the Permanent Mandates Commission so as to increase the statutory number of the members of the Commission from nine to ten.

At its meeting on September 9th, 1927, the Council appointed M. Ludwig KASTI, a former high official in the German Colonial Service, former head of the Reparation Department in the Ministry of Finance, and at present Director of the "Reichsverband der Deutschen Industrie".

#### LIST OF QUESTIONS DRAFTED FOR THE PREPARATION OF THE ANNUAL REPORTS ON B AND C MANDATED TERRITORIES.

The Council decided to communicate to the mandatory Powers the observations contained in the Commission's report, and the comments in the report submitted by the Netherlands representative. The Rapporteur observed that the list of questions had been prepared by the Commission with the sole object of facilitating the task of the mandatory Powers, and that it would be entirely for these Powers to decide whether they would use it or not. In these circumstances, it hardly seemed to be necessary for the Council to make any special recommendation on this subject, particularly as the Permanent Mandates Commission observed in its report that the details given by the mandatory Powers continued to be both numerous and precise.

\* \* \*

In his report adopted by the Council, the Netherlands representative noted with satisfaction that the Jebel Druse revolt in Syria had come to an end. He expressed the hope that, following on the negotiations between the Syrian and Lebanese authorities, the mandatory Power would be in a position, within a reasonable time, to proceed with the promulgation of the Organic Law, which had been delayed.

As regards the legal relationship between the Government of the Union of South Africa and the mandated territory of South-West Africa, a question which the Permanent Mandates Commission had again considered<sup>2</sup>, the Rapporteur pointed out that the Covenant, certain articles of the Treaty of Versailles, the mandates themselves and various decisions already taken by the Council, had helped to determine or define the juridical relationship between the mandatory Powers and the territories placed under their mandate. This being a new relationship under international law, the employment of the usual phraseology in its traditional sense was not always in keeping with the new conditions. As, however, in a letter dated May 23rd, 1927, the Government of the Union had reserved the right to put forward its views on this question, the Council considered that it would be preferable merely to communicate to it the recent observations of the Commission.

In a letter dated February 10th, 1928, the Government of the Union of South Africa informed the Council that it had noted the opinion expressed by the Council on this subject, and had no comment to offer<sup>3</sup>.

\* \* \*

The Council agreed with the Rapporteur's suggestion that the League of Nations should convey to the British Government and through that Government to the people of Palestine and Transjordan its sympathy for the suffering caused by the earthquakes in July 1927.

<sup>1</sup> See *Official Journal*, Special Supplement No. 54, page 330.

<sup>2</sup> See *Official Journal*, Special Supplement No. 54, page 332.

<sup>3</sup> See *Official Journal*, May 1928, page 709.

## II. WORK OF THE TWELFTH SESSION OF THE PERMANENT MANDATES COMMISSION.

### A. WORK OF THE COMMISSION.

At its twelfth session, held from October 24th to November 11th, 1927, the Permanent Mandates Commission, in the presence of the accredited representatives of the mandatory Powers, considered the following annual reports : Iraq (1926), Pacific Islands under Japanese Mandate (1926), Cameroons under British Mandate (1926), Togoland under British Mandate (1926), Western Samoa (1926 and 1927), Ruanda-Urundi (1926).

The Commission also discussed several questions of a general nature.

#### 1. *Economic Equality : Postal Rates.*

The mandatory Powers are bound to ensure, as between all States Members of the League and their nationals, complete economic, commercial and industrial equality in the territories under A and B mandates. In most of these territories, however, if not in all, the mandatory Administrations have established, for communication with countries outside, postal rates which vary according to the destination. As a rule, correspondence despatched to the territory of the mandatory Power enjoys a lower rate than correspondence to the other States Members of the League. This system appears necessarily to involve, in international competition, a certain advantage for the commercial relations between the mandatory Powers and the mandated territories entrusted to them.

Accordingly, the Commission, whose members expressed the most divergent views, considered whether this practice was quite consistent with the strict application of the principle of economic equality. On the other hand, the practical importance of the existing differentiation was not perhaps such as to call for intervention by the League.

With a view to forming a definite opinion on the matter, the Commission proposed, therefore, that the Council should request the mandatory Powers entrusted with the administration of territories under A and B mandates to furnish particulars concerning :

1. Their system of postal rates ;
2. The reasons which have led them to adopt different rates ;
3. The practical importance of the question from the financial point of view.

#### 2. *National Status of the Inhabitants of Territories under B and C Mandates.*

The Commission expressed a desire to know what action the mandatory Powers have taken on the Council's resolution of April 23rd, 1923, regarding the national status of the inhabitants of territories under B and C mandates, and particularly on the fourth paragraph of this resolution, which is worded as follows :

“ It is desirable that native inhabitants who receive the protection of the mandatory Power should in each case be designated by some form of descriptive title which will specify their status under the mandate. ”

#### 3. *Frontiers between the Cameroons under French and British Mandate and Togoland under French and British Mandate.*

The Commission noted the declaration of the accredited representative of the British Government that, by common agreement, no important modifications of the frontiers between the spheres of the Cameroons and Togoland under British and French mandate respectively are now considered necessary, and that the work of delimitation is being carried out with the minor rectifications which such an operation entails. When the work has been completed, the Commission would be glad to receive a map showing the final delimitation.

#### 4. *General and Special International Conventions applied in the Mandated Territories.*

The Permanent Mandates Commission took note of two lists drawn up at its request by the Secretariat. One indicates the general and special Conventions applied in each mandated territory, and the other shows the mandated territories in which each general international Convention is applied.

The Commission asked the Council to instruct the Secretary-General to forward a copy of these two lists to each mandatory Power, requesting it to check them and to complete them, if necessary.

Further, the Commission suggested that the mandatory Powers should be requested to insert in their annual reports the data necessary to enable the Secretariat to keep these lists up to date.

5. *General Statistics.*

The Commission proposed that the statistical tables concerning the foreign trade, public finance and population of the mandated territories, as revised by the mandatory Powers<sup>1</sup>, should be published in the *Official Journal* of the League of Nations. Further, the Commission held that it would be well if the mandatory Powers would be good enough to supply the necessary information each year in their annual reports so that the tables might be kept up to date.

6. *Financial Statistics.*

The Commission expressed a desire to find in future in the annual reports certain financial statistics not contained in the general statistical tables, which would permit the reader to judge of the financial development of the territory under examination.

7. *Rules of Procedure: Their Adaptation to recent Decisions of the Council.*

As a result of various decisions taken by the Council affecting the Commission's Rules of Procedure, the latter proceeded with a formal adaptation of the text of these rules and submitted the revised text to the Council.

*Observations concerning Certain Territories under A, B and C Mandates.*

The Commission's observations on the reports it examined may be summarised as follows:

**Territories under A Mandate.**

*Iraq.*

(Representatives of the mandatory Power, Mr. B. H. Bourdillon, Counsellor to the High Commissioner for Iraq, and Mr. T. I. K. Lloyd, of the Colonial Office.)

The Commission much appreciated the statement made by the accredited representative on the more important of the outstanding problems in Iraq. It expressed a desire to learn what steps had been taken to carry out the recommendations of the Mosul Commission concerning minorities, and to have precise information in regard to the circumstances which have retarded the adoption of these measures or which might be obstacles to the fulfilment of these recommendations.

The Commission desired to obtain further information concerning the object and nature of the "Customs Duty Drawback Law", and to learn whether the mandatory Power considered this law compatible with the provisions concerning economic equality in the Treaty of October 10th, 1922, between Great Britain and Iraq.

From the point of view of economic equality, it also considered the question of the prolongation of the concession granted to the Anglo-Persian Oil Company, and expressed a desire to receive a copy of the text of the concessions granted to this company and to the Turkish Petroleum Co.

The Commission also considered various questions connected with public health, economic development, labour, education and religious matters; on certain points it expressed a wish to be supplied with more precise information.

The Commission noted with satisfaction that the position on the Persian, Syrian, and Turkish frontiers had improved; it regretted, however, that certain difficulties still existed in the relations between Iraq and Persia.

**Territories under B Mandate.**

*Togoland and the Cameroons under British Mandate.*

The Commission noted the shortage of doctors in the territories of Togoland and the Cameroons, and expressed a hope that the mandatory Power would make every possible effort to remedy this situation.

*Togoland.*

(Representatives of the mandatory Power, the Honourable W. G. Ormsby Gore, Under-Secretary of State for the Colonies, assisted by Mr. H. S. Newlands, Provincial Commissioner of the Gold Coast, and Mr. T. I. K. Lloyd.)

The Commission expressed a desire to receive information concerning the assets credited to the mandated territory as a result of the loans contracted by the Gold Coast. It reiterated a request, also put forward at a previous session, to be supplied with statistics regarding the number of labourers employed by the various Government Departments and for private enterprises in the territory. Finally, it expressed a hope that the mandatory Power would be able to furnish it with information concerning the increasing amount of spirituous liquors introduced into the territory.

<sup>1</sup> See *Official Journal*, Special Supplement No. 54, page 266.

*Cameroons.*

(Representatives of the mandatory Power, the Honourable W. G. Ormsby Gore, assisted by Mr. H. R. Palmer, Lieutenant-Governor of the Northern Provinces of Nigeria, and Mr. T. I. K. Lloyd.)

The Commission asked for information concerning the administration of the districts of the central part of the territory, which have not yet been brought under control, with regard to the steps taken by the mandatory Power in order better to adjust the burden of taxation as between Europeans and natives, and with regard to various questions connected with labour, education and ex-enemy property.

The accredited representative of the British Government forwarded to the Council on November 22nd, 1927, several observations concerning the reasons for the delay in sending in the annual report, a delay which the Commission had noted with regret.

*Ruanda-Urundi.*

(Representative of the mandatory Power, M. Halewyck de Heusch, Director-General, Belgian Ministry for the Colonies.)

The Commission was distressed to learn of the famine from which the territory suffered in 1926, and thanked the mandatory Power for the information given with regard to the emergency measures taken to minimise the effects of this scourge and to prevent its recurrence.

The Commission expressed a desire to be acquainted with the principles in accordance with which expenditure in the common interest of the mandated territory and of the Belgian Congo is divided. It heard with very great interest the details given concerning the recruiting of workers for the service of the *Union Minière* of Katanga, and stated that it would follow with special attention the development of this question. The Commission welcomed the increase, from 1926 to 1927, of about 60 per cent in the budget estimates for education.

**Territories under C Mandate.**

*Pacific Islands under Japanese Mandate.*

(Representative of the mandatory Power, M. N. Sato, Minister Plenipotentiary, Director of the Japanese League of Nations Office.)

The Commission highly appreciated the generosity displayed by the Japanese Government in making a considerable subsidy each year to cover the deficit incurred by the administration of the islands. It asked that the total amount of such subsidies, up to the year 1927 inclusive, should be shown in the next report.

The Commission also stated that it would be glad to receive information concerning the poll-tax, and the burden of taxation falling upon the native as compared with the non-native. It also expressed a desire to learn the treatment accorded to the proprietors in connection with the exploitation of phosphate deposits on their land.

*Western Samoa.*

(Representative of the mandatory Power, Sir James Parr, High Commissioner for New Zealand in London.)

The Commission expressed its thanks for the information which the mandatory Power and the accredited representative were good enough to furnish concerning the causes of the agitation in Western Samoa. It was glad to note that a Royal Commission had been constituted to investigate the situation. The Commission hoped that it would be put in possession as soon as possible of the report of the Royal Commission, together with the observations of the mandatory Power, the conclusions which it had been led to adopt, and the decisions which it might have taken in consequence of the report. The Commission decided to refrain from expressing an opinion before these documents were available.

The Commission, considering it desirable that it should be kept fully informed each year of political movements of any consequence in the mandated territories, noted with regret that no mention had previously been made of the underlying causes of the present agitation, or of any symptoms of unrest, which should have been brought officially to its notice before the current year<sup>1</sup>.

The attention of the Commission had been drawn to a speech in which the Administrator of the territory was reported as referring to the Islands as "part of the British Empire" and to their inhabitants as "British subjects". The Commission was therefore glad to learn from the accredited representative that, in spite of the use of these phrases by the Administrator, the opinion of the mandatory Power on this question was in conformity with the principles of the mandates system as laid down in the Covenant and upheld by the Council and the Assembly.

---

<sup>1</sup> The accredited representative of New Zealand forwarded to the Council on November 18th, 1927, a few observations on this subject. He pointed out that the events of 1921 and 1922, to which the Commission referred, had not then seemed of an importance sufficient to warrant their communication to the Commission.

The Commission expressed a desire to learn the destination of the rents paid for lands belonging to the New Zealand Reparation Estates. It was greatly interested in the attempts being made by the Administration to improve the situation of native copra producers.

The Commission considered certain provisions of the "Native Regulation (Samoa) Order" from the point of view of the payment of workers employed in constructing and maintaining roads, etc.

#### *Observations on Petitions.*

The conclusions of the Commission concerning the various petitions may be summarised as follows :

##### 1. *Palestine.*

Three petitions were received from various Turkish nationals of Palestinian origin, living in Honduras, San Salvador and Mexico respectively, asking for their recognition as Palestinian subjects. While it was of opinion that both in law and in equity, the claim of the petitioners to be immediately registered as Palestinian citizens was not justified, the Commission nevertheless considered that their attention might be drawn to Article 7, Section 5 of the Palestinian Citizenship Order in Council (in special cases the High Commissioner may grant a certificate of naturalisation although the two years' residence in Palestine usually required has not been completed within the last three years immediately preceding the date of the application for naturalisation).

##### 2. *Togoland under French Mandate.*

The Commission examined another petition from Mr. Casely Hayford (June 7th, 1927) on behalf of certain members of the Adjigo clan, and came to the conclusion, as a result of the information furnished by the mandatory Power, that it must adhere to the decision taken at its eleventh session<sup>1</sup> in connection with a former petition on the same subject.

##### 3. *South-West Africa.*

The Commission decided to take no action on a petition submitted in 1927 by M. Lange, who had already sent in several similar petitions.

The Commission expressed regret at the long delays which have occurred in the examination by the mandatory Power of the petition dated November 26th, 1926, from certain burghers of the Rehoboth community<sup>1</sup>. The opinion of the mandatory Power being essential to the final consideration of the petition, the Commission repeated the requests already made in this connection and suggested that the mandatory Power should be urged to supply the necessary information.

##### 4. *Western Samoa.*

In the case of two petitions received, one from Mr. Newton Rowe, the other from the Anti-Slavery and Aborigines Protection Society, London, the Commission proposed to reserve its judgment until it had received the report of the Royal Commission.

#### B. DISCUSSIONS IN THE COUNCIL.<sup>2</sup>

On March 5th, 1928, the Council adopted without discussion the report submitted by the Netherlands representative on the work of the twelfth session of the Permanent Mandates Commission. The Council noted the Commission's recommendations as regards postal rates in the territories under A and B mandates, as regards the status of the inhabitants of territories under B and C mandates, and as regards general and special international Conventions and financial statistics. It requested the mandatory Powers to furnish the Commission with the desired information. It instructed the Secretary-General to transmit to the mandatory Powers copies of the lists of the international Conventions referred to in the report, and to publish the tables of general statistics prepared by the Commission.

The Council noted the Commission's observations with regard to the frontiers between the Cameroons under French mandate and the Cameroons under British mandate and between Togoland under French mandate and Togoland under British mandate.

Finally, the Council approved the revised Rules of Procedure, and instructed the Secretary-General to publish them.

<sup>1</sup> See *Official Journal*, Special Supplement No. 54, page 334.

<sup>2</sup> The Council considered, on March 7th, 1928, the question of the communication to Iraq of the Convention on the Freedom of Transit and the Convention on the International Regime of Maritime Ports (see section of this report dealing with the work of the Organisation for Communications and Transit).

## OBSERVATIONS ON THE ADMINISTRATION OF THE VARIOUS TERRITORIES UNDER MANDATE.

The Council decided in every case to forward to the Government of the mandatory Power concerned, the special observations on the administration of the six mandated territories which the Commission had discussed at its twelfth session. At the same time, the Council requested those Governments to be good enough to take such action as might be necessary.

### PETITIONS.

The conclusions of the Commission with regard to the petitions which it had examined were approved by the Council, and the Secretary-General was instructed to bring them to the notice of the mandatory Power and petitioner concerned in each case.

### III. NEW MEMBERS OF THE PERMANENT MANDATES COMMISSION.

On March 5th, 1928, the Council was informed of the death of Mme. Anna Wicksell, member of the Permanent Mandates Commission. It associated itself with the Netherlands representative in expressing its deep sorrow and instructed the Secretary-General to convey to the Swedish Government and to Mme. Wicksell's family its most sincere sympathy and its wholehearted gratitude for the distinguished services rendered by Mme. Wicksell to the League of Nations.

The Council had also to note the resignation tendered by M. Yamanaka, Japanese member of the Permanent Mandates Commission. It instructed the Secretary-General to convey its regret to M. Yamanaka and to thank him for his services.

M. Van Rees, Vice-President of the Permanent Mandates Commission, associated himself with the remarks made by the Netherlands representative concerning the services rendered to the League of Nations by Mme. Wicksell and M. Yamanaka.

At its private meeting on March 7th, 1928, the Council appointed M. Nobumichi Sakenobe, retired member of the Japanese Diplomatic Service, to be a member of the Permanent Mandates Commission, and authorised the Acting President, after consulting, by letter, the other members of the Council, to appoint also a woman member of the Commission chosen from among the nationals of the non-mandatory Powers.

### IV. LIQUOR TRAFFIC.

At its eighth ordinary session on September 23rd, 1927, the Assembly adopted a resolution congratulating the Permanent Mandates Commission on its success in defining the important terms concerning the liquor traffic used in the B and C mandates and in the Convention of St. Germain of September 10th, 1919, and expressed the hope that all the mandatory Powers would soon be able to indicate their acceptance of these definitions. It also asked the Council to request the Permanent Mandates Commission, in collaboration with the mandatory Powers, to continue to give serious considerations to the causes of the increased importation of spirituous liquors into certain territories under B mandate and to the steps which have been taken to deal with this problem.

At its meeting on December 6th, 1927, the Council took a decision in the sense of the resolutions adopted by the Assembly during its eighth ordinary session.

By a letter dated May 4th, 1928, the Japanese Government has notified its acceptance of the definitions proposed by the Permanent Mandate Commission to which the British Government had adhered on May 14th, 1927 (document C.264.1927). The New Zealand Government stated, in a letter dated January 30th, 1928, that, in view of the policy applied in Western Samoa (entire prohibition of alcohol to all the inhabitants of the territory), it does not consider it necessary to present observations on the definition of the terms relating to spirits. On May 16th, 1928 the Belgian Government informed the Secretary-General that, with one slight qualification, it was prepared to accept the definitions.

### V. PUBLICATIONS.

In conformity with the desire expressed by the Assembly at its fifth ordinary session, and in continuation of the index to the Minutes of the first five sessions of the Permanent Mandates Commission published in 1925, an index of the Minutes and reports, from the sixth to the tenth session of the Commission, has recently been published.



9.

SLAVERY.

---

On September 22nd, 1927, the Assembly, during its eighth ordinary session, adopted a resolution expressing the hope that countries which had signed the Convention of September 25th, 1926, would ratify it as soon as possible. On November 8th, 1927, the Secretary-General sent a circular letter to all States Members of the League reminding them of this recommendation.

Since the adoption of the resolution of the Assembly, the following signatory States have forwarded their ratifications: Belgium, Finland, Netherlands, Portugal and Sweden. Further, Ecuador, Egypt, Monaco, Nicaragua and the Sudan have adhered to the Convention.

---

10.

WORK OF THE TECHNICAL ORGANISATIONS.

---

I. ECONOMIC AND FINANCIAL ORGANISATION.

---

A. Work in the Economic Field.

---

(i) CONSTITUTION OF A NEW ECONOMIC ORGANISATION OF THE LEAGUE OF NATIONS.

1. RESOLUTION ADOPTED BY THE EIGHTH ORDINARY SESSION OF THE ASSEMBLY ON SEPTEMBER 24TH, 1927.

In pursuance of a recommendation adopted by the Economic Conference in May 1927, the Assembly, during its eighth ordinary session, on September 24th, 1927, decided to introduce certain modifications in the Economic Organisation of the League, in order to enable it to carry out the work necessary to give effect to the recommendations of the Economic Conference. Under the terms of the Assembly's resolution on this subject<sup>1</sup>, the Economic Committee was to retain its existing powers, but in a form adapted to the new conditions called into existence by the Economic Conference. In addition, a new organ, a Consultative Committee, composed of persons competent in industry, commerce, agriculture, finance, transport, labour questions and questions relative to consumption, was to be constituted by the Council, with the object of following the application of the recommendations made by the Conference in May 1927.

2. COUNCIL RESOLUTION OF SEPTEMBER 28TH, 1927.

In order to give effect to the Assembly's decision, the Council, on September 28th, 1927, adopted the following resolution:

" The Council,

" Having taken note of the two resolutions adopted by the Assembly during its eighth ordinary session, on September 24th, 1927 — the one concerning the action to be taken on the resolutions of the International Economic Conference and the other concerning the changes to be made in the Economic Organisation of the League to enable it to deal with the work imposed upon it by the recommendations of that Conference;

" And having heard and approved the considerations set forth in the attached report by the German representative, acting as Rapporteur on economic questions:

" Adopts the following decision:

" I. *Economic Committee.*

" The Economic Committee, whose nature and terms of reference are outlined in the afore-mentioned resolution of the eighth ordinary session of the Assembly, shall henceforth work on the following lines:

" 1. It shall consist of fifteen members, of different nationalities.

---

<sup>1</sup> See document A.117.1927.II.

" 2. The members shall be appointed by the Council in their personal capacity, on the ground of their qualifications in the economic field, and more particularly in the matter of international economic relations. They shall not be representatives of Governments.

" 3. Members shall hold office for three years from September to September. At the end of that period, the Council shall nominate afresh all the members of the Committee, though any vacancies that may occur in the meantime may be filled.

" 4. At the end of the above-mentioned period, the retiring members, unless succeeded by members of the same nationality, shall become 'corresponding members of the Committee'.

" (a) 'Corresponding members' shall be kept informed of all the Economic Committee's work. They shall, with that object, receive the Committee's documents and those of the sub-committees and special committees.

" (b) They shall assist the Committee in any investigations or enquiries which the latter may undertake, particularly in regard to their respective countries, and they may send the Committee such observations and submit to it in writing such opinions or proposals as they may think fit.

" (c) As a general rule, they shall not take part in the Committee's meetings, but the latter may summon corresponding members to attend if it thinks it necessary to hear those members' opinions on a particular question.

" (d) The Council may also, in cases where the utility of such action is recognised, appoint as corresponding members persons other than members retiring in the circumstances mentioned above.

" (e) Corresponding members shall be appointed for a period of three years. They may, however, be reappointed at the end of this period; but in any case their duties shall terminate as soon as the Council appoints a person of the same nationality as a full member of the Committee.

" 5. The members of the Economic Committee shall elect their own Chairman, who shall hold office for at least one year.

" 6. The Economic Committee is authorised to take any steps it may consider necessary in the course of its investigations and preparatory work, including the consultation of experts and forming of sub-committees or special committees, without on each occasion referring the matter to the Council; the latter, however, reserves the right to take any necessary decisions on the Committee's reports as soon as the work has passed the preparatory stage and entered upon the stage of action.

## " II. Consultative Committee.

" The Council will proceed at its next session to appoint the members of the Consultative Committee, under the conditions laid down in the resolution of the eighth ordinary session of the Assembly, and

" Requests the Rapporteur on economic questions to draw up, in conjunction with the Secretary-General and after having proceeded to any necessary consultations, a list of the members of the Consultative Committee, which shall be submitted for the Council's approval at its next session."

### 3. ECONOMIC COMMITTEE — LIST OF MEMBERS.

At its meetings of September 28th and December 7th, 1927, the Council appointed the following members of the Economic Committee :

M. J. BRUNET,	Belgium	M. D. SERRUYS,	France
M. J. A. BARBOZA-CARNEIRO,	Brazil	M. W. STUCKI,	Switzerland
Sir Sydney CHAPMAN		Dr. E. TRENDELENBURG,	Germany
K.C.B., C.B.E.	Great Britain		
M. A. DI NOLA,	Italy.		<i>Corresponding Members.</i>
M. F. DOLEZAL,	Poland.	Mr. C. A. B. CAMPION,	Australia
M. Jan DVOŘÁČEK,	Czechoslovakia	M. Y. Y. CHU,	China
Mr. Lucius R. EASTMAN,	United States of America	M. G. CURCIN,	Kingdom of the Serbs, Croats and Slovenes
M. N. ITO,	Japan		
M. G. JAHN,	Norway	M. A. JENSEN,	Denmark
Mr. H. A. F. LINDSAY,			Three Corresponding Members, nationals of the Argentine, Chile and Venezuela respectively.
†C.I.E., C.B.E.	India.		
Professor E. NECULCEA,	Roumania		
Dr. Richard SCHÜLLER,	Austria		

At its session in December 1927, the Economic Committee elected M. SERRUYS, as its Chairman, and M. TRENDELENBURG, as Vice-Chairman, both for a period of a year.

4. CONSULTATIVE COMMITTEE — CONSTITUTION AND LIST OF MEMBERS.

On December 9th, 1927, the representative of Germany, Rapporteur for economic questions, submitted for the approval of the Council a list of members of the Consultative Committee, with the following observations :

“ The composition of the Consultative Committee, as now proposed, reproduces as far as possible the composition of the old Preparatory Committee for the International Economic Conference, with its balance among the various elements. In this way, I have endeavoured to comply with the wishes expressed by the International Economic Conference and subsequently by the last Assembly.

“ The list accordingly comprises groups of qualified experts on industry, commerce, agriculture, finance, labour questions and question affecting consumers.

“ Anxious as I was to secure a well-balanced representation for all these elements in proportion to their importance in economic life, and likewise to provide equitable representation for the various countries — particularly as regards Europe, to which according to an explicit recommendation of the Economic Conference, special attention is to be paid — I found myself compelled to exceed to a certain extent the number (35) suggested by the Assembly. The list before you comprises 47 members appointed directly by the Council, including the three members nominated by the International Labour Office.

“ It seems expedient that the Council should retain the right to make at any time any changes in this list which circumstances may dictate and also to review the entire composition of the Committee after a period which should not, I think, exceed three years. ”

On the proposal of the Rapporteur, the Council adopted the following rules regarding the working of the Consultative Committee :

“ In pursuance of the resolution adopted by the Assembly on September 24th, 1927, with reference to the constitution of the Consultative Committee which is to form part of the Economic Organisation of the League of Nations :

“ And in accepting the proposals of the German representative, Rapporteur on economic questions,

“ The Council decides as follows :

“ 1. The members of the Consultative Committee are personally appointed by the Council and do not represent their Governments.

“ The Council may make modifications at any time in the composition of the Consultative Committee, and will in any case revise the whole list within a period not exceeding three years.

“ 2. The Secretary-General is requested to invite the persons named in the attached list to serve on the Consultative Committee and at the same time to forward them copies of this report.

“ 3. The Secretary-General is requested to send a like invitation to the President of the International Institute of Agriculture.

“ 4. Five members appointed by the Economic Committee will serve on the Consultative Committee. One member will also be appointed by the Financial Committee.

“ 5. The members mentioned in paragraphs 3 and 4 above will have the same rights as those mentioned in paragraph 2.

“ 6. The Council invites M. G. THEUNIS to enter upon his duties as Chairman, and M. LOUCHEUR, M. COLIJN and Sir Atul CHATTERJEE as Vice-Chairmen, of the Consultative Committee forthwith.

“ The Chairman and Vice-Chairmen are requested to take in concert — with the assistance of the Secretariat and maintaining communication with the other competent technical bodies — any preparatory measures that may be required for the meeting of the Committee.

“ 7. Members of the Consultative Committee may forthwith make to the Chairman of the Committee any proposals or suggestions they think fit with regard to the preparatory work and to the agenda and date of the next meeting.

“ 8. The date will be fixed by the Council on the advice of the Chairman of the Committee and the Secretary-General. ”

The Consultative Committee is composed of the following members :

*Chairman :*

M. Georges THEUNIS, Belgium

*Vice-Chairmen :*

M. LOUCHEUR, France

M. COLIJN, Netherlands

Sir Atul Chandra CHATTERJEE, K.C.I.E., India

*Members :*

Sir Arthur BALFOUR, K.B.E., M. E. BELLONI, M. BENNI, Professor Francisco BERNIS, M. CHUAN CHAO, M. J. CLAN, M. F. P. DA CUNHA LEAL, Mme. Emmi FREUNDLICH, M. Jules GAUTIER, M. Gustave L. GÉRARD, M. Hipolit GLIWIC, Count HADIK, Dr. A. HERMES, Dr. F. HODÁČ, M. E. JARAMILLO, M. JOUHAUX, M. N. KAWASHIMA, M. Cl. LAMMERS, Professor E. LAUR, Mr. W. T. LAYTON, M.A., C.B.E., Mr. F. L. McDOUGALL, C.M.G.,	Great Britain Italy Italy Spain China Denmark Portugal Austria France Belgium Poland Hungary Germany Czechoslovakia Colombia France Japan Germany Switzerland Great Britain Australia	M. F. VON MENDELSSOHN, M. Hermann MÜLLER, M. A. NASTA, M. A. OERNE, M. OUDEGEEST, M. DE PEYERIMHOFF DE FONTENELLE, M. POPLAWSKI, Mr. Arthur PUGH, M. T. RAMIREZ, M. E. ROSSONI, M. SERRARENS, Mr. Adam SHORTT, C.M.G., LL.D., M. Väinö TANNER, Mr. Alonzo E. TAYLOR,  Dr. Milan TODOROVIC,  M. J. TSUSHIMA, M. K. VARVARESSOS, Mr. Vernon WILLEY, C.M.G., C.V.O., C.B.E., Professor Allyn YOUNG,	Germany Germany Roumania Sweden Netherlands France Poland Great Britain Chile Italy Netherlands Canada Finland United States of America Kingdom of the Serbs, Croats and Slovenes Japan Greece Great Britain United States of America
---	---	---	---

*Economic Committee :*

M. D. SERRUYS, Dr. E. TRENDELENBURG, Dr. Richard SCHÜLLER,	France Germany Austria	Sir Sydney CHAPMAN, K.C.B., C.B.E., M. Gunnar JAHN,	Great Britain Norway
--	------------------------------	---	-------------------------

*Financial Committee :*

M. Léopold DUBOIS, Switzerland

*International Institute of Agriculture (Rome) :*

M. DE MICHELIS, President of the Institute

*International Chamber of Commerce (Paris) :*

M. A. PIRELLI

Mr. Roland W. BOYDEN

M. E. HELDRING

(ii) WORK OF THE ECONOMIC CONSULTATIVE COMMITTEE.

1. INTRODUCTION.

The Economic Consultative Committee, established under resolutions of the Assembly and of the Council dated September 24th and 27th and December 9th, 1927, held its first session from May 14th to 19th, 1928.

The terms of reference of this Committee are "to follow the application of the recommendations of the Economic Conference". The Committee has, therefore, confined itself to reviewing the changes in the economic situation during the past year; to examining the action taken, whether through the organs of the League or otherwise, in order to put into effect the recommendations of the Economic Conference; and after examining the programmes submitted to it, to making certain suggestions for the future.

## 2. ECONOMIC CONDITIONS IN 1927.

It is necessary, in order to understand the nature and scope of the Committee's recommendations, to see them against the background of general economic conditions at the present time.

A general picture of these conditions at the beginning of 1927 was given in the first part of the report of the Economic Conference (document C.E.I.44 (1) pp. 15-19). The Committee has not thought it necessary to repeat the main conclusions of that review. It will be sufficient here to give a short account of the principal features in the developments of the past year.

Full statistics for 1927 are not yet available and statements in respect of that year must be provisional. Such figures as we have, however, of production, crops, foreign trade and employment make it possible to form some general impression.

*Production.* — The information before the Economic Conference pointed to the general conclusion that, up till 1925, there had been a slow recovery in Europe from the effects of the war, while in other continents the progress was much greater.

In the year 1926, the economic recovery in Europe was checked by the long stoppage of coal production in the United Kingdom and by continuing currency fluctuations. In the year now under review, 1927, the improvement in general conditions in Europe was certainly greater than in any year since the war. On the other hand, in the United States the level of economic activity was not more than maintained.

The improvement in Europe in 1927 was not, however, uniform, the increase being more rapid in the centre and east than in the west. The evidence tends to show, for example, that in Germany, Poland and Czechoslovakia there was an increase in production, and unemployment diminished in this part of the continent, though still, in some cases, remaining at a high level. This increase in production in Central Europe must be attributed largely to the very considerable import of capital from overseas which has increased Europe's indebtedness. The rise on domestic savings, however, has likewise contributed to it.

The few countries in which there was a notable improvement are those in which the currency changes had a repressive influence. Italy and Norway were, for example, affected by such changes. In France, though industrial production was below the very high level of the preceding year, values gradually adapted themselves to the stable rate of exchange without any pronounced difficulties in the form of acute unemployment. In Finland and Sweden industrial output touched a new record. In the United Kingdom production was larger than in any year since 1920. It not only showed, as was natural, a considerable increase upon the previous year which was affected by the coal stoppage, but the number of unemployed was lower, in each quarter of 1927, than in the corresponding quarters of 1925.

As concerns agriculture, the cultivated area has increased markedly in Europe, the pre-war level having been almost reached in 1927. As regards the rest of the world, conditions in South America improved, particularly in the Argentine, where the harvest was generally good. But the prices of meat, maize and cotton ruled particularly low, and the Argentine, as well as Australia, New Zealand and Egypt all suffered from this fact. The low prices likewise affected the situation of certain European countries.

In certain countries, this continued discrepancy between the prices of agricultural produce and the cost of the goods required for the purposes of agricultural production still limits the earning capacity of the agriculturist, who is further handicapped by the relatively high interest rates demanded for long-term capital investments.

In the Far East, conditions were, on the whole, less favourable than in Europe. Japanese industry was adversely affected by banking difficulties in the spring. Chinese trade declined and the low price of rubber reduced the value of the exports of the Malay Archipelago and other rubber producing areas.

In striking illustration of the change which has taken place in the balance of production of the world, it may be noted that, if the abnormal year 1921 be ignored, the steel production in Europe in 1927 exceeded one-half of the world's total for the first time since 1914.

*Finance.* — Further progress was made during the year in the consolidation of State finances and in the stabilisation of currencies. By the end of the year, indeed, the currency had been put on a gold basis, or the rate of exchange had been *de facto* stabilised, in all the more important trading countries. Gold prices in the different countries showed a distinct tendency to converge, and by the end of the year the differences had been appreciably reduced.

The general price index of the United States averaged nearly 5 per cent lower in 1927 than in 1926. In Central Europe, on the other hand, the increase in prosperity was attended by an upward price movement.

The banking situation in Europe was characterised by an increase in the gold reserves of a number of central banks, while the gold stock held by the United States was reduced by about 150 million dollars.

*Trade.* — The available statistics for 1927, both as to weight and as to value, indicate a definite increase in world trade during 1927, though it is too early yet to estimate it closely. As in the case of production, it may be said that Central Europe has probably advanced relatively rather more than the west, and Europe as a whole more than North America.

It is not easy to summarise in a single sentence the net effect of all changes in tariffs or other restrictions upon trade. On the whole there appears to have been some improvement during the year. Many prohibitions were relaxed or removed though the actual reductions of tariffs made during the year have to be offset by a number of increases in different countries, and though the increases embodied in tariff laws have perhaps outnumbered the reductions, the conclusion of numerous commercial treaties and the general inclusion in them of the most-favoured-nation clause moderated the level of duties to which trade has actually been subjected. Coming after a series of years in which tariffs have been tending upward, in which many restrictive practices have been in force, and in which currencies have been in a state of chaos, the comparative stability of tariffs and of exchanges is largely responsible for the trade improvement that has actually occurred.

The above paragraphs describe the improvement that took place in 1927 compared with the preceding year. It must not, however, be forgotten that trade and production in 1926 were at a very unsatisfactory level. Both were in that year but little above the pre-war level, and Europe's trade was still some 5 per cent lower. When it is remembered that, in the decade before the war, production, trade and the standard of living had been making headway year by year, it is very far from satisfactory that the best we can say of the present situation is that, ten years after the end of the war, the international trade of Europe has at last recovered to about the pre-war level. If the conditions that obtained in 1927 have enabled our international trade to make an appreciable recovery, we must not forget that progress has been seriously checked for a decade and a half and we start to-day about where we left off fifteen years ago.

It is true that productive capacity has greatly increased, but the fact that a large proportion of this capacity remains unutilised militates against regularity in production and imparts an element of uncertainty into international trade.

Substantially, then, the diagnosis of the situation, in spite of the definite improvement that has resulted from monetary stability and the somewhat greater freedom of trade, remains in its main features the same as that made a year ago by the World Economic Conference. It follows, also, that economic policy must continue to be directed towards an expansion of world trade and of production without which a rise in the standard of living cannot take place. It is to this increase of trade and of production that the recommendations of the World Economic Conference were mainly directed.

### 3. ECONOMIC POLICY DURING THE FIRST YEAR AFTER THE ECONOMIC CONFERENCE<sup>1</sup>.

#### A. *Autonomous and Contractual Action by the States.*

The effect of the policy laid down at the World Economic Conference and the unanimity with which that policy was approved was immediately felt. The adherence of a large number of Governments to its recommendations, whether given at the Council or the Assembly of the League of Nations or in the official statements to national Parliaments or otherwise, showed that the Conference did not misinterpret the desires and intentions of those responsible for the commercial policy of many of the countries of the world.

Concrete results in legislation could not be expected until after an appreciable lapse of time. It was several years after the Brussels Financial Conference of 1920 before the Finance Committee of the League was able to put on record concrete achievements in the sphere of financial reconstruction in Europe. In the case of the recommendations of the World Economic Conference, action has been considerably more rapid, for it may be said that the effect of the Conference has already substantially checked the upward movement of tariffs, which was in full swing in May 1927.

It is true that in certain cases the preparations which at this time last year were already being made for raising tariffs have been in part carried into effect and that some tariffs are to-day higher than a year ago. But, even in these cases, the actual rates of duty which are in force to-day are in general much less than those which were then proposed. A comparison of these proposals themselves and the actual rates which were brought into effect will show how great an influence has been exerted by the work of the Conference. This influence may also be traced in the fact that many strongly supported demands for

---

<sup>1</sup> For detailed statement of facts, see document C.C.E. 7 "Application of the Recommendations of the World Economic Conference".

increased tariffs that have been made during the year have been rejected. On the other hand, some countries have, in response to demands from the agricultural community, increased the protection on agricultural commodities to bring it into conformity with the general level of their tariffs, while others again have adjusted them to a new currency level.

But there has also been a second development in commercial politics which can be traced directly to the Economic Conference. The year 1927 is markedly distinct from preceding years in the fact that the nations of the world, and of Europe in particular, have acted in accordance with the maxim laid down by the Conference that "tariffs, though within the sovereign jurisdiction of the separate States, are not a matter of purely domestic interest, but greatly influence the trade of the world". This conception has chiefly shown itself in the large number of commercial treaties concluded during the year, which have not only reduced the rates of duty between the contracting parties, but have extended these reductions to third parties under the operation of the most-favoured-nation clause. The general adoption of this clause and the large number of treaties passed during the year mark not only the return to the pre-war contractual practices but also an extension of the system of tariff treaties. It is no exaggeration to say that 1927 has been the year of commercial treaties.

In this connection special mention should be made of the beginning that has been made in the conclusion of multilateral treaties — a form of agreement envisaged by the Economic Conference which is yet in its infancy, but may come to be of even greater importance than the existing network of bilateral agreements. The most important episode of the year in this connection has been the drawing up of the agreement for the abolition of export and import prohibitions and restrictions.

But hitherto the influence of the Conference, whether upon the autonomous action of Governments or by the encouragement of commercial agreements, has in the main been confined to the relations between European States. A feature of the past twelve months has been the more rapid improvement of trade between the nations of Europe than between Europe and the United States or other distant parts of the world, and this in spite of the influx of capital from the United States and the development of economic relations with that country. A survey of trade over a longer series of years shows that this inter-continental trade, no less than that between the States of Europe, is hampered by high tariffs. The movement for the diminution of trade barriers cannot gather its full momentum or have its full fruition in an increase of world trade until it has extended from Europe to all the countries of the world.

#### *B. Collective Action under the Auspices of the League of Nations.*

So far as the League of Nations is concerned, the main responsibility for carrying out the policy of the World Conference has rested with the Economic Committee. The task put upon this body by the wide scope and variety of the subjects treated at the Conference is a very heavy one.

The preparation of the International Conference on Import and Export Restrictions and the execution of the decisions of this Conference, the elaboration in conjunction with the International Chamber of Commerce of a draft international Convention on the treatment of foreigners, which is now before the Governments, the drawing up, with the help of experts, of a general outline of a uniform Customs nomenclature, the initiation of enquiries into treaty methods, into the most-favoured-nation clause and into the possibility of collective action in tariff matters, are among the tasks of the year carried out by the Committee. The progress already achieved is substantial and provides a basis on which there is every hope of erecting a superstructure of international agreement and understanding over a very wide field.

Further, the Convention for the execution of foreign arbitral awards, to which one of the resolutions of the Conference referred, was adopted on September 26th, 1927, by the Assembly of the League of Nations. Up to date seven countries have signed the Convention which is open to the signature of all the States parties to the 1923 Protocol.

In the same resolution the desire is expressed that it will be possible very shortly to find a general solution of the question of the assimilation of legislation on bills of exchange and cheques. Draft international Conventions embodying the different aspects of the problem have been drawn up by a committee of experts and are at present being considered by the Economic Committee. It is therefore to be hoped that before long positive results will be obtained in this domain.

While the influence of the Conference in matters of commercial policy has shown its effect in Government action, its resolutions on industrial questions must, in the main, be given effect to by private bodies or individuals. This is a convenient place at which to observe, however, that during the past year several countries have become more favourable to the formation of cartels. As a result some new industrial understandings have been reached. Nothing has yet been done, however, to study their effects by an international examination of the subject.

The tendency of those interested in agriculture to look more and more towards international action and to found their hopes on collaboration with the League of Nations has become more evident as the year has passed — a tendency which was unquestionably stimulated through the recognition by the Economic Conference of the close interdependence of industrial and agricultural prosperity<sup>1</sup>.

The Economic Organisation of the League has, however, been so fully occupied with the tasks which have been entrusted to it in connection with commercial policy that it has not yet been able to take active steps to carry out the tasks proposed for it in connection with industrial and agricultural questions. The Committee hopes that the Economic Organisation will, in the future, be placed in a position to carry out these tasks. Such attempts as have so far been made, as, *e.g.*, in the case of veterinary regulations, have not yet reached a successful conclusion.

The work done by the Economic Organisation of the League, of which the chief items have already been mentioned, represents a very great effort by all concerned, and the Consultative Committee wishes to express its very high appreciation of the progress which has been made. The Consultative Committee has also been happy to note how fruitful has been the collaboration between this organisation and the International Labour Office, and hopes that this collaboration will be continued for the considerable work which still remains to be done.

The programme of work for the future involves a considerable increase even upon the record of the past year. In the resolutions we have submitted, some indication is given of the relative importance of the various tasks which will fall upon the Economic Organisation. The Economic Committee will doubtless exercise a wise discretion in arranging a priority. The Consultative Committee is confident that it will do its best to proceed as rapidly as possible with all the tasks contained in the programme proposed.

The Committee desires, however, to record its view that, whatever efforts may be put forward at Geneva, they cannot obtain the hoped-for results unless they are fully sustained by the various Governments. Economic improvement cannot be secured by international conventions, however perfect, unless they are ratified and put into effect by national Governments.

#### 4. COMMERCE.

##### A. *Liberty of Trading*<sup>2</sup>.

The central problem with which the Consultative Committee has had to deal is that of the means by which an improvement in world trade can be secured.

The Consultative Committee observes with satisfaction that the Convention for the Abolition of Import and Export Prohibitions and Restrictions, the preparation of which was begun before the International Economic Conference met, has now been signed by eighteen States. The Committee declares that the re-establishment of complete liberty of trading is an essential condition of any real improvement in international trade.

It appreciates highly the practical character of the provisions of the Convention signed on November 8th, 1927, and the spirit of mutual consideration shown by the signatory States in submitting for general approval those special or temporary measures which some of them wish provisionally to maintain as exceptions to the principle of the Convention. At the same time, it fears that certain reservations still under consideration by the signatory States may jeopardise the effectiveness of the Convention and perhaps even prevent the definite adherence of certain States.

It is confident that, except in a very few cases, justified by abnormal circumstances which it would be unreasonable to ignore, the Conference which is about to meet again will refuse to admit any further exceptions under Article 6 to the principle of liberty of trading.

The Consultative Committee is glad to note that the Economic Committee has started work upon the question of the veterinary regulations in accordance with the recommendations of the Conference which drew up the Convention of November 8th, 1927, and hopes that the work will be pursued with the attention which the importance of the subject demands.

##### B. *Commercial Policy.*

The resolutions of the Economic Conference relating to tariffs contemplate autonomous action by individual States, bilateral action in the form of treaties and collective action under the auspices of the League of Nations.

<sup>1</sup> The work done by the International Institute of Agriculture in Rome is described in document C.C.E.16 "Agriculture and the Resolutions of the International Economic Conference", presented by the Institute for the first session of the Consultative Committee.

<sup>2</sup> "Liberty of Trading" is used in the same sense as in the Report of the Economic Conference, *i.e.* to include the removal of import and export prohibitions, etc., as distinct from questions of Customs tariffs which are dealt with in the following sections.



### 1. *Autonomous Action.*

The Consultative Committee notes with satisfaction that certain States have reduced their Customs duties by autonomous action. It notes further that the Economic Council of the Reich has already submitted proposals in this sense to the German authorities concerned.

### 2. *Bilateral Action.*

The Consultative Committee is glad to note that, during the year 1927-28, the bilateral action recommended by the Conference has proved particularly effective. Many commercial treaties have been concluded, which have facilitated the growth of international trade and have at the same time introduced an element of stability into commercial relations.

The Franco-German Treaty of August 17th, 1927, was, if not the first, at all events the most conspicuous practical example of the principle of international co-operation recommended by the Conference of 1927. This agreement between the two principal producing countries on the Continent has, on the one hand, made available to other countries new facilities which they have secured by virtue of the most-favoured-nation clause: on the other hand, it provided one of the parties to the agreement with an opportunity to make an upward revision of its tariffs, which had long been in contemplation. It must be recognised, however, that this increase was much less than that which the country in question was planning prior to the 1927 Conference, and that the increase of duties has subsequently been modified by tariff reductions made by France in her commercial treaties with Belgium, Switzerland, Italy and Austria, as well as by the reductions granted by these countries to France. The benefit of these reductions has been extended to nearly every State by virtue of the most-favoured-nation clause.

The Consultative Committee also welcomes the treaties concluded between certain States of Central Europe, including those between Germany and the Serb-Croat-Slovene State, between Germany and Greece, between Austria and Hungary and between Hungary and Czechoslovakia; it trusts that similar treaties may soon establish between other countries a network of agreements, the effects of which will benefit the commerce of all States.

It is glad to learn that the treaties concluded since the Conference have again been based upon the unconditional most-favoured-nation clause, and in most cases provide for the consolidation and reduction of tariffs.

The Consultative Committee, which has been informed of the work already done by the Economic Committee in the matter of tariff systems, contractual methods and most-favoured-nation treatment, realises that the difficulties arising from different conceptions and varying forms of legislation make it impossible, for the time being, to adopt common rules and practices for all countries.

While it may not be possible to secure complete uniformity in tariff systems and contractual methods, the Consultative Committee considers that the action taken by the Economic Committee with a view to getting States to accept arrangements which, in spite of divergent conceptions and methods, would result in practice in the effective execution of the resolutions of the 1927 Conference, is the only practical way, at the moment, of making progress in commercial policy.

It trusts that the Economic Committee's efforts in regard to tariff systems and contractual methods may be usefully supplemented by work in regard to the interpretation and application of the unconditional most-favoured-nation clause.

It is particularly anxious that a definite interpretation, confirmed and accepted by international agreement, should be arrived at in this matter as soon as possible, in order to put an end to inadmissible restrictions and the introduction of new conditions which have not been agreed to by the contracting States. In this connection the Consultative Committee calls attention to the unfair limitation which may result from the unreasonable specialisation of tariff schedules and the refusal to grant the benefit of tariff reductions to similar products which, under any fair application of the clause, ought to enjoy them. It is of opinion that the *de jure* exceptions covered by the clause should be clearly defined, and that *de facto* exceptions cannot bind third States except with their consent.

At the same time the Committee notes with satisfaction that the Economic Committee is considering the delicate problem of the repercussion of commitments undertaken in virtue of the terms of these multilateral agreements on the provisions of bilateral agreements based on the most-favoured-nation clause. It hopes that the work of the Economic Committee in this matter, without in any way prejudicing existing rights, will find a way of preventing them from forming an obstacle to a wide extension of multilateral agreements and the international guarantees which they afford.

### 3. *Collective Action.*

1. The Consultative Committee, while recognising the difficulties in the way of speedily reaching the collective agreement for the general reduction of tariffs contemplated in the resolutions of the World Economic Conference, considers that, in view of the low level at which the trade of the world still remains, a continuous effort should be made to overcome these difficulties and to reach a general agreement.

2. The Committee concurs in the suggestion of the Economic Committee that, as a practical method of approaching the problem and as a means of obtaining the necessary experience for dealing with it as a whole, efforts should be made in the first instance to reach agreement with regard to particular groups of commodities.

3. The agreement in respect of each group should cover as many stages of production as is practicable, having regard to the fact that, if reductions are limited to the rates of duty on raw materials or on semi-finished products, such reductions increase the protection afforded to the products of the industry in question at later stages of manufacture.

4. The Committee is of opinion that the collective reductions envisaged in the preceding paragraphs should eventually cover as large a number as possible of articles which play an important rôle in economic life, priority being given to those products in regard to which a collective agreement may most rapidly be attained.

The choice of the actual commodities in respect of which collective agreements are to be made must be left to be determined, after careful investigation, by the Economic Committee. The choice should not be limited to commodities which only interest a small number of countries.

5. The Committee considers that, while the procedure to be followed in carrying out this scheme may differ in the case of each investigation, it should, as a rule, provide for consultation with all those specially interested either as producers, traders or consumers in order to secure a fair adjustment of their respective interests.

6. The Consultative Committee is of opinion that the plans referred to above will have much greater prospect of success if, meanwhile, the Governments will, as far as possible, adhere to the recommendation of the Economic Conference that "the upward movement of tariffs should cease".

7. The Consultative Committee considers that indices of tariff levels afford a valuable means of ascertaining the progress made in the reduction of tariffs both by autonomous action or by commercial treaties and therefore recommends that such indices should continue to be compiled and published from time to time. Owing, however, to the approximate character of the method of index numbers and to the imperfection of the statistics on which tariff indices are based, it recognises that they may in some cases be open to criticism. It therefore considers it important that every effort should be made by the Economic Organisation of the League to make them as exact and comparable with one another as possible.

8. The Consultative Committee considers that the draft classification compiled by the Committee of Experts on Customs nomenclature has an importance which far surpasses its technical interest. Its adoption will greatly facilitate the efforts that are being made to secure collective action for the reduction of tariffs and general adoption of the most-favoured-nation clause and the simplification of Customs formalities.

The Committee therefore urges that the work of drawing up the detailed tables of commodities in each class should be pressed forward as rapidly as possible and that the completed classification should be adopted with the least possible delay. The Committee is anxious that, at every stage of this work, the need of simplification of tariffs should constantly be borne in mind.

9. The Committee recognises that, in many cases, the height of tariffs makes it possible, by virtue of the high prices maintained in the internal market, to sell goods abroad at artificially low prices, and that the practice of dumping, which frequently results from an exaggerated tariff level as well as from other artificial measures, is a serious menace to international trade. It therefore invites the Economic Committee to add to the investigations already in progress on the relation between anti-dumping measures and the fair application of most-favoured-nation treatment, a special study of the facts with a view to arriving at definite plans for mitigating the harmful effects of dumping.

### C. *Treatment of Foreigners.*

The Economic Conference rightly pointed out that "the granting of the legal, administrative, fiscal and judicial guarantees necessary to the nationals, firms or companies of a State admitted to exercise their trade, industry, or other occupation in the territory of another State, or to settle there, is one of the essential conditions of economic co-operation between nations".

The draft International Convention prepared by the Economic Committee and communicated by the Council to all the Governments is a first step towards the realisation of this idea. In place of all the inadequacies and uncertainties of bilateral treaties, a convention on the lines of the draft would substitute a multilateral treaty, which would institute an international statute both positive and liberal, marking a decided advance and affording a guarantee of peace.

The Consultative Committee warmly recommends this draft as the basis for an international conference, and hopes that this statute may later be supplemented, as

suggested in the Final Act, by guarantees relating to the exchange and settlement of labour, upon the drafting of which the International Labour Office might set to work as soon as economic circumstances allow.

#### D. *Administrative Protectionism.*

The Consultative Committee also calls attention to "administrative protectionism", which includes not only the questions dealt with in the International Convention relating to the Simplification of Customs Formalities, but also all measures directly or indirectly aimed at obstructing the import of foreign goods or excluding them altogether.

It is further recommended that steps should be taken as soon as possible to put an end to this disguised protectionism, which is manifested in the most diverse forms.

#### 5. INDUSTRY.

The Consultative Committee notes that the Economic Organisation, faced by the impossibility of dealing simultaneously with all the work arising out of the recommendations of the World Economic Conference, decided to concentrate its attention, first, mainly on questions of commercial policy, and has no doubt that this decision was a wise one.

The Economic Conference drew attention to three problems in the field of industry which it considered of outstanding importance, namely, rationalisation, industrial agreements and the provision of adequate statistics and information concerning industrial development.

On the first of these questions the Economic Organisation of the League was merely instructed "to keep in touch with the institutions specially concerned with this subject and include a note of its development in its reports on industrial conditions".

The International Management Institute having been created largely in order to study the questions dealt with in the Economic Conference's recommendations on rationalisation, the League Council left it to the Consultative Committee to ensure the Institute's co-operation, and that body has submitted to the Consultative Committee a memorandum bearing upon certain international aspects of rationalisation<sup>1</sup>.

The Consultative Committee, which is anxious to encourage the Institute in its efforts, would be glad if Governments, appropriate institutions and organisations of trades and occupations would grant it their support and make use of its machinery in connection with the investigations of rationalisation.

Furthermore, the Committee thinks it desirable that the Institute should devote attention to certain questions directly connected with the recommendations of the Economic Conference.

It suggests :

1. That, in pursuing its general work of propaganda and education and in continuing to collect documentary information relating to scientific management, the Institute will seek an agreement in regard to the terms, the subject-matter and the methods of rationalisation ;

2. That, with the help of the various national associations for standardisation and of the International Chamber of Commerce, it will study suitable methods of promoting international trade by abolishing unnecessary differences in the types and specifications of manufacture ;

3. That it will furnish the Economic Organisation with the necessary data to judge the expediency of international measures for the simplification of processes and for the reduction of the number of types of products ;

4. That it will suggest to Governments and institutions which have undertaken or may undertake general enquiries into the economic situation or the conditions of certain industries, that they should employ similar methods of investigation as regards the advance made in rationalisation, so as to allow of comparison between the results obtained ;

5. That it will submit to the Consultative Committee, before its next session, a brief report showing the progress achieved and submitting any proposals that may be useful.

In examining this question of rationalisation, in which the collaboration of the International Management Institute has proved of particular value, the Consultative Committee has noted that the study of the effects of rationalisation on labour is being undertaken by the International Labour Office.

\* \* \*

<sup>1</sup> Document C.C.E. 2.

No action has yet been taken with reference to the question of industrial agreements, and, in the document on the work of the Economic Organisation during the past year, submitted to the Consultative Committee, the latter is requested to give its advice as to the best way of giving effect to the wishes of the Economic Conference in this connection.

The Consultative Committee is fully conscious of the difficulty of the question ; but it is clear that the Economic Organisation of the League cannot afford to ignore the importance of national and international agreements in the whole organisation of production and distribution.

The Consultative Committee is of opinion therefore that the proper approach to the whole problem would be by means of a study of the development of the forms of organisation and of the legal framework within which that development has taken place. It is desirable that the more important international agreements which have been reached, their various legal and economic forms and the laws under which they operate, should be analysed and classified. Such a study is necessary in order to enable the Economic Organisation to carry out its full mandate.

In pursuance, therefore, of the following recommendation of the International Economic Conference :

“ The Conference considers that the League of Nations should closely follow these forms of international industrial co-operation and their effects upon technical progress, the development of production, conditions of labour, the situation as regards supplies, and the movement of prices, seeking in this connection the collaboration of the various Governments. It should collect the relevant data with a view to publishing from time to time such information as may be of general interest”.

the Consultative Committee recommends the Council to request the Economic Organisation of the League to study, in the first instance, the following points, the careful examination of which appears to be an essential preliminary to the complete execution of the recommendation in question. It should seek any advice it may consider necessary and should follow the methods recommended by the Economic Conference :

1. The subject-matter and nature of international industrial agreements and cartels and their importance from the international economic standpoint.
2. The status and juridical form of these agreements and cartels and the legislation applicable to them.
3. The measure of publicity given to them.

\* \* \*

Closely connected with the question of rationalisation in its wider sense is the problem, to which the Economic Conference attached particular importance of the compilation of comparable industrial statistics, and the provision of precise, complete and up-to-date information concerning the development and activity of industry. Such information can only be obtained with the co-operation of the leaders of industry, and the Consultative Committee was accordingly glad to ascertain that the Economic Committee had received an offer of such co-operation from the International Chamber of Commerce. This offer related to the recommendation of the Economic Conference to the effect “ that suitable measures should be taken so that Governments, in collaboration with the chief industries, should arrive at international agreements with reference to the definition of the terms, the methods employed, and the scope of industrial statistics ”.

The International Chamber of Commerce proposes to set up a number of special committees on certain branches of production with a view to reaching preliminary agreements between industrialists on this question of comparability of methods. It is clearly important that the classification and nomenclature adopted in industrial statistics should conform, in so far as circumstances permit, with the tariff nomenclature now being elaborated, which should constitute at a later date the bases of the commercial statistics of the world. In this connection the work already accomplished by the International Bureau created by the Convention of 1913 should not be forgotten. This classification and nomenclature should further be rendered as similar as possible to the classification of products now being prepared by the Transit Organisation for employment in transport statistics. The policy which has been pursued by the Economic Committee is one which would appear to ensure these results, provided that the three lines of enquiry are kept carefully abreast of each other.

The Consultative Committee trusts therefore that the International Chamber of Commerce will press forward the work of the special committees which it proposes to set up, and that it will, as the work progresses, widen the range of industries and products to be covered.

The Council of the League of Nations further proposes to convene, towards the end of this year, a Diplomatic Statistical Conference with the object of obtaining the definite undertaking of Governments to compile and publish certain classes of economic statistics

and reach at the same time an agreement concerning the methods to be adopted in the preparation of those statistics. It is to be hoped that a full measure of agreement may be reached.

The Consultative Committee notes with satisfaction that, in accordance with the final resolution of the Economic Conference, the Economic Organisation of the League has been able to publish a further edition of the Memorandum on Production and Trade, bringing the world indices up to the end of 1926, and, further, that it has inserted in this publication a preliminary study of the important question of the relationship between the prices of agricultural and industrial products.

Attention should, however, be drawn to the resolution of the Economic Conference whereby the League of Nations should arrange for the compilation of reports on the general conditions obtaining in different branches of production, and it is to be hoped that the Economic Organisation of the League may be in a position to carry out the wishes of the Conference on this point. The ready and wholehearted assistance of the various national industrial associations is an obvious prerequisite to the efficient accomplishment of this task, and the Consultative Committee would accordingly venture to urge the organisations concerned to do all in their power to help the League of Nations in this connection.

## 6. COAL AND SUGAR.

The difficulties considered by the Economic Conference in the chapters on Commerce and Industry are exemplified in a special degree by the present position of the industries of coal and sugar. The Committee has therefore come to the conclusion that a study of the problems presented by these two industries might usefully be undertaken, and has accordingly voted the following resolutions :

### (a) Coal.

“ The Consultative Committee :

“ Impressed with the serious position of the coal industry and the importance of the international factors involved in this problem,

“ Recommends, in the interest of consumers and producers alike, that the Council should invite the Economic Organisation of the League to take up the enquiries that have been started in relation to the coal problem and to supplement them as soon as possible by obtaining such advice as it may deem appropriate and in the manner suggested by the Economic Conference.

“ A report should be submitted to the Council in order that the latter may be able to judge whether concerted international action could further the solution of this problem.”

### (b) Sugar.

“ The Consultative Committee :

“ Having regard to the difficult world position of the sugar industry, and particularly to the international aspects of the problem, the great importance and urgency of which are generally recognised,

“ Recommends that the Council invite the Economic Organisation of the League to undertake a thorough study of all factors and measures influencing the production and consumption of sugar and the international trade therein, and to lose no time in obtaining such advice and employing such methods of work as it may deem appropriate.

“ A report should be made to the Council, in order that the latter may be able to judge whether concerted international action could further the solution of the problems under consideration.”

## 7. AGRICULTURE.

The discussions which have taken place during the present session of the Consultative Committee have shown the great importance of the resolutions adopted last year by the Economic Conference on the subject of agriculture. It has become evident that, in order to secure the fulfilment of those resolutions, it would be necessary first of all to establish close collaboration between all the organisations which can contribute to that fulfilment.

The Consultative Committee considers that both the work of the 1927 Economic Conference and the communications submitted to it at its first session go to show that, on the one hand, no efforts to encourage and develop economic co-operation between peoples can achieve positive results unless they extend simultaneously to all branches of economic activity, and, in particular, to the systematic study of the problems of agriculture; and that, on the other hand, to obtain fruitful results in the shortest possible time, it is necessary to ensure the closest possible co-operation in the general economic field under the direction of the League of Nations, between the various organisations which devote themselves to the study of agricultural questions. It accordingly recommends :

“ That the League of Nations should examine the possibility of instituting as soon as possible the most appropriate methods for bringing about such co-operation. ”

Further, the Committee, having become aware, in the course of its discussions, of the initiative taken by the Italian Government with the object of bringing about close relations between the International Institute of Agriculture and the League of Nations, recommends that its Chairman be kept fully and promptly informed of the progress towards the agreements which it is desired to arrange so that he may collaborate in the task in any way that may seem most suitable.

Further, the Consultative Committee suggests :

“(a) That the League of Nations should arrange for the collection of the existing documentation concerning the intensification of agricultural production, training, co-operation, credits, means of transport and marketing of agricultural products in order to facilitate the study of the most appropriate methods of developing agriculture ; and

“(b) That the League of Nations should examine the most suitable means of ensuring that direct relations may be established and developed between Producers' Co-operative Societies and Consumers' Co-operative Societies in the various countries, in accordance with the resolution passed by the Economic Conference.”

#### 8. ECONOMIC TENDENCIES AFFECTING THE PEACE OF THE WORLD.

The Consultative Committee has had under consideration the first of the general resolutions of the Economic Conference, which runs as follows :

“ The Conference :

“ Recognising that the maintenance of world peace depends largely upon the principles on which the economic policies of nations are framed and executed,

“ Recommends that the Governments and peoples of the countries here represented should together give continuous attention to this aspect of the economic problem, and looks forward to the establishment of recognised principles designed to eliminate those economic difficulties which cause friction and misunderstanding in a world which has everything to gain from peaceful and harmonious progress.”

This resolution is directly connected with the first of the two objects of the Conference, namely, the attainment of conditions favourable to peace. The Committee has considered what steps can be taken to give it effect. It realises that, at the present stage, the subject is not suitable for the treatment which it has recommended in other cases, namely, an expert enquiry leading up possibly to international conferences and conventions.

It confines itself, therefore, on this occasion to a recommendation that a preliminary study should be made with a view to further consideration next year. Meanwhile, the Committee ventures to express the hope that this enquiry will stimulate interests in this range of subjects on the part of economic historians and other investigators.

The Committee recommends :

“ That the Economic Organisation be asked to make, in consultation with such persons and by such methods as may seem most suitable, a preliminary study of some of the more important principles and tendencies in financial and economic policy and practice which tend to create or to destroy conditions favourable to peace. The Committee considers that such a study might form a basis of further discussion at its next meeting and would in the meantime serve a valuable purpose in securing for this most important aspect of economic problems the attention both of Governments and of the public.”

#### 9. PURCHASING POWER OF GOLD.

The year which has passed since the World Economic Conference has seen a further and important development in the stabilisation of the foreign exchange rates. Another series of countries have either definitely returned to the gold — or gold exchange — standard or are preparing to do so in the near future. The greater stability of foreign exchange rates is undoubtedly one of the main reasons of the increase in international trade.

The stability of currencies in relation to gold has, however, brought into prominence a further problem in this domain. The Genoa Conference, as early as 1922, pointed out that, once the foreign exchanges have been stabilised on a gold basis, monetary policy should aim at regulating credit “not only with a view to maintaining the currencies at par with one another, but also with a view to preventing undue fluctuations in the purchasing power of gold”.

Without desiring to express an opinion as to technical methods, the Committee wishes to emphasise the great advantages to economic development of a monetary policy which should as far as possible reduce fluctuations in the purchasing power of gold, and has adopted the following resolution :

“ The Consultative Committee, while recognising the great benefit to international commerce that has already resulted from the stabilisation in terms of gold of the currencies of most countries of the world, recalls the fears entertained by the

Genoa Conference of the dangers that might arise from undue fluctuations in the purchasing power of gold. In view of the detrimental effects upon industry, agriculture and the conditions of employment that would result from such fluctuations, the Committee appreciates the great interest which the central banks take in this problem and recommends it to the attention of the Financial and Economic Organisation of the League."

#### 10. SCOPE OF WORK TO BE UNDERTAKEN.

The Committee has attempted to sketch in outline the present economic situation; it has described the contribution of the past year to the execution of the recommendations of the Economic Conference; it has come to the conclusion that, while there are legitimate reasons for satisfaction, a much more sustained effort is necessary if the ground which was won by the recommendations of the Economic Conference is not to be lost.

The report of the Conference was adopted unanimously by the Assembly and separately endorsed by the specific declarations of twenty-nine Governments. The Committee is therefore entitled to assume that there is a genuine and widespread desire that a serious effort should be made to carry the recommendations of the Conference into effect, and that their execution has become an integral part of the work of the League of Nations, all the more important because those recommendations and the assumption by the League of the tasks involved have aroused interest and expectation throughout the world.

The Committee desires to point out that work cannot be begun simultaneously on every recommendation in the field of economic co-operation which has been opened up by the Economic Conference and the Assembly; that in each year certain branches of work must be selected for immediate treatment; that for each of these branches preparatory work can only be done by specialised technical committees, in close relation to the permanent bodies responsible for the economic policy of the League of Nations, leading up, in appropriate cases, as the work matures, to conferences, and that no work should be undertaken which does not offer a prospect of yielding practical results. This is the principle which has guided the Committee in considering future work, and, in reviewing the work done in the past.

The first conclusion at which the Committee has arrived is that the work done during the past year, so far as it goes, has been well done and far more than justifies the expenditure involved. The Committee is, indeed, surprised at the value and volume of the work done by so small a staff. But it does not go far enough. As regards the future, the Committee considers it essential that certain further work should be immediately undertaken.

In recommending, for what it considers imperative reasons, important new tasks not included in the programme of work already contemplated by the Economic Organisation, the Consultative Committee desires to state that it considers it absolutely essential that these new tasks should not have the effect of either reducing or retarding this programme. After a careful review it has selected certain subjects which it recommends for immediate study. These subjects necessarily require the appointment of several new technical committees.

In arriving at these recommendations, the Committee has throughout had in mind considerations of economy and has proposed only such work as, in its deliberate opinion, is worth much more than the necessary expense it would entail. It has not included in its recommendations those branches of work which, while they would undoubtedly meet the wishes of certain important sections of public opinion, are not ripe for action, or do not fall within immediate requirements.

At the same time, it should be realised that piecemeal work can also be uneconomical; that the different pieces of work suggested are interdependent: and that if the scheme now proposed is curtailed for budgetary reasons the result will not only be serious delay in carrying out the Assembly's resolutions, but considerable waste of effort. The interdependence of these different branches of work is based on technical considerations which it is impossible to set forth here in full. One illustration may suffice. The work on Customs nomenclature will be largely wasted and become out of date if the work of scheduling the commodities involved is not begun at the same time.

The Committee desires to emphasise that, in its opinion, the programme contained in its report represents such tasks as are really practical and valuable, and that their execution should not be precluded or retarded for budgetary reasons.

#### 11. CONCLUSION.

Finally, while the Committee has thought it well to emphasise the large amount of additional work thrown upon the organs of the League, it considers it no less important to emphasise the great extent to which the achievement of the purposes desired by the Economic Conference depends upon the Governments of the different countries and upon the efforts made in those countries by all those whose advice is sought by the Governments and who are in a position to educate public opinion. For all the work which can be initiated

or carried through by the League organs, the limiting factor is necessarily to be found in the attitude of the several countries and their willingness to proceed further in the direction which the Conference recommended in the interests alike of the increased prosperity and the more assured maintenance of the peace of the world.

### (iii) WORK OF THE ECONOMIC COMMITTEE.

Since its reconstitution at the time of the last session of the Assembly, the Economic Committee has held two sessions — in December 1927 and March 1928 — at which it dealt with the following questions :

#### 1. COMMERCIAL POLICY.

Now that the resolutions adopted by the International Economic Conference have received the almost unanimous approval of the Governments and the cordial assent of the eighth ordinary session of the Assembly, the Economic Committee feels that its main work must be to carry out the commercial policy advocated by the Conference.

In the Committee's view, the outstanding result of the great meeting of May 1927 is the new orientation of commercial policy towards a liberal and equitable regime of trade. True, the Committee did not feel that it could neglect preparation for further discussion on industrial and agricultural questions ; but, at the same time, it determined to concentrate all its efforts at the outset on bringing about, as promptly and on as large a scale as possible, the reforms in commercial policy which the Conference held up as the goal of common international effort.

These reforms were contemplated by the Conference in three different aspects, those to be effected by the autonomous action of Governments, those to be effected by bilateral conventions between States, and those to be effected by the concerted and simultaneous action of States under the auspices of the League. The Economic Committee does not see how it could influence the autonomous action of Governments except by repeated affirmation of a liberal policy of which it feels itself to be the chosen advocate.

On the other hand, as regards governmental action in the form of bilateral and multi-lateral agreements, the Committee considered that its investigations and proposals should be aimed at diverting such action definitely into the channel indicated by the Conference.

The Economic Committee therefore turned its attention towards :

- (a) The placing on a sound basis of treaty-making methods (including the study of the most-favoured-nation clause), and
- (b) The possibility of collective action for a concerted lowering of Customs barriers.

The Committee has not yet reached any definite conclusions and proposes to continue the study of these questions at its next session in the month of June.

#### 2. UNIFICATION OF CUSTOMS NOMENCLATURE.

The Sub-Committee of Experts for the Unification of Customs Nomenclature, under the Chairmanship of M. Fighiera (France), and composed of experts from Belgium, Czechoslovakia, Germany and Italy, began its work in August 1927.

Within a comparatively short time the Sub-Committee submitted to the Economic Committee a draft of a general scheme providing a detailed and reasoned classification of all the goods which should be included in the various sections and chapters. This classification, accompanied by detailed commentaries, is embodied in document E.350(1).

The Economic Committee, at once realising the necessity of securing the assistance of the economic circles concerned in its investigations, instructed the Secretariat to send the draft prepared by the experts to all the circles interested and thus to invite any useful criticisms and observations the draft might suggest.

The Committee, in carrying out its enquiries and consultations, desired to make it clear that a common solution should as far as possible, be found also for cognate questions relating to Customs clearance regulations, in order to avoid the application of divergent rules which might undo all the work accomplished in compiling a collective classification.

The Sub-Committee of Experts continued its work, analysing the observations received and studying the different methods of Customs clearance applied in a large number of countries, with special reference to certain difficult problems, such as the clearance of composite goods. In order to help it to accomplish this somewhat heavy task, and in view of the increasing difficulty of its subsequent work, the Economic Committee decided to add to the Sub-Committee a Hungarian and a Swiss expert.

Only at a later stage, and only if the Sub-Committee of Experts is able to prepare an actual nomenclature, even though incomplete, should this work be continued with a view to meeting the necessity for a simplification of the Customs nomenclature, a necessity to which the World Economic Conference of 1927 drew special attention.



### 3. TREATMENT OF FOREIGN NATIONALS AND COMPANIES.

The International Economic Conference affirmed in most emphatic terms its view that freedom of trade would remain a dead letter if trading or other business in foreign States was hampered by restrictions placed on the activities or the establishment abroad of the nationals or companies of other States.

The Conference took up the suggestions formulated by the International Chamber of Commerce which had appointed a special Committee to study a model agreement in regard to establishment. The Conference recommended that this agreement should take the form, not of bilateral conventions, but of an international undertaking to be submitted for adoption to a diplomatic conference.

In conformity with this resolution of the Conference, the Economic Committee, after instructing the Secretariat to collect all useful information, appointed M. Serruys, one of its members, working in conjunction with M. Riedl, the author of the draft put forward by the International Chamber of Commerce, to establish a draft international convention; this the two Rapporteurs presented to the Committee at the twenty-third session.

While avoiding the very delicate question of the complete freedom of establishment of foreign nationals and companies, a question hitherto not dealt with at international consultations, the authors of the draft have not restricted the scope of the convention to conditions for the establishment of foreign nationals or companies already admitted into a State, although the fixing of these conditions has been their main consideration.

They have supplemented the previous draft by introducing guarantees in regard to trade for the nationals of Contracting States not established in a foreign territory but desirous of carrying on business or investing capital in that territory, whether directly, through agents, or by correspondence.

The Committee at its twenty-third session, held in December 1927, accepted the framework and principles of the draft submitted to it, while reserving the right to discuss the individual articles at its next session.

At its session of March 1928, the Economic Committee completed the draft after a particularly careful study of the question.

In its present form, the draft embodies all the guarantees to be afforded on a basis of reciprocity by any one State to the nationals of any other State — whether they be natural persons or legal entities — who have been allowed to establish themselves in the territory of the latter State.

These guarantees, which apply not only to the exercise of all economic activities but also to civil and legal rights, to the acquisition, preservation and transmission of property and interests of all kinds, to charges of a fiscal character, both exceptional and normal, to which persons and their property may be subject, constitute as complete a codification on as broad a basis as possible of the law of establishment, in so far as it seems possible and equitable to codify this law in view of the disparity of concepts, situations and laws and of international practice under existing treaties.

The Economic Committee did not attempt to enter into discussion of the doctrines which it has systematised and co-ordinated in the draft. It desired, however, in the report it submitted after its session of March 1928, to point out to the Council that it has not only endeavoured as far as possible to secure treatment on the same terms as nationals and equality with nationals of the country of establishment, rather than most-favoured-nation treatment, which often leads to differentiation and uncertainty; it had even, in many instances, preferred to replace those rather relative guarantees by positive undertakings to which the various acceding countries would make their laws and actions conform.

The Economic Committee is confident that its draft must have a beneficial effect on international relations and will encourage co-operation for the economic restoration of all countries. It has therefore asked the Secretary-General of the League to avail himself of the option which the Council accorded him on March 5th, 1928, to communicate this draft to the Governments of the States Members of the League. At the same time, he requested those Governments to inform him whether they consider that the draft constitutes an adequate basis for an international Convention, and whether they are prepared to participate in a diplomatic Conference for the conclusion of such a Convention.

This communication was made by a circular letter dated May 16th, 1928, and replies were asked for by November 1st, 1928, at latest. When it has received these replies, the Economic Committee will propose to the Council the date of the future Conference.

### 4. ABOLITION OF EXPORT PROHIBITIONS ON BONES AND RAW HIDES AND SKINS.

By its decision of December 6th, 1927, the Council referred to the Economic Committee for study the recommendation made by the Conference on Prohibitions, held in November 1927, regarding the most effective means of inducing States to abolish export prohibitions on bones and raw hides and skins, so that any reservations made by the States concerned on the basis of Article 6 of the Convention of November 8th, 1927, may be withdrawn before the second meeting of the Conference on prohibitions, which is arranged for the beginning of July 1928.

Having, through the intermediary of its members, taken the opinion of the circles concerned in their respective countries, and having consulted experts from the countries interested in the question but not represented on the Economic Committee, the latter came to the conclusion that the majority of countries, and particularly those whose accession is most important, are prepared to abolish the prohibitions in question. It therefore proposed to the Council that a meeting should be held, to which the Governments of the countries concerned should be invited, with the object of preparing a common solution of the question to be proposed to the Conference in July.

5. PREVENTION OF DISEASES IN ANIMALS AND PLANTS : VETERINARY POLICE MEASURES AND MEASURES OF CONTROL INTERFERING WITH THE EXPORTATION OF ANIMALS AND PLANTS.

The World Economic Conference of 1927, urging the necessity of preventing diseases of animals and plants, expressed the view that international agreements organising sanitary control should also avoid in the regulations adopted any suspicion of disguised protection and should help to stabilise commercial relations.

At the Conference for the Abolition of Import and Export Prohibitions and Restrictions a similar recommendation was urged, more particularly by agricultural countries whose export trade is hampered by sanitary restrictions.

Accordingly, in the Final Act of that Conference, the Council of the League was recommended to undertake investigations as to the most expedient means of conciliating the interests of countries desirous of guarding against diseases of animals and plants and the interests of countries exporting those products.

The Economic Committee, which was entrusted with this work by the Council, called a meeting of a small body of Experts to ascertain and define, as regards animals, the possibilities of international action in the matter and the scope of such action.

This Sub-Committee of Experts on veterinary police matters is composed of equal numbers of experts from countries which, following different policies in the matter, respectively favour and disapprove of international agreements of this kind. An official representative of the International Epizootic Institute at Paris has been added to the Committee.

The duty assigned to this Sub-Committee is to examine the safeguards that might be given by cattle-exporting countries, and the facilities that might be granted by importing countries on the basis of those safeguards, and in general to determine the best means of applying veterinary police measures with due regard to the economic interests of the exporting countries and, at the same time, without prejudicing the interests of countries wishing to guard against animal diseases.

After an exhaustive discussion, the experts laid it down as a general preliminary condition for any international action to facilitate trade that confidence must be established between importing and exporting countries. This confidence can only be founded on the existence in each country of veterinary services on a proper basis, and on the regular and speedy publication of accurate particulars of the health situation in exporting countries.

With the help of the information obtained regarding the conditions under which these two principles are applied in the various countries at the present time, the experts will be able to compare the organisation of the services in the different countries.

As the outcome of these discussions and of other suitable measures which the experts propose to consider, it is to be hoped that, wherever it seems necessary, this organisation may be raised to a level generally recognised as adequate to provide the necessary safeguards.

Confidence having thus been restored, exporting and importing countries also will be able to consider jointly what measures should be taken by the importing countries to facilitate the importation of livestock. The Economic Committee proposes to appoint a Committee of Experts, and with its assistance to undertake similar enquiries in connection with the prevention of diseases of plants and the possibility of reconciling the necessity for a campaign for this purpose with the legitimate requirements of the export trade.

6. STATISTICS.

(a) *Statistical Conference.*

As stated in its latest report to the Assembly<sup>1</sup>, the Council approved a proposal put forward by the Economic Committee that a Diplomatic Conference should be convened during the course of the year 1928 with the object of obtaining greater uniformity in the principles applied in the compilation of economic statistics.

With this object in view, a small Committee consisting of certain members of the Economic Committee and other experts met at Geneva in March 1928 and drew up a draft Agenda for the Conference (document C.S.O.1.). This agenda is divided into two parts, the first of which deals with the question of scope and the second with the problem of methods.

Invitations have been sent to the Governments of all States Members of the League, and also Costa Rica, Ecuador, Egypt, Mexico, Turkey, the Union of Socialist Soviet Republics and the United States of America, to send fully authorised delegations to take part in this Conference.

<sup>1</sup> See Report to the Eighth Ordinary Session of the Assembly, *Official Journal*, Special Supplement No. 54, page 276.

**(b) Industrial Statistics.**

At its twenty-third session in December 1927, the Economic Committee received from M. Pirelli, the President of the International Chamber of Commerce, an offer of collaboration in the execution of the resolution of the World Economic Conference on Industrial Statistics. This resolution reads as follows :

“ The Economic Organisation of the League of Nations should take all suitable measures so that Governments, in collaboration with the chief industries, shall arrive at international agreements with reference to the definition of the terms, the methods employed and the scope of the statistics. ”

The Economic Committee warmly welcomed this offer of collaboration. As it was obviously desirable that the work on industrial statistics should be carried on in close connection with that on Customs nomenclature, it was proposed by M. Pirelli that the International Chamber of Commerce should appoint a series of special committees to consider the problems of statistical methodology connected with those industries which are to be examined first by the Committee of Experts for the Unification of Customs Nomenclature. On each of these special Committees a member of the Committee of Experts and one or more officials of the Secretariat of the League would be invited to sit.

The International Chamber of Commerce has appointed a special Central Statistical Committee to arrange for the appointment, and to direct the action, of the special industrial Committees mentioned above.

**7. ASSIMILATION OF LEGISLATION ON BILLS OF EXCHANGE AND CHEQUES.**

The Economic Committee was anxious in the first place to ascertain from a Committee of Experts consisting of men who were familiar with current business practice what genuine difficulties hampering commercial transactions are involved by the differences between the various laws of the “ continental ” type on bills of exchange and cheques.

Having ascertained the position in this respect, the Committee asked a body of expert jurists to formulate concrete proposals. The work of these experts, who have held a large number of meetings, is now completed. They have submitted to the Economic Committee a report accompanied by draft conventions on bills of exchange, promissory notes and cheques.

One of the main reasons why the Hague Convention was never put into force was that the Uniform Regulations which were drawn up constituted a complete code of laws on bills of exchange and promissory notes, and the various Parliaments to which this code had to be submitted with a view to the ratification of the Convention had to adopt or reject it as it stood without amendment.

The experts, whose report aims at unifying, as far as possible, the various laws of the “ continental ” type, have prepared two draft sets of regulations embodying the solutions they recommend for the various problems connected with bills of exchange and promissory notes and with cheques respectively. According to their proposals, however — unlike the system recommended by the Hague Conference — the States participating in the future Conference would merely be asked to submit within a fixed period, for acceptance by their Parliaments, a draft law embodying in the national law the solutions generally accepted at the Conference.

On certain points the experts did not think general agreement possible, and here the draft they submit leaves Governments free to legislate as they think fit. Thus, even among States accepting the unified regulations conflicts of law might arise on points not touched by these regulations. In order to obviate the resultant difficulties, the experts submitted two other draft conventions which are intended to fill the gaps left by the partial unification proposed in the first instance.

The rules laid down in these draft conventions are offered as a possible method for the settlement on uniform lines of any conflicts of law in the matters referred to above, and could in any case be accepted as a remedy for the present situation, in which, owing to the lack of such rules, the courts of different countries often arrive at different conclusions. Even States not taking part in the Conference might possibly see their way to accept these rules.

The Economic Committee is to consider the experts' report at its session in June 1928. It will then decide whether, as the experts suggest, their proposals should be submitted to the Members of the League as a basis of discussion for an international conference. At its session in March 1928, the Council, recalling a resolution by the Economic Conference urging that the work undertaken with a view to introducing greater uniformity in the various laws on bills of exchange and cheques should be continued, has already authorised the Secretary-General to communicate these proposals to the Members of the League as soon as the Economic Committee has approved the experts' report.

## 8. EXPLOITATION OF THE PRODUCTS OF THE SEA.

On September 23rd, 1927, the Assembly adopted a resolution instructing the Economic Committee to "study in collaboration with the Permanent International Council for the Exploration of the Sea at Copenhagen and any other organisation specially interested in this matter, whether and in what terms, for what species and in what areas, international protection of marine fauna could be established". The Economic Committee was also instructed to report to the Council on the results of this study, indicating whether a technical Conference on the subject should be held at an early date.

The Economic Committee requested four of its members to undertake, with the help of the Secretariat and in conjunction with the International Council at Copenhagen, any preliminary research work that might enable the Economic Committee to take a decision as to the practical action which should follow. The Committee also decided to confine its investigations to such species as are of economic importance.

The first provisional conclusions reached by the Rapporteurs were that further investigations should be mainly confined to whales and certain species of fish which are consumed on a large scale. In both cases, however, in view of the paucity of accurate scientific data regarding the migrations and reproduction of these species and the consequences of the present methods of catching them, it did not seem possible to make any proposals as to the desirability of protective action or the form such action should take.

The Rapporteurs considered that the assistance of the Copenhagen Council would be particularly useful to them in this respect, and accordingly they suggested to the Economic Committee that this Council should be officially invited to co-operate, as proposed in the resolution of the eighth ordinary session of the Assembly. A letter to that effect was sent to the Copenhagen Council by the Secretary-General, and the standing Committee of that Council stated in reply that it was prepared to co-operate and thought that the methods of such joint action could be discussed and decided upon at the session the Council would hold in June 1928, to which it invited the Economic Committee to send representatives. Three members of the Economic Committee will therefore attend the session and will afterwards report to the Economic Committee.

The Rapporteurs also considered the question of the protection of seals, and concluded as a result of their first investigations that, in this matter, the agreements existing between the countries principally concerned were perhaps adequate to ensure the protection desired.

## 9. APPLICATION OF THE INTERNATIONAL CONVENTION OF NOVEMBER 3RD, 1923, RELATING TO THE SIMPLIFICATION OF CUSTOMS FORMALITIES.

Under the terms of Article 9 of this Convention, each of the contracting States must, within twelve months from the coming into force, in its own case, of the Convention, furnish the Secretary-General of the League of Nations with a summary of the steps which it has taken to effect such simplification.

The first summaries received by the Secretary-General were communicated to the various States with the observations of the Economic Committee on July 7th, 1927 (document C.354.M.127.1927.II).

Since the last session of the Assembly, the following States have communicated summaries: Austria, France, Hungary, India, the French Protectorate of Morocco, Norway, Persia, Roumania, Siam, Sweden and Switzerland. The Economic Committee has carefully examined these summaries, and its study has revealed the improvements brought about in the Customs regulations of these countries as a result of the Geneva Convention, whether by independent measures or by the conclusion of bilateral agreements.

The Committee desired to draw particular attention to the concrete results of the 1923 Conference, and to express the hope that future summaries and the reports thereon would be given the same publicity as the previous reports.

Since the last session of the Assembly, there has been no new ratification of the Convention.

## 10. COMMERCIAL ARBITRATION.

The Protocol which has been open since September 24th, 1923, for the signature of all States, whether Members of the League of Nations or not, did not provide for any obligation to ensure the execution of arbitral awards other than those rendered in the territory of the State in which execution was requested.

In order to make good this omission the Economic Committee requested a Committee of Experts to consider the possibility of providing, by an international agreement, for the execution of foreign arbitral awards.

As a result of the work of these experts a draft Protocol was prepared, which, in May 1927, was communicated, with the approval of the Economic Committee, to all Members

of the League, and the question of opening a Protocol of this kind for signature by all States desiring to accede thereto was placed on the agenda of the eighth ordinary session of the Assembly.

The Assembly referred the matter to its Second Committee, which appointed a Committee of Jurists to study the observations on the draft Protocol which had been received from a number of Governments, and submitted to the Assembly a revised draft Convention, which was adopted by a resolution dated September 26th, 1927 (see document C.659. M.220.1927. II).

In pursuance of a Council resolution of December 1927, the Secretary-General drew the attention of States to the value of the Protocol and Convention, and informed them of the conditions under which they could become contracting parties to these agreements.

So far, the Convention has been signed by Austria, Belgium, Denmark, France, Great Britain and Italy.

#### (iv) CONFERENCE FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

The International Conference for the Abolition of Import and Export Prohibitions and Restrictions, called as the result of a decision by the 1924 Assembly, took place at Geneva from October 17th to November 8th, 1927, under the Presidency of M. Colijn, former Prime Minister of the Netherlands, who was appointed by the Council of the League.

Delegates were present from the following States Members and non-Members of the League: Abyssinia, Australia, Austria, Belgium, Great Britain, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, the Netherlands, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Turkey, United States of America. The International Chamber of Commerce was invited by the Council and was represented in an advisory capacity.

After three weeks' discussion, the Conference unanimously adopted the International Convention for the Abolition of Import and Export Prohibitions and Restrictions and the Protocol of the Convention, which has the same validity, effect and duration as the Convention itself. The Conference also adopted a Final Act containing the records of its work and a series of recommendations and resolutions.

The Convention and Protocol were signed on November 8th, 1927 — the closing date of the Conference — by eighteen States, namely: Austria, Belgium, Great Britain, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Hungary, Italy, Japan, Luxemburg, the Netherlands, Roumania, Siam and Switzerland.

They have since been signed by the following States: Sweden (December 2nd, 1927), Kingdom of the Serbs, Croats and Slovenes (January 24th, 1928), Estonia (January 30th, 1928), United States of America (January 30th, 1928), Norway (January 31st, 1928), Portugal (January 31st, 1928), Poland (January 31st, 1928), Latvia (January 31st, 1928), India (April 26th, 1928).

M. Colijn, President of the Conference, in his report to the Council, summarised the results of the Conference as follows:

"The question had been exhaustively studied by the Economic Committee; without such preparation, even the modest though positive results that we have achieved would never have been possible.

"The purpose in view was to abolish all import and export prohibitions, with the exception of those designed to safeguard superior interests, such as public order, the health of animals and plants, etc. — in short, to revert to the conditions regarded as normal before the war. The Economic Committee was forced to recognise, however, that the state of economic insecurity prevailing after the war made the States hesitate to resume unreservedly even an obligation which, prior to 1914, all had regarded as normal and devoid of danger. The Committee found it necessary accordingly to introduce a fairly comprehensive reserve to allow for such apprehensions.

"The first notable act of the Conference was its refusal to accept this reservation in the elastic form in which the Committee, against its will, had been obliged to submit it. The Conference was unwilling to conclude a Convention which would simply have signified the collective approval of a principle, without involving specific obligations in regard to its application. This attitude is worthy of note; it represents considerable progress as compared with previous Conferences, and is undoubtedly due to a great extent to the influence of the International Economic Conference. But directly we get away from vague general formulas and endeavour to apply these reservations to concrete cases, we inevitably come up against difficulties of a material order, which we cannot hope to eliminate at a single stroke.

"Thus our Conference found itself faced by redoubtable obstacles, which for a solid three weeks it conscientiously endeavoured either to eliminate or to reduce to a minimum.

"The result you already know. It was not found possible to abolish all prohibitions at once; on the contrary, it was necessary to record a number of reservations, a small

number, it is true, but most important ones. I need only mention dyestuffs in the case of Great Britain, coal in that of Germany and Czechoslovakia, scrap iron and scrap of other metals for some ten countries.

"These reservations, however, have been admitted in virtue of the first paragraph of Article 6, and, in so doing, the parties concerned have explicitly recognised them to be of a temporary character, having undertaken to withdraw them as soon as the circumstances from which they arise cease to exist.

"The words 'the circumstances from which they arise' do not constitute a formula to be interpreted at the discretion of each individual party; they refer to recognised and specific situations of fact and of law, which, for the time being, prevent two or three of the big European States from abolishing prohibitions completely, more particularly as regards dyestuffs, coal and scrap iron.

"Nevertheless, in order to limit the period of application of these reservations, a special clause providing for denunciation has been inserted, whereby any high contracting party may resume its freedom of action in the matter of prohibitions if at the end of three years as from November 8th, 1927, the date on which the Convention was signed by eighteen States, any one of the exceptions allowed in virtue of Article 6, paragraph 1, still exists.

"In conclusion, as soon as the Convention comes into force — which I hope will not be later than the beginning of 1929 — we shall be able to record as immediate results the restoration of free movement for a large number of important materials and commodities; an undertaking on the part of a great many countries not to hamper this freedom of movement by any new prohibitions; and, finally, what in my opinion is the extremely important fact, that nearly all the countries, particularly in Europe, which are of any great economic importance have agreed to condemn the system of prohibitions, and to prevent its being used in future as a means of exerting pressure in international commercial negotiations.

"These results will not, however, have been finally achieved until after the meeting of the signatory States which is to take place between June 15th and July 15th next for the purpose of pronouncing upon any claims to exceptions that may be submitted by individual States, and more particularly of determining the number and geographical distribution of the countries whose accession is necessary in order that, particularly in Europe, the Convention may have its full effects, and fixing a time-limit — if possible, the same for all parties — for ratification."

The date of the second meeting of the Conference has been fixed by the Secretary-General for July 3rd, 1928. M. Colijn has been invited by the Council to preside over this meeting also.

\* \* \*

The Conference adopted in its final Act the following recommendation :

"In order to prevent the submission of any reservation under Article 6 of the Convention in the case of certain prohibitions, concerning in particular skins, hides and bones, which are at present in force in a large number of countries, the Conference recommends :

"(a) That the countries in which these prohibitions are applied should immediately confer together with a view to ascertaining whether they could not simultaneously renounce all reservations in this connection ;

"(b) That, if this result cannot be attained, preparatory work should be undertaken in order that the question may be settled in the most satisfactory manner at the meeting provided for in Article 17."

At its meeting on December 6th, 1927, the Council decided to ask the Economic Committee to examine the questions referred to in the above recommendation.

(For the action taken in regard to the Council's decision, see the chapter headed : "Work of the Economic Committee".)

#### (v) MEETING OF GOVERNMENT REPRESENTATIVES REGARDING EXPORT PROHIBITIONS AND DUTIES ON RAW HIDES AND SKINS AND ON BONES.

In order to give effect to Recommendation No. 3 of the Final Act of the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, signed on November 8th, 1927, the Council, after hearing the views of the Economic Committee, convened a meeting at Geneva of all States concerned. The following Governments were invited to send representatives : Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Greece, Hungary, India, Italy, Netherlands, Poland, Roumania, and the Kingdom of the Serbs, Croats and Slovenes.

The Council asked M. Serruys, Chairman of the Economic Committee, to preside over this meeting. With the exception of Greece and India all the States invited sent representatives.

The meeting took place at Geneva from March 14th to 16th, 1928, and resulted in the establishment of the two Protocols<sup>1</sup> preceded by a report to the Council by the President.

<sup>1</sup> See *Official Journal*, May 1928, page 728.

As regards raw hides and skins, it was agreed that the delegates should recommend to their respective Governments :

(a) To undertake not to render the export of fresh or prepared skins or pelts subject to any prohibition or restriction, and accordingly to renounce in respect of these products all claims to exceptions under Article 6 of the International Convention of 1927.

(b) To undertake not to maintain or introduce any export duty on these products.

As regards raw or dried bones and glue-stock hide, the delegates agreed to recommend their respective Governments to abolish all prohibitions or restrictions on the export of these products.

As regards export duties on these products, the delegates recognised that a transition period was necessary before these duties could be completely abolished. While agreeing to the maintenance or introduction of export duties on the products in question, the delegates decided that such duties should not exceed three gold francs per 100 kilos, and should only be leviable for a period of two years from the time when, under Article 2 of the principal Convention, the export prohibitions should cease to be applicable.

The contracting States undertake to meet again during the six months immediately preceding the expiration of the above-mentioned period, with the object of proceeding in common either to abolish all export duties or to reduce the maximum rate indicated above.

The Governments in question are to inform the Secretary-General of the League of Nations, before May 15th, 1928, of their decisions regarding the agreements the bases of which are indicated in the two Protocols. They also agree to take part in any further meeting which the Secretary-General may, at the instance of the Economic Committee, be required to summon, with a view to ascertaining the situation created by the notifications he has received.

The Secretary-General is requested to bring these agreements to the notice of those signatory States of the principal Convention which did not take part in the special meeting, it being understood that these agreements are open for signature by any State which has already signed the Convention for the Abolition of Prohibitions.

The delegates added to the two Protocols an annex containing a declaration emphasising the importance they attach to the principle laid down in the Final Act of the International Conference for the Abolition of Prohibitions, in virtue of which the re-establishment of the free export of certain specified raw materials should bring about an improvement of the Customs regime applied to the import of products manufactured from such raw materials.

## B. Work of the Financial Committee.

### (i) GREEK STABILISATION SCHEME AND SETTLEMENT OF GREEK REFUGEES.

The most important work done by the Financial Committee during the past year has been in connection with the Greek stabilisation scheme.

The circumstances in which the Committee was requested to undertake this task are described in the Report and Supplementary Report to the eighth ordinary session of the Assembly<sup>1</sup>. It will be remembered that the Greek Government in June of last year had approached the Council with a request to approve the issue of a loan yielding £9 million sterling, of which one-third was to be spent in paying off budget arrears, one-third for the stabilisation of the currency and one-third for completing the refugee settlement work.

#### THE REFUGEE LOAN OF 1924.

It was in February 1923 that the problem of the settlement of Greek refugees was first brought before the Council of the League of Nations.

It will be remembered that, after the retreat of the Greek Army and the capture of Smyrna by Turkish troops, more than one million refugees<sup>2</sup>, chiefly from Asia Minor, poured into Greece, which, single-handed and without the assistance of an external loan, would not have been in a position to face a problem of such magnitude.

At the request of the Greek Government and under the authority of the Council of the League, a settlement scheme involving the issue of such a loan was prepared by the Financial Committee and embodied in a Protocol signed at Geneva, on behalf of Greece, on September 29th, 1923, and amended in the same manner a year later.

<sup>1</sup> See Records of the eighth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 64, pages 281, 246 and 248.

<sup>2</sup> The number, including those who did not need public assistance, ultimately reached about 1½ million.

It contemplated the issue of a loan not exceeding £10 million sterling in net yield, the proceeds to be expended under the authority of an autonomous organisation, the Refugee Settlement Commission.

The functions and composition of the Settlement Commission were laid down in Statutes annexed to the Protocol. It consists of four members; the Council of the League appoints two members, including the Chairman, who is a national of the United States; the two other members are appointed by the Greek Government with the approval of the Council. The function of the Commission is "to promote the establishment of refugees in productive work, either upon the land or otherwise in Greece". It is expressly stipulated that the funds of the Commission may not be spent on the relief of distress or for charitable purposes, as distinct from settlement in productive work. All assistance is given on terms involving ultimate repayment.

Four years' experience has proved the efficiency of the scheme. When, therefore, some years later the Bulgarian Government made an appeal to the League for assistance in connection with its refugee problem, a similar scheme was worked out for Bulgaria, the main differences between the Greek and the Bulgarian schemes being due to the smaller size of the problem in the latter country.

#### SOME STATISTICS ON THE WORK FOR THE REFUGEES.

This first Greek settlement loan was successfully raised in December 1924. Issues were made in London, New York and Athens. In the meantime, work had been proceeding with the help of provisional advances, which were repaid out of the loan, *i.e.*, £1,500,000 advanced by the Bank of England, £500,000 by the National Bank of Greece, and £1 million by the Hellenic Government.

The net proceeds of this loan amounted to £9,970,000; and the following tables show how it had been expended up to the middle of last year:

	To December 31st, 1926 <sup>1</sup>		To June 30th, 1927	
	£	%	£	%
Agricultural settlement. . . . .	7,541,324	87.6	7,911,023	87.2
Urban settlement . . . . .	973,082	11.3	1,051,174	11.6
Central administration . . . . .	95,242	1.1	113,658	1.2
<b>Total . . . . .</b>	<b>8,609,648</b>	<b>100</b>	<b>9,075,855</b>	<b>100</b>

The sum of £7,541,324 expended on the *settlement of agricultural refugees* was used for the settlement of 147,211 families, an average sum of £51 per family. At the rate of 300 drachmæ to the £, which was the average rate of conversion, this £7,541,324 yielded 2,262 million drachmæ, which was spent for the following purposes:

	Million Drachmæ	Per cent
Supplies (including advances in cash and in kind, seed, animals, implements, fertilisers). . . . .	989	43.7
Building . . . . .	821	36.3
Public works . . . . .	65	2.9
Various. . . . .	36	1.6
General expenses (provinces) . . . . .	172	7.6
Suspense . . . . .	179	7.9
<b>Total. . . . .</b>	<b>2,262</b>	<b>100</b>

The details of the expenditure on *urban settlement* (£973,082) was as follows:

	Million Drachmæ	Per cent
Building . . . . .	266	91.3
Improvements (including drains, canalisation, etc.) . . . . .	11	3.8
Upkeep of the quarters (removal of sewage, cleaning of streets, etc.) . . . . .	12	4.2
Various. . . . .	2	0.7
	<b>291</b>	<b>100</b>

= £973,082 (at 300 drachmæ to the £).

The total number of urban houses erected was 16,756, an average of 22,087 drachmæ or £73 12s. 6d. per house. The houses are inhabited by some 24,000 families.

<sup>1</sup> For the expenditure up to December 31st, 1926, detailed statistics are available. See the Fourteenth Quarterly Report of the Greek Refugee Settlement Commission (document C.281.1927.II).



Thus by the end of 1926 the back of the problem had been broken. It is impossible to give anything like exact figures of the number of refugees, urban and agricultural, who had by then been definitely settled, as no exact census could be made, the Statistical Services of the State having been temporarily suppressed for reasons of economy. But it is probable that the number of persons who had received assistance was considerably more than 700,000.

No mere figures, however, can measure the wider significance of the settlement work for both the political and economic future of the country. Greek Macedonia now has a more homogeneous population than has been known before in its recent history. The opportunities of employment offered to the swarms of destitute refugees who were pouring into Athens has greatly assisted the marked improvement in the internal political situation. The establishment of the refugees in productive work has not only removed a social danger and an economic burden but has positively endowed the country with a new source of wealth and prosperity. This is indeed the most remarkable conclusion to be drawn from the experience of the last three years. The refugees have proved to be admirable material; almost everywhere they have made good whenever even the most slender assistance and encouragement could be given, and it is not too much to say that their final absorption into the social and economic life of the country will leave Greece far stronger and far more prosperous than she could have hoped to become if the influx of refugees had not taken place.

#### HISTORY OF THE NEW LOAN SCHEME.

In March 1927, the Refugee Settlement Commission informed the Financial Committee that the work of establishment could not be satisfactorily completed without an additional loan. At the time when the original scheme was drawn up, the settlement loan had been fixed at a net yield of £10 million, partly in order that Greece might not exceed her borrowing capacity at that time, and partly in consideration of the needs of the refugees who had then arrived in Greece. Since then, a considerable number of additional refugees have come into Greece and the Commission estimated that, together with the funds still at its disposal, a further amount, estimated at the time at £5 million, would be required in order to complete the work. In view of this situation, the Committee stated, in its report to the Council, that if the Greek Government were to make an application for such an additional loan, it would be absolutely indispensable that the Committee should have "complete information of a kind which would give it a clear picture" of the financial situation of Greece. This report was approved by the Council.

The Committee also requested the Secretariat "to collect as complete information as possible" regarding the efforts of the Greek Government to secure budget equilibrium in conformity with Article 6 of the Protocol of September 1923.

In April 1927, on the occasion of a visit to the Balkans of M. Avenol, the Deputy Secretary-General of the League, the Greek Government requested him to collect such information as might be necessary to throw light on the financial and budgetary situation. The information in question was obtained in May 1927, under the direction of M. Avenol, by certain members of the Secretariat, to whom the Greek Government offered every facility.

On the basis of this information, the situation was examined by the Financial Committee during its June session. At the same time, the Greek Government addressed a request to the Council to approve in principle the issue of a new loan and to authorise the Financial Committee to give its assistance to Greece with a view to drawing up a complete plan of monetary and banking reorganisation.

In its June report to the Council, the Financial Committee states as its conclusion that a loan of £9 million would be required, of which £3 million would be available for refugees, £3 million for budget arrears and £3 million for strengthening the Bank of Issue.

With regard to the refugees, the Committee stated that :

"While the sum of £5 million mentioned in the report of the Commission of May 25th is, in view of the considerable number of additional refugees who have come into Greece since the original scheme was drawn up, a reasonable estimate for the completion of the work of settling all the refugees, both agricultural and urban, under satisfactory conditions, such a sum is not essential for the urgent work of establishment which it is important to carry through in the next two years. The Committee considers, however, that for this purpose a sum of £3 million (in addition to what remains of the original loan) is necessary; and that without this sum the work of the Commission must cease before its task is completed."

As to the budget, the Committee stated that the budget arrears amounted, on the information before it, to about £3 million, and added :

"But the provisions for the current year appear to the Committee to have been made on a prudent and careful basis and to give a prospect of securing an equilibrium this year at a level not exceeding the capacity of Greece, provided that steps could be taken to liquidate the arrears of the past. Subject to the final consolidation of past debts, the Greek Government further contemplates a budget equilibrium in

the next two years at a slightly lower figure. The Committee is impressed by the substantial improvement in the budget situation during the term of office of the present Finance Minister, M. Caphandaris, and expresses its congratulations to the Government on the important progress which this position represents."

The Greek Government and the National Bank further informed the Committee of their intention to stabilise the drachma on a gold-exchange basis. The Committee stated its opinion that, if the functions of the Bank were revised so as to bring them into closer conformity with modern principles of central banking, and if some £3 million were devoted to the reduction of the Government debt to the Bank, the latter would be sufficiently strengthened for its enhanced responsibilities.

Subject to satisfactory measures being taken on the points raised in its report, the Financial Committee considered the definite equilibrium of the budget and the stabilisation of the currency practicable in conjunction with a loan of £9 million.

The report of the Financial Committee was approved by the Council of the League, which in principle agreed with the proposals of the Greek Government, and authorised the Financial Committee to continue its collaboration with the Government for the further elaboration of the scheme.

The main problem in evolving a satisfactory scheme was the creation of a Bank of Issue which would fulfil the limited functions of a modern central bank. It required long and careful study. Drafts were prepared during the summer for the statutes of a new Bank of Issue and for an agreement between the Greek Government and the National Bank of Greece for the creation of such a new Bank.

The original idea of the Financial Committee had been that the existing Bank of Issue, that is to say, the National Bank of Greece — which is a combination of a bank of issue and an ordinary commercial bank — should be reformed by winding up or transferring to other institutions all those parts of its activities which would not normally fall within the scope of a bank of issue. This idea is embodied in the Committee's June report. On closer examination of the problem, it was found, however, that it was necessary for the economic system of the country that the National Bank of Greece should continue its commercial work and that it would therefore be preferable to transfer to a new bank its privilege of note issue and those of its other activities which are usually carried on by a Central Bank. On this principle were based the draft statutes for the new Bank and the draft agreement between the Government and the National Bank for the creation of the new institution.

During August, these texts were studied by the authorities in Athens. At the September meeting in Geneva, they received their final shape. At this meeting, the scheme was embodied in a formal Protocol to be signed on behalf of Greece and defining the obligations of the Greek Government. This Protocol is thus the main document containing the legal basis of the scheme and the precise statement of its various features. To it are attached six Annexes, containing, *inter alia*, the Bank Statutes and the agreement between the Government and the National Bank.

These documents were submitted by the Financial Committee to the Council; the Council approved them on September 15th and the Assembly of the League, on September 22nd, 1927, passed a resolution expressing the hope that the scheme would be entirely successful.

The Protocol was signed by the Greek Minister of Finance, M. Caphandaris, on September 15th, and was ratified by the Greek Parliament on November 25th, 1927.

It only now remained for the three Governments (the British, French and Italian), whose consent was required in order that the International Financial Commission should control the revenues assigned as security for the new loan, to sign the Annex undertaking to give the necessary instructions. This Annex was signed on December 8th, and the Council, on the following day, after receiving a report from the Financial Committee, declared the way clear for the beginning of the loan negotiations.

In the meantime, Greece had made an arrangement with the Government of the United States of America in connection with a settlement of a war debt, under which the latter Government lends Greece a sum of \$12,167,073 or approximately £2½ million, at 4 per cent per annum, redeemable in twenty years.

This agreement was ratified by the Greek Parliament on November 25th, 1927, was submitted for ratification to Congress with a message from the President on February 6th, 1928, and has been favourably reported upon by the Committee of Ways and Means of the House of Representatives. One of the conditions of the loan is that the proceeds shall be entirely spent on the settlement of refugees; the sum to be obtained, pending the ratification of the agreement by Congress, from a public issue under the present scheme amounted to about £6½ million. In the prospectuses of the public loan it was, however, stated that power had been formally reserved by the Greek Government to raise a further effective amount of £2½ million under the Protocol signed on September 15th, 1927, ranking equally with the public issues then made.

The £6½ million were obtained by the issue of loans for public subscription in London and New York, a portion of the sterling bonds being taken in Italy and Sweden and of the dollar bonds in Switzerland. The loan was issued at 91, carrying 6 per cent interest. In accordance with the Protocol, a member of the Financial Committee approved the loan contracts and also the reference to the League of Nations in the prospectuses of the sterling and dollar blocks issued in London and New York.

The Chairman of the Financial Committee, in accordance with the powers conferred on him by the Protocol, has allocated one-third of the amount referred to above for the reimbursement of budget arrears, £3 million to the repayment of the State debt (this being the amount required in order to enable the new Bank of Issue to open its doors) and £500,000 to the Refugee Settlement Commission, the remainder being retained by the issuing houses until such time as the balance of the total loan of £9 million has become available, either by the ratification of the American Agreement or by the issue of a supplementary loan.

The new Bank of Issue opened its doors on May 14th, 1928, and the other parts of the scheme have come into operation in accordance with the plan described below.

#### SUMMARY OF THE SCHEME.

The Protocol lays down, first of all, the conditions to which the new loan must conform in order that it may be issued under the auspices of the League. Its net yield, for instance, may not exceed £9 million (see preceding paragraph as to effect of the American loan). The conditions of the loan as to issue price, rate of interest, etc., must be at least as favourable to the Greek Government as the Refugee Loan of 1924. The period of amortisation must not be less than thirty years. The Chairman of the Financial Committee is empowered to verify the fulfilment of these conditions.

The service of the loan is to be secured by all the revenues which are under the control of the International Financial Commission, in so far as they are not pledged for the service of earlier loans. These revenues and the prior charges upon them are described in Annex II to the Protocol. It is estimated that the surplus revenues which are available for the service of the new loan will, during the present fiscal year, amount to at least £5 million.

If, during any six months, the available surplus amounts to less than 150 per cent of what is required for the service of the loan during such period, the International Financial Commission shall require the Greek Government to assign other additional revenues sufficient to bring the yield again up to at least 150 per cent of the service of the loan.

The service of the loan will be assured by the International Financial Commission, which has been established in Athens since 1898. Since the war it has consisted of three members, representatives of the Governments of France, Great Britain and Italy respectively. Annex I to the Protocol contains a declaration signed on behalf of those three Governments, to the effect that they will authorise their representatives on the Commission to discharge the duties contemplated in the present Protocol. A similar declaration was attached to the Protocol of 1923.

The rest of the Protocol deals with the employment of the loan and with the reforms which the Greek Government undertakes to carry out with regard to the Bank of Issue, the currency and the administration of public finances.

In the first place, the Greek Government undertakes legally to stabilise the national currency in relation to gold as from the day on which the new Bank of Issue shall begin business. This Bank will be established and will begin business within six months after the issue of the loan. In order to put this Bank on a strong footing, £3 million from the yield of the loan will be used by the Government to pay off part of the State debt which the new Bank will take over from the National Bank.

The exact manner in which the new Bank, entitled the "Bank of Greece", is constituted is laid down in the draft Agreement between the Government and the National Bank (Annex III to the Protocol). The share capital of the new Bank, amounting to 400 million drachmæ will be taken over by the National Bank, which is obliged to offer it for public subscription at par in three issues, the first within two months after the opening of the new Bank and the second and third issues each with a year's interval. The Agreement defines in detail the assets and liabilities which the old Bank will transfer to the new. The arrangement is such that, when it commences business, the Bank of Greece will have a reserve in gold and gold exchange of not less than 50 per cent of the total of the note circulation and its other demand liabilities (the statutes lay down that the reserve shall be at least 40 per cent). The Agreement also provides for the gradual and complete redemption of the State debt to the National Bank and the Bank of Greece after the first payment of £3 million from the new loan.

Annex IV to the Protocol contains the Statutes for the Bank of Greece. It is impossible to summarise them within the scope of this document. In a sense they may be said to be the most modern of their kind and, as such, will form interesting material for students of central banking. They are, in general, based on the last statutes which had been elaborated under the auspices of the Financial Committee, namely, those for the Estonian Bank of Issue, which in turn were based on the Austrian and Hungarian statutes. Certain ideas inserted have been taken from other recent statutes, those of the Reichsbank, the Reserve Bank of South Africa, the Bulgarian National Bank and the proposed Indian statutes. Other provisions, such as, for instance, the careful definition of the gold reserve in Article 62, may be claimed to be improvements upon what existed up till now in this domain.

With regard to the budget, the Greek Government undertakes in the Protocol "to make, and to persist in making, every effort" to keep the budget during the next two financial years within the present limits "and to maintain thereafter a complete equilibrium between the current revenue and current expenses of the State". The latter are defined as "all expenditure except such capital outlay for revenue-producing purposes as may be provided for from other sources."

Three million pounds from the proceeds of the new loan, together with some other available resources, will be used by the Government for paying off the budget arrears. These are enumerated in Annex V to the Protocol. The £3 million will be paid by the issuing houses of the loan into a special account at the Bank of Issue and can be drawn upon only upon the production of certificates from the independent Central Audit Office of the Hellenic State that the payments in question are in respect of such arrears. Subsequently, the Audit Office will verify that the payments have been effected and will publish its findings.

The Greek Government further undertakes in the Protocol to create a new system of public accounting based on the principle of the unity of the State budget, of cash accounting supplemented by liability accounting and of the centralisation at the Bank of Greece of all the receipts and payments of the State and the State enterprises. Annex VI to the Protocol shows how this centralisation shall be carried out. The Government will also publish in future monthly statements showing the cash position of the Treasury, the receipts and expenditure on account of the budget, the position of Treasury liabilities and the position of the public debt.

The Greek Government also undertakes in the Protocol to issue no Treasury bills or create similar floating debt in excess of 800 million drachmæ (*i.e.*, less than one-tenth of the present budget). This clause corresponds to provisions in the statutes of the Bank of Greece, which is allowed to grant credits in current account to the Government up to a maximum of 400 million drachmæ and to discount Treasury bills endorsed by a third party up to a similar limit.

The Protocol finally lays down that £3 million shall be employed for the refugees by the Refugees Settlement Commission for the purposes described in the Protocol of 1923, or for such other purposes as the Council of the League may approve on the proposal of the Commission.

#### CONCLUSION.

In comparing the present Greek scheme with loan schemes prepared by the League for other countries it will be observed that it has been possible, as in the case of the previous Greek loan, to make use of machinery already existing. The service of the loan and the control of the revenues assigned for that service are placed in the hands of the International Financial Commission in Athens, which for nearly thirty years has successfully fulfilled similar functions for other Greek loans.

With regard to the employment of the loan, it was obvious that the part of the yield which was to be used for the establishment of refugees should be employed through the intermediary of the Settlement Commission in accordance with its existing rights and duties. One-third of the proceeds, earmarked for the reduction of the State debt to the new Bank of Issue, only requires to be paid over by the issuing houses directly to the new Bank. The remaining third, which has to be used for paying off budget arrears, will be expended under the control of the independent Central Audit Office of the State in a manner similar to that which has been working successfully in the case of the Danzig Municipal Loan of 1925 and the Danzig Free City Loan of 1927.

There have been cases in the past where Governments in serious financial difficulties have appealed to the Council of the League and have recognised the necessity, and indeed the desirability, of accepting an external control of the budget by a Commissioner-General responsible to the Council. No such necessity arose in this case. The budget needed to be maintained in, rather than restored to equilibrium. The *de facto*, and hitherto somewhat precarious, stability of the drachma needed to be made legal and safe. It was not a question of attaining currency stabilisation and budget equilibrium, but of strengthening the foundations on which they are based. The measures provided in the present scheme were devised by the Financial Committee as appropriate and adequate for the purpose.

The detailed work of the Refugee Settlement Commission is described in the four quarterly reports submitted to the Council. A summary of it will be included in the Supplementary Report to the Assembly.

At the present moment, the entire proceeds of the original £10 million loan and of the £500,000 advance out of the second loan have been either spent or allocated, and until either the Greco-American Agreement is ratified by Congress or, in the event of failure to ratify, a supplementary loan is issued by the Greek Government, the Commission is short of money for the completion of its work.

(ii) SETTLEMENT OF BULGARIAN REFUGEES AND BULGARIAN STABILISATION SCHEME.

(a) PROGRESS IN THE APPLICATION OF THE SCHEME.

The three quarterly reports of the Commissioner for the Settlement of Refugees cover the period from May 15th, 1927, to February 15th, 1928. The progress of the settlement work there described in detail can be summarised as follows.

The yield of the revenues assigned as security for the loan has remained at a sum which covers more than twice the service of the loan. At the end of the year, out of the total proceeds of the loan, equivalent to about £3,327,596, there remained a balance of about £1½ million. During the winter months, progress was necessarily slow, and in certain cases the work had to be suspended altogether on account of frost, heavy snowfalls and the difficulties of communications. The progress made, however, before the winter set in had been substantial. Nearly 3 million kilogrammes of seed, about 7,419 animals and a large quantity of carts and wagons, ploughs and harrows had been distributed. On February 1st, 1,464 buildings, 1,276 sheds and 1,084 stables were either completed or under contract for completion. Over 13,000 families had definitely received allotments of land. Plans for draining marshes have been prepared, work has begun on certain railways and roads and, with the help of the Health Organisation of the League and the International Health Division of the Rockefeller Foundation, an anti-malaria campaign has been begun.

(b) BULGARIAN FINANCIAL RECONSTRUCTION SCHEME.

On September 15th, 1927, the Council, at the request of the Bulgarian Government, asked the Financial Committee and the Secretariat to undertake an examination of the financial position of Bulgaria. A League delegation accordingly visited Sofia in the autumn of last year and agreed with the Bulgarian representatives a scheme of reconstruction, which was approved by the Council and signed by the Bulgarian Finance Minister on March 10th, 1928. It was ratified by the Sobranje, after considerable discussion, on April 13th, 1928, and the Bulgarian Government is now making the preliminary arrangements necessary before a reconstruction loan can be issued. Moreover, an expert enquiry has been made by M. Regnoul, Chief Engineer of the Paris-Lyons-Mediterranean Railway Company in order to determine the amount required out of such a loan for the reconstruction of the State railways.

The following extract from the report of the Financial Committee describes the reconstruction scheme :

“By way of preface to the scheme, it is enough to recall that, the leva having been stable and the budget in approximate equilibrium for some years, the League in 1926 authorised the issue of a loan under its auspices solely for the purpose of refugee settlement, without at that time undertaking the responsibility for general financial reconstruction. Subsequent experience showed that, if the financial position were to remain on a safe basis and if the stability of the currency were to be maintained, it was necessary for the refugee scheme to be supplemented by one of financial reconstruction.

“The present scheme is the result.

“It will be seen that it contemplates a loan of £4½ million sterling, to be used for the following purposes :

National Bank . . . . .	£1,500,000
Agricultural Bank . . . . .	500,000
Central Co-operative Bank . . . . .	150,000
Budget Arrears . . . . .	1,100,000
Roads and Railways . . . . .	1,250,000
	<hr/>
	£4,500,000

" The loan is to be secured by a first charge on the Customs revenues if this security can be released for the purpose. The independence of the Bank is to be assured ; it is to be transformed, under the conditions described below, into a private share bank ; and a foreign bank adviser, with extensive powers, is to be appointed and to remain for at least two years after this transformation has been effected. The sums devoted to roads and railways will be expended in accordance with a plan drawn up with the aid of a foreign expert, who will make a survey in the country, and both this expenditure and that upon budget arrears will be supervised by the present League Commissioner in charge of the Refugee Settlement, M. René Charron.

*" The Reconstruction Scheme.*

" With this preface, the problem and the solution recommended may be described in more detail.

" The exchange rate of the leva has been approximately stable for over four years. There would appear to be, *prima facie*, a sufficient basis for proceeding now to a definite legal stabilisation of Bulgarian currency, provided that the measures described later in this report are adopted.

*" Budget.*

" When the Financial Committee considered the question of the issue of the refugee loan in 1926, the latest available results were those for the financial year 1924-25, which gave a surplus of 548 million levass. In the following financial year, characterised by a severe economic crisis, revenue collections were reduced, while the expenditure figure was increased, the accounts closing with a deficit of 741 million levass<sup>1</sup>. As the result of a compression of expenditure effected by the newly instituted Budget Commission, the deficit was reduced to 393 million levass in the year 1926-27, making a total for two years of 1,134 million levass. This deficit was partly met by surpluses from previous years : but on April 1st, 1927, the budget arrears amounted to 767 million levass (about £1,100,000).

" The budget estimates for 1927-28 were : revenue, 6,993 million levass : expenditure, 7,085 million levass. But, on the basis of the results of the period April-December 1927, the actual results for the year 1927-28 may be estimated at : revenue, 6,600 million levass ; expenditure, 6,540 million levass ; or a surplus of 60 million levass. This result has been obtained by a stringent control over expenses, and it is very necessary that this should continue.

" In the next two years there will be certain increases in expenditure, partly for liquidation of outstanding pre-war and war charges and for the considerable sums due in respect of compensation payable under the awards of the Mixed Greco-Bulgarian Emigration Commission, but the Bulgarian Finance Minister has informed the Committee that, in his opinion, the ordinary and extraordinary budget expenditure (including any new loan service) can be kept approximately within 6,750 million levass in 1928-29 and 7,000 million in 1929-30, excluding in both cases receipts and expenditure accounted for in special funds and such capital outlay as is met from the loan. The Committee believes that these results should be realised but that they will need certain financial reforms, including a reduction in the number of officials by 10,000 to be effected over the next two financial years.

" But it will be necessary to clear off from special resources derived from the proposed external loan the existing dead weight of past arrears and some of the temporary loans from which such arrears have been for the moment met. The Committee proposes that a sum of £1,100,000 should be devoted to these purposes. It considers that with this assistance any other arrears can be met from the budget within the limits indicated above.

" Supervision over the expenditure of any loan monies for the payment of arrears as well as for other purposes should, in the opinion of the Committee, be exercised by the League Commissioner for the Settlement of Refugees.

" Certain other technical measures are also essential : *inter alia*, complete unity of the budget (including the incorporation therein of a large number of the existing funds) ; maintenance of the system of monthly budgets and of the present Budget Commission, and establishment of a complete and permanent system of Treasury control ; regular publication every month, under appropriate heads of returns of actual receipts and expenditure ; centralisation of cash balances in the Treasury account, control by the Minister of Finance, after consultation with the Governor of the National Bank, over borrowings by public authorities.

<sup>1</sup> £ = 675 levass ; \$ = 138 levass ; 1 Sw. fr. = 26.70 levass.

*“ National Bank.*

“ A considerable sum will be required from the loan to reduce the liabilities of the State to the Bank and to relieve it of various other non-liquid assets, as well as to increase its unencumbered foreign exchange reserve to a more satisfactory percentage of its total sight liabilities.

“ The Committee proposes that a sum of £1,500,000 shall be devoted to paying off in part the advances of the National Bank to or on behalf of the State and to relieving the National Bank of the advances to the two other State Banks, namely, the Agricultural Bank and the Central Co-operative Bank.

“ Various changes will also be required immediately in the Bank's statutes to define more accurately its proper sphere of action and to establish its complete independence on surer foundations.

“ Independence is above all essential. On this depends the prospect of monetary stabilisation which is necessary for any sound scheme of financial reform. In the opinion of the Committee, independence can be best secured by constituting the Bank as an independent corporation with shares, carrying a limited dividend, as widely distributed as possible throughout all classes of the population. This is the solution which has been adopted in the case of all recently founded Central Banks and will enable the National Bank of Bulgaria to take its proper position among the Central Banks of the world to-day. The Committee has prepared an outline of a scheme embodying this principle, by which it thinks, taking into consideration the special conditions of Bulgaria, such a reorganisation could be secured.

“ The scheme does not contemplate that the shares or voting power should be in the hands of persons other than Bulgarian nationals. Nor would the National Bank be dominated by any particular group or class or by a few persons only, the share units being intentionally fixed at a low figure and the maximum voting power of the holder of any number of shares being strictly limited. The National Bank of Bulgaria would remain in the truest sense the property of all classes of the Bulgarian people. Further, the Committee realises that, as in other cases, a certain lapse of time will be necessary before the proposed reorganisation can be fully completed.

“ The Bulgarian Government fully recognises the desirability of the proposed reform and has undertaken to safeguard the complete independence of the National Bank. In all the circumstances, the Committee agrees that, subject to the appointment forthwith of an expert adviser at the National Bank with definite powers, the final decision as to the date of transformation may be deferred.

“ The Committee is glad to record that agreement on this question has been reached. It is embodied in the following passage of the Protocol (Article IV, paragraph 1) :

“ The Bulgarian Government undertakes to safeguard the independence of the Bulgarian National Bank from any political influence whatsoever.

“ The Bulgarian Government agrees, with this intention and for this purpose, to the appointment by the Council of the League of Nations of a technical adviser to the Bulgarian National Bank, whose powers shall be those defined in the amendments to the Statutes of the National Bank (Annex I).

“ The Bulgarian Government fully recognises that for the definite consolidation of the financial situation of Bulgaria it is important to transform the Bulgarian National Bank in accordance with the plan laid down in Annex II, in order to bring it into conformity with the other Central Banks, and undertakes to effect this transformation at a date to be fixed by agreement between the Council of the League of Nations and the Bulgarian Government. The details of this transformation shall be fixed by agreement between the Council and the Bulgarian Government on the advice of the Financial Committee.’

*“ Agricultural and Central Co-operative Banks.*

“ It will, moreover, be desirable to provide new working capital for these two Banks : to the extent of £500,000 for the Agricultural Bank and £150,000 for the Central Co-operative Bank.

*“ Communications.*

“ The position of the State railways requires very careful consideration, and the Committee thinks that the Bulgarian Government has been wise, before preparing any new schemes, in securing, on the advice of the Transit Organisation of the League, a foreign expert to prepare a report on this problem. This expert will doubtless advise on the relative economic advantages to Bulgaria of railway or road construction ; on the degree to which repairs are essential on the existing railway system ; on the railway accounting system ; and on the desirability or otherwise of reorganising the railways on an autonomous basis.

“ The Committee proposes that a sum of £1,250,000 should be provided in the loan for expenditure on communications, in accordance with a programme to be approved after the advice of the expert has been received.

“ *Amount of the Loan.*

“ The Financial Committee is of opinion that Bulgaria should not at present borrow any sum that is not absolutely indispensable. The present resources of the country are limited, and its foreign liabilities are relatively considerable, though the present foreign payments do not, including reparation charges, exceed in gold value the pre-war budget charge for foreign debts. The Committee thinks it would be unwise to expect that a larger sum than £4,500,000 could now be raised ; moreover, it believes that the necessary requirements outlined above could be met within that sum.

“ Provided that adequate measures are taken to establish budget equilibrium, and monetary stabilisation is carried out and maintained by the working of a satisfactory Central Bank, a loan of this size does not exceed the financial capacities of the country

“ *Securities.*

“ The Committee has discussed at length what revenues could be pledged for the service of such a loan. After examining in detail the various possibilities, the Committee has been forced to the conclusion that the charge which, from a market point of view, would justify confidence in a successful issue of the loan would be a first lien on the Customs revenues. These are at present subject to a first lien for reparation and other treaty charges. There may also be certain private claims on these revenues. But it might be possible to arrange that the Inter-Allied Commission at Sofia (whose assent in any case would be necessary for a release from the *general* charge for reparations on all Bulgarian revenues and assets) should allow the Customs revenues now specifically pledged for reparations to be pledged in the first place for the service of the contemplated new loan, and, while retaining a second charge on the Customs, should accept for what they release an alternative charge on some other satisfactory revenue.

“ The Committee wishes to draw attention to the importance for the success of this scheme of an early settlement of certain outstanding questions, such as the possibility of securing a first charge on the Customs revenues and sufficient progress in the settlement of various pre-war private debts of the Bulgarian State.”

(iii) MIXED GRECO-BULGARIAN EMIGRATION COMMISSION.

On September 3rd, 1927, the Council, on the report of the British representative, requested the Financial Committee to give advice to the President of the Mixed Commission, if he so desired, on any technical aspects of the problem as to how the financial obligations of the Bulgarian and Greek Governments, arising in connection with Greco-Bulgarian emigration, were to be met.

In December, the Committee prepared, and the Council approved, an Agreement which was signed by the two Governments.

On March 10th, 1928, the Council passed a resolution strongly urging the two Governments to ratify this Agreement as soon as possible. It was ratified in the same month by the Sobranje and has been submitted to the Parliamentary Commission which, according to Greek Parliamentary practice, has to examine and propose to the Chamber the ratification of the Agreement.

The Agreement implements the Convention on Reciprocal Emigration which was signed at Neuilly in 1919, and provides the mechanism whereby the exchanged populations are indemnified by each Government for the property they have left behind, and for the adjustment of the resulting debts between the two Governments. Bonds are to be issued to the refugees and a neutral bank is to be appointed by the Council for the deposit of bonds by the debtor State representing the half-yearly interest and amortisation of the debt which has arisen, as between the two States concerned, out of the indemnification of the refugees.

It is agreed under this instrument that the bonds issued to the refugees may be accepted by the League settlement organisations in both countries in respect of certain payments due by them, and the functions of the Mixed Commission are to be transferred to such other person or body as may be approved for the purpose by the Council of the League of Nations if at any time it shall so decide.



(iv) FINANCIAL RECONSTRUCTION OF PORTUGAL.

On November 24th, 1927, the Finance Minister of the Portuguese Republic informed the Council that the Portuguese Government desired to carry out a scheme of financial reconstruction, currency stabilisation and economic development, and asked that the Financial Committee should examine the question. The Council decided on December 5th to request the Financial Committee and the Secretariat to study the financial situation of Portugal.

A delegation accordingly visited Lisbon and the whole situation was carefully examined both there and at Geneva, with the help of representatives of the Government and the Government Departments, the National Bank and others.

During its session in March, the Financial Committee endeavoured to draw up a reconstruction scheme, in agreement with the Government, and reported as follows :

“ The technical problem presented is in principle similar to that presented by some of the other schemes which have been recently before the Council. The currency of Portugal has seriously depreciated since the war. An effort to arrest depreciation was made, which maintained a *de facto* stability for some years; but the general financial position has made this stability precarious and prevented a legal stabilisation. In these circumstances, the Portuguese Government, anxious to achieve permanent reform by means of a comprehensive scheme, including an external loan, has applied for the assistance of the League.

“ The first results of the Committee's study involve the establishment of budget equilibrium, the legal stabilisation of the currency, the consolidation of the floating debt and the reduction of the State debt to the Bank of Portugal, and, finally, the issue of an external loan, a portion of which could be devoted to public works which are economically essential. With the aid of these measures, and under the other conditions discussed with the Government, the Committee consider that the finances of Portugal and its currency could be placed on a sound basis.

“ It has not yet been possible to complete the scheme, and the Committee is still in discussion with the Government on some features in it. ”

This report was noted by the Council at its March session. In June, the Portuguese Government informed the Council that it was forced to recognise that it could take no further steps in this matter.

(v) PUBLICATION OF MONETARY AND BANKING LAWS.

The Committee decided, in view of the expense and the difficulty of preparing and keeping up a volume recording all monetary and banking laws, that it could not recommend that the League of Nations should proceed at present with this publication, but that the Secretariat should make as complete a collection as possible of such documents and should consider the possibility of including in one of its regular publications a bibliography on this subject.

(vi) VARIOUS QUESTIONS.

The Committee has at its quarterly sessions considered minor questions arising in connection with the Danzig Municipal Loan of 1925, the expenditure of the balances of the Austrian and Hungarian Reconstruction Loans, and the Currency and Banking reform in Estonia.

The last-named scheme has been satisfactorily carried out in accordance with the Protocol signed at Geneva on December 10th, 1926. Of the loan of £1,350,000, a sum of £1 million was paid to the Bank of Estonia at the end of December 1927, so that the legal stabilisation of the Estonian currency became effective as from January 1st, 1928.

(vii) DOUBLE TAXATION AND FISCAL EVASION.

As reported in the Supplementary Report to the eighth ordinary session of the Assembly<sup>1</sup>, the Council decided, at its session in June 1927, to convene a general meeting of Government experts in 1928. This Conference will consider the report of a Committee of Experts who have been working upon the subject during the past three years, and in particular four model bilateral conventions on the following subjects :

- (a) The prevention of double taxation ;
- (b) The prevention of double taxation in regard to the special question of succession duties ;
- (c) Administrative assistance in matters of taxation ;
- (d) Judicial assistance in the collection of taxes.

<sup>1</sup> See Records of the Eighth Ordinary Session of the Assembly, *Official Journal*, Special Supplement No. 54, page 350.

The Conference will meet on October 22nd, 1928.

As a preparation for this Conference, the Council, at its September 1927 session, on the recommendation of the Financial Committee, authorised the publication in a single volume of existing Conventions on Double Taxation and the annual publication in future of any new Conventions concluded in the manner proposed by the Committee of Experts in their report of April 1927.

### C. Publications of the Economic Intelligence Service.

Since the end of August 1927, the following publications have been prepared and issued by the Economic Intelligence Service of the Economic and Financial Section of the Secretariat :

- (a) *Memorandum on International Trade and Balances of Payments, 1912-26* (two volumes).
- (b) *Memorandum on Production and Trade, 1913 and 1923-26.*
- (c) *International Statistical Year-Book.*
- (d) *Monthly Bulletin of Statistics.*

In addition, a *Memorandum on Commercial Banks, 1913-27*, is in preparation.

#### (a) MEMORANDUM ON INTERNATIONAL TRADE AND BALANCES OF PAYMENTS, 1912-26 (two volumes).

In accordance with the resolution adopted by the Assembly during its third ordinary session, the *Memorandum on International Trade and Balances of Payments* has been prepared year by year and has now become a standard work of reference.

The scope of the present edition may be summarised as follows :

Volume I contains a general survey of world trade during the years 1925 and 1926, summary tables giving separately the total imports and exports of sixty-three countries and general tables for all countries of the world, showing trade by value and by weight, trade at 1913 prices and by countries of origin and destination. It contains, in addition, estimates of the balance of international payments of some twenty-five States in recent years. These statements have, in the majority of cases, been specially prepared for the League of Nations in a uniform manner.

Volume II contains detailed trade statistics of sixty-three countries, each chapter being prefaced by a note explaining the manner in which the statistics are compiled, the extent of their comparability, etc.

#### (b) MEMORANDUM ON PRODUCTION AND TRADE, 1913 AND 1923-26.

This new *Memorandum on Production and Trade*, which constituted one of the three or four central documents of the World Economic Conference, brings the data and indices up to the end of 1926. It represents an attempt to assess the changes that have taken place since 1913 in the population of the world and in the territorial distribution of that population, in the production of basic raw materials and foodstuffs in the world as a whole and in the main divisions into which the world naturally falls, and in the quantum of world trade and its distribution. In a final chapter, the problem of the relative prices of manufactured commodities, on the one hand, and raw materials and foodstuffs on the other is discussed.

#### (c) INTERNATIONAL STATISTICAL YEAR-BOOK.

The first edition of the *International Statistical Year-Book* was published at the time of the Economic Conference, and, owing to the large demand, it was rapidly exhausted. A reprint was accordingly issued in the early autumn. In the second edition of this reference handbook, the majority of the statistics are brought up to the end of the year 1926 or 1927. It gives in a concise form the more important categories of statistics concerning area and population, including migration movements, production of cereals, textiles, ores and minerals, artificial fertilisers, etc. : international trade by value and weight, shipping, maritime freights, railways and motor vehicles, public finance (summary of budget accounts, analysis of revenue and expenditure, public debt, etc.), monetary statistics (note circulation, gold and foreign assets reserves, commercial bank deposits, etc.), rates of exchange, wholesale and retail prices, etc.

(d) MONTHLY BULLETIN OF STATISTICS.

A considerable number of the more important tables contained in the *International Statistical Year-Book* are kept regularly up to date in this *Bulletin*, and the more important monthly economic statistics of the world are given.

Changes in the scope of and method of preparing the published statistics are noted and explained in special introductions, and diagrams showing the volume of industrial production in the United States of America and indices of economic prosperity in the United Kingdom are prepared for each issue.

(e) MEMORANDUM ON COMMERCIAL BANKS, 1913-27.

The publication of a *Memorandum on Commercial Banks* which was recommended by the Brussels Conference and approved by the second and sixth ordinary sessions of the Assembly has been postponed. The preparation of this volume is now, however, almost completed and it will shortly be published as a companion volume to the *Memorandum on Currency and Central Banks*, of which it is hoped to publish a new edition, covering the years 1913-28, early next year.

## II. ORGANISATION FOR COMMUNICATIONS AND TRANSIT<sup>1</sup>.

The Advisory and Technical Committee for Communications and Transit has, since the last ordinary session of the Assembly, which followed immediately on the Third General Conference on Communications and Transit, continued the examination of the questions that had already been studied in part, and of the new problems raised either by the General Conference or by the Council or the Assembly. The Committee, having been renewed at the Third General Conference, had also to reconstitute itself and to reorganise its various permanent and technical Committees. It held a session for this purpose from February 27th to March 2nd, 1928. A meeting of the Permanent Committee on Road Traffic, composed as formerly, was held in November 1927; a certain number of other meetings have been held, particularly those of the Sub-Committee of Experts on Maritime Tonnage Measurement, of the Committee for the Unification of Transport Statistics, and of the Special Committee which is examining the question of the jurisdiction of the European Commission of the Danube.

The position of the work of the Organisation for Communications and Transit as regards the principal questions on the agenda may be summarised as follows:

### 1. ROAD TRAFFIC.

Subsequent to the work of the Permanent Committee on Road Traffic, a scheme for the standardisation of road signals was drawn up. It is at present being submitted for examination to the authorities concerned. This scheme was drawn up in agreement with the "Union internationale des Villes" and in close connection with the "Association internationale des Automobile-Clubs reconnus".

The Committee on Road Traffic is continuing the examination of the standardisation of road regulations and has, on the other hand, undertaken, with the approval of the Advisory and Technical Committee, the study of two new problems. One of these relates to the fiscal regime for motors of foreign tourists, in so far as this regime affects international touring: the other, which may be of general importance in the future, deals, for the first time from an international standpoint, with commercial motor transport. This form of transport, both of travellers and of goods, is developing more and more, and perhaps general international regulations may become necessary shortly. A preliminary enquiry has been undertaken into this subject, particularly in order to examine whether the Customs facilities afforded to touring motors by the triptych regime might be extended to commercial motors.

The Advisory and Technical Committee has also dealt with the measures that might be taken to facilitate the entry into force of the Convention on International Motor Traffic, concluded at Paris in 1926, which introduced in the international regime of motor traffic a certain number of new facilities for which the Committee has asked on several occasions.

### 2. INLAND NAVIGATION.

The work for the unification of private law in inland navigation has been continued in association with the River Commissions. There is reason to hope that, particularly in nationality questions, registration questions and collision questions, an agreement may be made for the establishment of a basic text which it may be possible to submit to an international conference. The Committee for the Unification of Private Law is to meet

<sup>1</sup> This chapter constitutes the report presented by the Advisory and Technical Committee for Communications and Transit to the Council, for transmission to the Assembly, on the work of the Organisation for Communications and Transit between the eighth and ninth ordinary sessions of the Assembly.

in June 1928, and will be able to make use in connection with the registration question, of a text which has already received, in the Central Commission for Rhine Navigation, the agreement of the States represented upon that Commission.

### 3. MARITIME NAVIGATION.

(a) *Buoyage and Lighting of Coasts.* — The Advisory and Technical Committee, following the report of a special Committee, has sent to the Governments of the maritime Powers a scheme for the standardisation of the buoyage and lighting of coasts, and has asked these Government for their observations. A large number of replies have been received. The Committee thought it necessary, before deciding on the expediency of convening an international conference, to transmit these replies to the special Committee in order that the latter may undertake a supplementary study and consider as far as possible the suggestions and objections presented. The Directors of the services of lighthouses and buoys of a certain number of countries have been nominated Rapporteurs for this purpose to the special Committee, and are making enquiries on the spot. At the present moment they are undertaking this study particularly in the United States of America and in Canada, with the collaboration of the local authorities concerned.

(b) *Unification of Maritime Tonnage Measurement.* — The Sub-Committee of Experts instructed to present a preliminary scheme has concluded its work and is presenting to the Technical Committee itself a unanimous report. The Committee will meet before the next ordinary session of the Assembly and an account of its work will be given in the Supplementary Report. It should be noted that all the important maritime Powers are participating in this study, whether they are Members of the League of Nations or not.

(c) *Penal Consequences of Collision at Sea.* — Various recent and well-known cases, particularly that of the *Lotus*, have drawn attention to the disadvantages which result from the absence of any international agreement on the penal consequences of collision at sea. A statement upon the subject has been transmitted to the Advisory and Technical Committee by the International Association of Merchant Marine Officers. The Committee for Ports and Maritime Navigation has been asked to give its views to the Committee upon the expediency of examining this question, and to present, if there be occasion, any useful suggestions upon the procedure to be followed.

### 4. AIR NAVIGATION.

The Assembly, during its last ordinary session, requested the Council to refer to the Advisory and Technical Committee the consideration of the action to be taken to give effect to the resolution of the Preparatory Commission for the Disarmament Conference relating to the expediency of economic co-operation between air navigation enterprises (resolution adopted in accordance with the unanimous wish expressed by the Committee of Experts in Civil Aeronautics of the Preparatory Commission).

The attention of the Third General Conference on Communications and Transit had, moreover, been drawn to the problem of the general international organisation of air navigation. The Advisory and Technical Committee decided to nominate a Committee of specialists to examine this group of questions. The task of the Committee is to decide whether it is possible to contemplate the constitution of an international organisation of air navigation, of as universal a character as possible, and in what way greater co-operation between civil air-navigation administrations and enterprises might be established with the assistance of all, or nearly all, the countries concerned.

The Advisory and Technical Committee has, on the other hand, continued its increasingly close collaboration with the International Commission on Air Navigation instituted by the Paris Convention of 1919.

### 5. GENERAL QUESTIONS CONCERNING VARIOUS METHODS OF TRANSPORT.

(a) *Unification of Transport Statistics.* — The Committee has already had the question of the standardisation of inland navigation transport statistics examined by a Committee of Experts. In pursuance of a recommendation of the Third General Conference on Communications and Transit and in order that the views of an important group of carriers may, as soon as possible, be known in connection with the study, related from certain points of view, of the standardisation of Customs nomenclature, undertaken by the Economic Organisation, the Advisory and Technical Committee has converted the Committee for the Unification of Inland Navigation Statistics, which had already arrived at practical results in respect of this method of transport, into a Committee competent to examine both inland and maritime navigation transport statistics.

The first session of this enlarged Committee has already shown that it is easy to reconcile the needs of inland navigation and maritime navigation transport statistics. The Advisory and Technical Committee will ultimately examine whether or not it is possible to standardise railway statistics upon the same basis. It is keeping in touch with the Economic Committee, and expects that, as far as possible, the work of unifying Customs nomenclature will be based upon the desiderata presented

for transport statistics. It is, indeed, highly desirable that the large groups of goods that would appear as chapter headings or as sub-headings in Customs nomenclature should correspond to the designations that would be introduced in transport statistics. It would thus be possible to follow, by means of Customs and transport statistics in the aggregate, all the movements of both foreign and home trade.

Besides the simple question of nomenclature, the Committee for the Unification of Statistics is endeavouring to standardise the administrative procedure in the collection of statistics by seeking to obtain a grouping of these statistics according to districts, which would make it easy to follow the movement of goods from one district to another.

(b) *Combined Transport.* — The study of the question of combined transport with a single transport document has shown that the establishment of such a transport document between maritime or inland navigation transport and railway transport presents fairly serious difficulties in view of the legal differences between railway transport documents and maritime or inland navigation transport documents in most countries.

The Special Committee on Combined Transport is to re-examine the whole question. Doubtless, it will be led to undertake a particular study of the principal of these legal differences, namely, the negotiability of navigation transport documents and the non-negotiability of railway transport documents in Europe.

On the other hand, it has been possible to make the question of combined transport between railways and air navigation the object of definite recommendations. Pending the establishment of a single transport document, a system that is at present in force in certain countries makes it possible to obtain, without a single transport document, most of the practical advantages that the single document would secure. The system has been submitted for the consideration of the Governments and administrations concerned. It might even apply not only to combined transport by air and rail, but be of more general utility.

(c) *Obstacles to Freedom of Transit.* — The Third General Conference instructed the Committee to examine in detail the position created by such obstacles as still exist to freedom of communications and transit, and to study their effect on traffic and on international trade. The Committee noted that, in accordance with the terms of the Assembly's resolution of December 9th, 1920, its duty was "to consider and propose measures calculated to ensure freedom of communications and transit at all times". It considered, therefore, that it was its duty to study, by any method which it thought best suited for the purpose, any situation created by obstacles to freedom of transit which was brought to its notice either by a Government or by the Council or by the Assembly or by one of its Members. With this object in view, in order to facilitate the fulfilment of its duties and to complete, if necessary, the information already in the possession of the members of the Committee, the Chairman was asked to bring to the notice of its members, as information of a personal kind, any communication received by him or by the Secretariat which appeared to him to contain data that might be considered by members of the Committee to be worthy of its examination. Questions so brought to their notice would only be examined in detail by the Committee after the Government or Governments concerned had been informed of a proposal to place the question on the agenda, and had thus been enabled to make any observation which they thought useful.

(d) *Serious Occurrences of a General Character affecting Routes of Communication.* — The Secretary-General of the Committee was instructed to present to the Committee at a future date a report on the recommendation adopted on this question by the Third General Conference. The Conference, as will be remembered, instructed the Committee to discover how provision could be made in normal times for measures which would ensure, as soon as possible, the re-establishment of communications affected by grave occurrences of a general character. This question concerns railway communications as well as air and motor transport. Certain aspects of it are also political and legal in character.

(e) *Collection and Exchange of Information on Communications and Transit.* — The Third General Conference asked for the organisation of a service for the collection and exchange of information regarding communications and transit, and, pending the adoption of the budget for 1929, authorised the Head of the Communications and Transit Section of the Secretariat to adopt certain preparatory measures. The Committee has defined the scope of these measures, and has already asked a certain number of Governments to communicate their publications on a given list of subjects. The Head of the Communications and Transit Section has got personally into touch with the administrations concerned in a certain number of countries, in order to explain more clearly the exact nature of the information required. The first steps in this direction make it possible to state, as was hoped, that a service for the collection and exchange of information will not only facilitate the work of the Committee and be of practical service to all administrations, but will also make closer co-operation possible between the experts of far-distant countries.

(f) *Application of the Resolutions of the Conference on the International Regime of Passports: Cards for Emigrants in Transit.* — The Secretary-General of the League has been instructed to ask all the Governments, to which the results of the Second General Conference on Passports were communicated, what action has been taken on the recommendations adopted by that Conference. Particulars which had up to that moment reached the Secretariat unofficially showed that, in a large number of cases, progress had been achieved since the holding of that Conference on the lines of its recommendations, especially in the suppression of visas by means of bilateral agreements.

The report to the last ordinary session of the Assembly stated that the question of cards for emigrants in transit, which would exempt them from having to obtain a visa, had been entrusted for examination to a special Committee, which had drawn up an international draft agreement on the subject. This draft agreement was accordingly communicated to the various European Governments. After examining the replies of these Governments, the Committee has decided to propose that the Council should convene a European Conference with instructions to draw up an international agreement. Most European Governments have accepted the recommendations of the Committee of Experts, but some have suggested certain amendments to the proposed texts.

#### 6. EFFECT TO BE GIVEN TO THE RESOLUTIONS OF THE CONFERENCE OF PRESS EXPERTS RELATING TO QUESTIONS OF COMMUNICATIONS.

The Advisory and Technical Committee has examined the questions of communications raised by the Conference of Press Experts. The state of the work on this subject is described elsewhere in the report.

#### 7. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIME OF CRISIS.

(a) *General Measures.* — The Communications and Transit Organisation has completed the general measures to be applied in time of crisis. Those measures have already been submitted to the Council and to the Assembly. Before the next ordinary session of the Assembly the International Commission on Air Navigation will have finished its investigation of the questions submitted to it on this subject by the Advisory and Technical Committee. A general table of measures which can be applied is to be drawn up by the Secretary-General of the Committee for circulation to all the administrations concerned. This table will give full details of the measures contemplated in order that each administration may obtain the necessary instructions from its Government. The Section for Communications and Transit will, in future, be in direct relation, in so far as the application of these measures is concerned, with one or more officials chosen by each Government, who will thus possess accurate knowledge of measures of urgency to be adopted when the necessity arises.

(b) *Landing-Ground for Aircraft.* — The Committee of Experts appointed by the Advisory and Technical Committee has drawn up a plan for the construction of a landing-ground near to the seat of the League. This plan is based on the development of an existing landing-ground. An agreement on this subject has been concluded with the competent authorities in so far as the technical points are concerned. It was, however, discovered during the negotiations that, more especially owing to the financial requirements of such a scheme, it would probably be difficult to find a solution for the question within the local limits which had so far alone been discussed. It was considered that the Secretary-General of the Committee and the Federal authorities concerned should discuss the question from a more general standpoint in order to discover any solution which might be acceptable from an economic and technical point of view. The Committee is not, therefore, in a position to submit a report to the Council on this question for the moment.

(c) *Wireless Station for the League of Nations.* — On the other hand, in so far as the wireless station for the League of Nations is concerned, the Committee has sent a general report to the Council. This report contains full details regarding the method of construction and working of the wireless station both in normal times and in times of crisis. Nevertheless, in order to avoid any misunderstanding, and in order that the Assembly may receive all additional information possible, certain questions in connection with its working are to be examined by a special Committee, whose views will be communicated by the Chairman of the Transit Committee at a suitable date before the next ordinary session of the Assembly. It appears unnecessary to summarise the general report of the Committee on this subject, as it has been issued as a separate document (C.141.M.32.1928.VIII).

#### 8. SPECIAL QUESTIONS SUBMITTED BY THE COUNCIL.

The Advisory and Technical Committee, in its capacity as an advisory body to the Council, has had, as in the past, to examine various questions regarding the application of treaties, more especially the application of the railway clauses of the Treaties of St. Germain and of Trianon.

Up to the moment, all questions of this kind have, after a preliminary examination by the Committee, been settled by friendly agreement between the parties concerned.

### 9. JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE.

Negotiations between representatives of the European Commission of the Danube, carried on with the co-operation of the special Committee appointed by the Transit Committee, were continued after the Permanent Court of International Justice had promulgated its opinion on the present legal position. These negotiations concern the possibilities of changing this legal position. The result of the negotiations will be communicated at a future date.

### 10. QUESTIONS OF ORGANISATION.

The main object of a new statute of the Organisation of Communications and Transit adopted by the Third General Conference is to codify existing practices, and has therefore not resulted in any great change in the working of the Committee.

The Committee, which appointed as its Chairman the Italian member, has reconstituted the Permanent Committees in order to ensure the best possible representation of all the interests concerned in each case, by the individual appointment of the best-qualified persons. The composition of the Permanent Committee on Transport by Rail has been enlarged and made more elastic in order that it may be possible to obtain a larger measure of co-operation from the railway experts of non-European countries.

\* \* \*

During its discussions, the Committee was again informed by the representative of the International Broadcasting Union of difficulties which have occurred owing to the fact that certain forms of propaganda, regarded as inadmissible from an international point of view, have been carried on by means of broadcasting. The Committee did not consider itself competent to examine the question, despite its importance, for it has decidedly political aspects. It decided, however, to mention the matter in its report to the Assembly.

## III. THE HEALTH ORGANISATION.

In 1927, the Assembly, during its eighth ordinary session, approved in two resolutions the work done by the Health Organisation. The first of these resolutions dealt with the possibilities of technical co-operation with public health and medical authorities in Latin-American countries. The second dealt with the general programme of work. This latter resolution especially mentioned the Eastern Bureau at Singapore, the conclusion of agreements with the Office international d'hygiène publique, the work of the Commissions, various special enquiries and technical investigations, and the scheme for the study of health problems in the Pacific area.

In these resolutions, and in the report to the Council on the work of the eleventh session of the Health Committee, attention was drawn to the increasing tendency of the Health Organisation to ensure a more extensive and intimate collaboration between the health administrations and the League, and between these administrations themselves. This tendency, which affects an increasingly wider and more fruitful field in the domain of health organisation, was referred to in a resolution adopted by the Assembly during its seventh ordinary session, and every year the number of countries inviting and accepting this collaboration increases.

Striking proof has been afforded, during the past year, of the increasing part played by the Health Organisation in the co-ordination of health work. As examples we may quote the following: the development of the Service of Epidemiological Information and of the Singapore Bureau; the offers of the health administrations of the United States and the countries of Latin America; the requests of the Governments of Belgium and Greece; the co-operation accepted by the Bulgarian Government.

Besides this universal tendency towards collaboration, it may be noted that the Health Organisation progressively extends the field of its investigations. After having endeavoured to solve problems of a strictly technical and medical character, such as the problem of epidemiological information and the standardisation of sera, the Health Organisation is now undertaking more complicated questions of social and rural hygiene. It is embarking upon the study of phenomena closely bound up with the economic and sociological facts which intimately affect modern life.

The activities of the Service of Epidemiological Intelligence, the work of the Eastern Bureau, the work of the Commissions, the arrangements for the organisation of interchanges, the direction taken by special investigations and researches — all this work of the Health Organisation is evidence of the above characteristic tendencies.

### 1. EPIDEMIOLOGICAL INFORMATION AND PUBLIC HEALTH STATISTICS.

Effective sanitary police organisation is largely determined by the abundance, exactitude and rapidity of epidemiological information, and the Health Organisation, by its epidemiological service, endeavours to put at the disposal of the administrations concerned information which is increasingly complete, reliable and up to date.

From all countries which are able to furnish such information, the Health Organisation receives periodical reports on the appearance, frequency and geographical distribution, character and gravity of the transmissible diseases of importance from the point of view of public health defence.

This information is received at Geneva at the head office of the Epidemiological Intelligence Service and at the Eastern Bureau at Singapore, an organisation which has so considerably developed that a special chapter will be devoted to it.

The chief progress achieved in 1927 mainly concerns the extent and presentation of the information received, which is published in the form of weekly, monthly and annual reports.

The *Weekly Record* is intended to place at the disposal of the health administrations information of an urgent character. It contains all the information which reaches Geneva during the week on pestilential and serious epidemic diseases against which the administrations concerned have to be continually on guard. Numerous countries have recognised the utility of this weekly report, which increases daily owing to improvements in telegraphic communications with the regions in which pestilential diseases are liable to break out.

The *Monthly Epidemiological Report*, which registers the frequency and distribution of the principal transmissible diseases throughout the world, has been notably improved so far as its presentation is concerned. The maps and graphs have been increased, and every number contains an epidemiological survey of diseases which have an immediate interest at the moment of publication.

The *Annual Epidemiological Report* for 1927 will appear in October 1928.

Besides these improvements in detail as regards documentation, a Conference was held at Geneva on October 25th and 26th, 1927, attended by a small number of experts, who were asked to study the most appropriate methods for grouping, transmitting and publishing epidemiological information. This conference resulted in conclusions of a technical character for the improvement of the epidemiological service.

Finally, an agreement has been concluded between the Health Organisation and the Office international d'hygiène publique.

Article 7 of the International Convention of June 21st, 1926, is to the following effect :

“ In order to facilitate the accomplishment of the task entrusted to it by the present Convention, the Office international d'hygiène publique, because of the value of the information which is furnished by the Service of Epidemiological Intelligence of the League of Nations, including its Eastern Bureau of Singapore and other similar bureaux, as well as by the Pan-American Sanitary Bureau, is authorised to negotiate necessary arrangements with the Health Committee of the League of Nations as well as with the Pan-American Sanitary Bureau and other similar organisations. ”

In execution of this Convention, the Permanent Committee of the Office international and the Health Committee (tenth session) concluded an arrangement. The first two articles of the arrangement are as follows :

“ I. Governments may effect the notifications and communications provided for by the Convention and intended for the Office international d'hygiène publique by means of one of the regional bureaux of the Health Organisation of the League of Nations, subject to a special agreement being made between the Office international d'hygiène publique and the League of Nations for each particular bureau.

“ II. Governments which adopt the above procedure will be termed Governments associated with the regional bureaux. Regional bureaux will undertake the transmission of information addressed to them in conformity with rules which will be fixed in the particular agreement which relates to each bureau. ”

The special arrangement which concerns the Eastern Bureau at Singapore contains the following provisions :

“ I. The Eastern Bureau of the Health Organisation at Singapore will act as a regional bureau under the conditions provided for by the General Agreement which has been concluded in virtue of Article 7 of the International Sanitary Convention of June 21st, 1926.

“ II. The Singapore Bureau will effect the transmission of information addressed to it in accordance with the following regulations. ”

These rules relate to the application of the Sanitary Convention.

The resolutions of the tenth session of the Health Committee were approved by the Council during its session held in June 1927.

## 2. EASTERN BUREAU AT SINGAPORE.

The Assembly, during its eighth ordinary session, noted that the work of the Eastern Bureau was increasing and was becoming continually more useful.



During the year 1927, the work of the Bureau continued to develop. Not only has the number of ports with which the Bureau is in weekly telegraphic communication increased from 123 to 140, but an endeavour is at present being made, with growing success, to forward epidemiological information covering the whole of certain countries as well as their ports.

The transmission of the *Weekly Record* by wireless has been appreciably improved and developed. The wireless transmission of code messages has been entrusted to the powerful stations, and the weaker stations have been asked to transmit messages in clear which are intended for reception by ships at sea.

On October 1st, 1927, the station of Tananarivo began to relay the Bulletin in code transmitted by the powerful station at Saigon. Wireless communications have been established with the Persian Gulf, and the station of Malabar publishes a summary of the *Weekly Bulletin* in clear which is picked up by the stations at Madras and Karachi.

Moreover, the *Weekly Fasciculus* prepared at Singapore is transmitted by cable to Geneva and relayed every Saturday by the station at Nauen (through the Trans-Ocean Company, G.m.b.H., of Berlin) for the use of the health services of European countries and of certain countries outside Europe.

Thirty-five health administrations of the Far East inform the Bureau of the arrival of infected vessels in the ports under their jurisdiction.

At the outset, the functions of the Eastern Bureau were limited to the reception, centralisation and distribution of epidemiological information. The importance of its work has progressively increased, and to-day it constitutes one of the most important efforts which have been made to extend to Eastern countries the technical work of the Health Organisation. The Bureau at Singapore acts as a centre of co-ordination for the investigation of certain problems — such as the value of the method of vaccination by the mouth against cholera and dysentery — which are of special interest to health administrations in the Far East.

The Advisory Committee of the Eastern Bureau, during its third session, held at Delhi, from December 26th to 29th, 1927, decided to communicate to the Health Committee the programme of a co-ordinated enquiry into plague.

During this same session, the Committee recommended that the Bureau should collect detailed information in regard to the quarantine stations of the East and their value.

The Eastern Bureau is thus gradually organising the international effort which is necessary to determine and to settle problems of public health in the East, and to assure in this part of the world the execution of the programme drawn up by the Health Organisation.

The Advisory Committee of the Eastern Bureau, during its session held at Delhi in December 1927, examined and adopted the regulations and statutes relating to its constitution. The Committee is composed of a delegate of each of the following countries: Australia, China, the Dutch East Indies, Indo-China or other French colonies, India, Japan, the Japanese colonies, the British colonies and dependencies.

### 3. LIAISON BETWEEN THE HEALTH SERVICES OF THE VARIOUS COUNTRIES : INTERCHANGES.

The first international health course instituted by the Health Organisation took place at the Health Institute of the Faculty of Paris from January 17th to March 5th, 1927. This was described in the previous report to the Assembly.

The effort was so successful that a second international course was organised in London from November 3rd to December 15th, 1927. There were nineteen participants in the course drawn from seventeen public health administrations, together with a certain number of occasional participants, who were able to visit a large number of administrative services, hospitals, dispensaries and medical and health institutions, while that at the same time benefited from lectures delivered by distinguished experts.

The interchange in Germany began at Berlin on September 19th, 1927. Twenty-five health officials, from twenty-one health administrations, participated. The programme was drawn up with meticulous care by the health administrations of the Reich, of the States of Prussia, Saxony and Bavaria, and of the city of Hamburg. The majority of the participants held important posts in their respective health administrations, and drafted very interesting reports, which showed how much advantage they had derived from the tour.

The interchange in India, which constituted the second collective study tour organised in the Far East, began at Delhi on January 2nd, 1928, and finished at Bombay on February 18th. Fifteen health officials from twelve administrations participated. They studied the chief characteristics of the recent active developments in the field of preventive medicine and public health in eight provinces of India. They were afforded the greatest possible facilities to enable them to observe at first hand the work of the health services of the central, provincial and municipal authorities.

The interchange devoted to the study of problems of rural hygiene began on May 28th, 1928, and will be concluded towards the end of July. It includes both medical health officers and sanitary engineers. Twenty-one officials from nineteen health administrations are participating in the interchange. The officials participating will visit in turn rural districts chosen in the following countries: Belgium, France, Germany, Hungary, the Netherlands and the Kingdom of the Serbs, Croats and Slovenes.

According to the precedent established by the interchange in Germany, the health authorities concerned have drawn up short statements on the districts and institutions to be visited.

The studies of those participating in the interchange will not be limited to health organisations specifically, but will be extended to all institutions which are likely to influence rural health, such as schools of agriculture, public relief works, co-operative and real estate associations. Moreover, special attention will be devoted to problems of rural health policy, particularly to the problems of garden city planning, methods of water supply, refuse disposal, housing and the organisation of medical and hospital services.

Questions of rural hygiene are at present among the most difficult that have to be settled by the public authorities, and the study of the problems raised by the interchange may result in solutions which will be applicable in practice.

A certain number of individual fellowships have been granted to officials nominated by their health administrations with a view to special studies and in order to ensure contact with the experts of the Far East and Latin America. Seven doctors from the Far East were entrusted with missions in Europe and the United States, where they have been able to study problems of public health, to familiarise themselves with laboratory research and to deliver lectures.

Four public health officials from Latin America have come to Europe in order to visit health institutions and to take part in certain work of the Health Organisation.

Among the Europeans, one expert has studied the problem of nutrition at Tokio; another has derived benefit from staying at the Institute of Malaria at Trogir; a third has visited the health organisations of London; a fourth was admitted to the Pasteur Institute of Paris; a professor of physiology and physical education has prepared a report on the centres which he visited in Europe.

#### 4. WORK OF THE COMMISSIONS.

##### *Malaria Commission.*

The Assembly, during its eighth ordinary session, expressed its high appreciation of the work of the Malaria Commission which had reached practical and concrete conclusions.

Malaria has, since the war, been one of the great problems of social health and social economy, and the Commission has studied the most suitable and least difficult measures which may be adopted to deal with this scourge, which at present is found in all parts of the world.

During 1927, two members of the Malaria Commission made a short journey to the United States of America to study the results of the anti-malaria campaign in the Southern States. The object of this personal enquiry on the spot into the methods used in those States was to assist the Malaria Commission to form an opinion concerning the anti-malaria measures adopted in Europe.

The concrete and practical experience secured by the Commission is summarised in various reports. The most important of these was published in July 1927 (document C.H. Malaria. 73). The Commission met at the end of June in order to discuss the conclusions of these reports.

In order to assist in the training of experts for the campaign against malaria, special malaria courses have been organised in London, Hamburg, Paris and Rome. The theoretical courses will be followed by practical work in Spain, Italy, and the Kingdom of the Serbs, Croats and Slovenes.

Twelve fellowships for participation in these courses have been assigned by the Health Organisation, in addition to others which were granted by the International Health Division of the Rockefeller Foundation.

##### *Commission of Health Experts on Infant Welfare.*

The enquiry into infant mortality, as determined by clinical, hygienic and social causes, has, like the enquiry into malaria, been very definitely directed towards an endeavour to find practical solutions which may be of service to health administrations.

It was decided at the session of the experts (January 17th to January 20th, 1927) who were entrusted with this investigation, to institute enquiries on uniform lines in order to ensure the comparability of the results. Twenty-nine rural and urban districts were chosen in seven countries of Europe (Germany, England, Austria, France, Italy, Norway and the Netherlands).

The session in Vienna in September 1927 enabled certain provisional conclusions to be reached which were extremely interesting, such as the importance of premature birth and still-birth and the decrease, under certain conditions, in the rate of infantile mortality among illegitimate children to a rate appreciably equal to the rate for legitimate children.

The Conference at Montevideo (June 7th to 11th, 1927) corresponded with a movement for the geographical extension of this investigation by associating in the work of the Health Organisation four countries of Latin America — the Argentine, Brazil, Chile and Uruguay.

The enquiry, which will last a year as in Europe, and which will cover more than 5,500 deaths of infants of less than one year of age, began on February 1st in Brazil, on March 1st in the Argentine and Uruguay, and on April 1st in Chile. The enquiry will include urban and rural sections in each country (five districts in the Argentine, eight

in Brazil, four in Chile and seven in Uruguay), and it will be conducted on the same lines as in Europe. In some districts it will even be enlarged in certain respects (autopsies, serological examinations).

This enquiry will considerably increase the value of the investigations undertaken in Europe, and will be of considerable importance for the countries of South America. By a study of the influence of climate, race, and social conditions on the birth rate and on infant mortality, it will enable progress to be made towards practical solutions of the demographic problems which so acutely arise in these countries.

In Europe, as in South America, this enquiry is likely to facilitate the organisation and development of child welfare and the protection of maternity, and to contribute to the settlement of certain demographic questions, which are so intimately bound up with health policy and social economy.

*Commission of Expert Statisticians.*

The report to the eighth ordinary session of the Assembly describes the work of the session of the Commission of Expert Statisticians which was held at Geneva in March 1927.

Two important problems were dealt with by the Commission. The first related to mortality statistics and the second to morbidity statistics.

The estimation of mortality and the determination of its causes are indispensable factors in establishing the bill of health of a community, and it is necessary to secure uniformity and to develop methods which will enable statistics to be obtained which will be exact, complete and comparable as between one country and another. This is the task which the Commission has endeavoured to undertake in studying the revision of the International List of Causes of Death.

The report of the statistical experts on this subject has been forwarded to the administrations concerned for their views. Twenty-six Governments have replied to this communication.

In conformity with a suggestion of the French Government, the Health Committee, during its twelfth session, recommended to the Council that a certain number of delegates of the League of Nations and of the International Institute of Statistics should collaborate in the co-ordination of the proposals of the two organisations on the proposed lists.

Mortality statistics give an incomplete and misleading picture of the health position of a country, and the economic and social consequences of this health position are more especially determined by the situation in regard to morbidity. The Commission has paid considerable attention to the analysis of the morbidity factor, which is a more exact indication than the factor of mortality of the losses and burdens of the community. An endeavour has been made to collect, classify and interpret extensive material and to co-ordinate the researches made in various countries in order to elucidate this difficult question and to endeavour to elaborate an international list of causes of morbidity.

*Commission on Permanent Standardisation of Sera, Serological Reactions and Biological Products.*

This Commission, which endeavours to establish and procure the acceptance of international standards which may serve as units of measure for the activity of sera and, in general, of serological and biological products, met at Frankfort-on-Main from April 25th to 28th, 1928, and concluded an important part of its work.

The results so far achieved are due to long and minute researches undertaken in the principal institutes of the world, and co-ordinated by two laboratories acting for the Health Organisation, namely, the State Sero-Therapeutic Institute at Copenhagen, under the direction of Professor Th. Madsen, for serological studies, and the National Medical Research Council in London, under the direction of Professor H. H. Dale, for the examination of biological products.

An agreement was reached for the standardisation of a whole series of important sera, such as anti-diphtheritic, anti-tetanic and anti-dysenteric sera, and for the method of examination of a series of biological products, such as the arseno-benzines, etc. The unit of insulin recommended at the meeting at Geneva in 1926 is to-day universally adopted. The Health Committee has recommended that the report and conclusions of the session of the Permanent Commission should be forwarded to the Governments and to the competent authorities of the various countries.

Studies on the sero-diagnosis of syphilis were the subject of the Conference held at Copenhagen at the end of May 1928. It is unnecessary to emphasise the importance of this diagnosis and the necessity of comparing the various methods and the experience of the chief institutes.

*Cancer Commission.*

The Cancer Commission, as a result of its session of October 1927, submitted to the Health Committee an important general report on the work done between 1923 and 1927.

The work of the Commission has shown the utility of the national and local co-operation of medical practitioners, surgeons, health experts and statisticians. This work has accustomed the various experts to engage in collective and co-ordinated enquiries. The results already achieved will facilitate, and point the way to, further researches of the Commission.

Among the numerous studies of an international character which call for the attention of those who attack the obscure problem of cancer, there are two in which it seems possible to achieve rapid practical results, viz., a study of occupational cancer and the radiological treatment of cancer of the uterus.

According to present evidence, occupational cancer is very irregularly distributed in the various countries; and the study of the causes of the difference of incidence has a considerable economic importance. Moreover, it is interesting to estimate the efficacy of certain preventive measures. Thus, in Germany, cancer of the bladder, formerly frequent among workers in the aniline dye industry, has completely disappeared as a result of the application of preventive measures.

The radiological treatment of cancer has proved to be of great value. Nevertheless, there are marked differences, both as regards the precise action of the rays and the best method of applying them. Moreover, it appears that a considerable number of small hospitals apply the treatment in a manner which is hardly satisfactory. In these circumstances, the Commission considers that the study of practical methods of radiological treatment from the international point of view would have especial interest.

The Commission, during its session in April 1928, decided to conduct investigations into the effects of radiological treatment and, in collaboration with the Health Organisation and the International Labour Office, into occupational cancer.

#### *Smallpox and Vaccination Commission.*

Several urgent problems are being dealt with by this Commission: the distribution, frequency and origin of smallpox epidemics in Europe, their comparative mildness or severity and, finally, post-vaccinal encephalitis.

#### *Opium Commission.*

The Health Committee was invited by a resolution of the Council dated March 14th, 1925, to consider whether it was advisable to consult the Office international d'hygiène publique concerning the products covered by Articles 8 and 10 of the International Opium Convention of 1925. Article 8 deals with the preparations which cannot give rise to the drug habit, and which should be exempted from the provisions of the Convention. Article 10 deals with the preparations containing narcotics which, owing to abuses to which they might give rise, should come within the scope of the Convention.

The Health Committee, as a result of investigations undertaken by its Opium Commission, has informed the Council (forty-eighth session) that it considers eucodal and dicodide to be narcotics and that they should therefore be subject to the Convention. The Governments of the countries which have signed the Geneva Convention were previously consulted, and, among the replies so far received, ten are in conformity with the views expressed by the Health Committee, while only one reply is to the effect that eucodal and dicodide should not come under the Convention. Various other products, such as dilaudide and the esters of morphine, are at present the subject of a technical enquiry of the same character.

#### *Commission on Education in Public Health and Preventive Medicine.*

The Commission on Health Training met from September 29th to October 4th, 1927, on the occasion of the opening of the Health Institutes of Hungary and the Kingdom of the Serbs, Croats and Slovenes. This Commission, composed of distinguished experts, studied the programmes of the institutes, the relation of these institutes with one another and with the universities and public health services. It also examined the problem of the recruiting and technical training of students.

In order, by healthy competition and close collaboration, to stimulate the scientific spirit which should inspire these institutes to achieve practical results, the Commission has drawn up a programme which provides for a periodical meeting of the directors, an interchange of assistants, the rapid and mutual transmission of the results of investigations, the limitation of enquiries to a few definite problems and the institution of a competition in a special subject of rural hygiene between the various schools (Prague, Warsaw, Budapest, Zagreb, etc.).

The problems which have been submitted for study relate to preventive measures and the treatment of scarlet fever, and to vaccination by the mouth against typhoid. The problems which relate more particularly to rural hygiene deal with the supply of drinking-water and the removal and treatment of refuse.

#### *Joint Commission of Experts for the Study of the Relations between the Public Health Services and Sickness Insurance Organisations.*

The enquiry into the most effective methods of establishing collaboration between sickness insurance organisations and public health services is progressing in conformity with the programme traced by the Commission and indicated in the previous report to the Assembly.

During 1928, the enquiry dealt more particularly with preventive measures against tuberculosis, the protection of maternity and children below school age, and the study of morbidity statistics.

#### *Commission on Sleeping-Sickness.*

The International Commission for the Study of Sleeping-Sickness, which was set up as a result of the recommendation of the International Conference which met at London in 1925, has finished its work. The results achieved appear to be of indisputable value, particularly with a view to a more effective collaboration between health administrators.

An informal meeting of the chief health advisers of the Colonial administrations of the countries which will participate in the Second International Conference on Sleeping-Sickness (Belgium, Spain, France, Italy, Great Britain and Portugal) met at Paris on May 10th and 11th, 1928, and discussed the preparatory work for the Conference, taking as a basis a memorandum prepared by the Health Section.

The questions to be examined by the International Conference, which will meet at Paris towards next November, have been grouped as follows and have already been the subject of useful preparatory work :

1. Administrative measures.
2. Progress achieved by the administrations.
3. Reports of the administrations on methods of combating the disease, and the results obtained.
4. Steps to be taken in order to co-ordinate efforts with a view to suppressing the disease.
5. Studies and enquiries to be undertaken in the infected territories.
6. Co-ordination of these enquiries.
7. Veterinary problems relating to animal trypanosomiasis.

#### 5. COLLABORATION WITH VARIOUS COUNTRIES.

##### *Latin America.*

*The Problem of Leprosy.* — The Assembly, during its eighth ordinary session, having noted the report of the President of the Health Committee on the possibilities of technical collaboration with the health and medical authorities of the countries of Latin America, asked the Council to study measures with a view to realising these various schemes of collaboration after having obtained the advice of the Health Committee.

The Council (December 1927) invited the Secretary-General to communicate to the Argentine and Brazilian Governments its resolution concerning an arrangement, to be examined by the Secretary-General with the assistance of these two Governments, for placing the schools and research centres to be established in these two countries under the auspices of the League.

After having noted the reply of the Brazilian Government, the Health Committee, in the absence of its Argentine member, decided to adjourn the study of the question. On the other hand, it examined with interest a Brazilian proposal concerning leprosy.

The problem of leprosy has considerable international importance and is of special interest to countries of the East and of Latin America. The Health Committee, recognising its importance, decided to entrust to some of its members the preparation of a plan of international enquiry into the subject of leprosy.

Further, the Medical Director was invited to get into touch with the health administrations which had submitted, or which might submit, a request to that effect, with a view to discovering the best method of international organisation for the study of this universal problem, to which the Health Organisation could not remain indifferent.

The Committee was happy to note that the Brazilian Government offers special facilities for the study of leprosy and is ready to appoint, to the extent to which it is possible, one or several experts to collaborate in the study of leprosy with the health administrations which have submitted, or which may submit, a request. It recommended the Council to obtain information from the health administrations of the countries concerned as to the extent to which they would be prepared to contribute to the enquiry.

The problems of contagion, early diagnosis and treatment of leprosy are still extremely obscure, and there is no doubt that a study undertaken by the special technical institutes and co-ordinated by the Health Organisation, might lead to interesting practical results.

##### *Yellow Fever in the Belgian Congo.*

The Belgian Government, acting on behalf of the Belgian Congo, has expressed a desire (document C.H. 11) that the League of Nations should undertake negotiations with the interested Governments with a view to concluding an agreement which would make it possible to take co-ordinated preventive measures against yellow fever in the territories adjacent to the estuary of the Congo.

The Health Committee has placed itself at the disposal of the four countries concerned (England, Belgium, Portugal and France), and will examine any action which those Governments think it desirable to recommend to the Health Organisation.

##### *Tuberculosis in Greece.*

The Council on March 5th, 1928, approved a suggestion made by the Financial Committee, which had been struck by the ravages of tuberculosis among the Greek refugees. It expressed the wish that the Greek Settlement Commission should get into touch with the Health Organisation so that the latter might assist the Greek public health authorities and the Greek Refugee Settlement Commission to remedy this situation.

The Health Committee, after having examined the problem with the Director of the public health services of the country, recommended that the services of the Health Organisation should be placed at the disposal of the Greek health administration to help it in carrying out a campaign against this scourge.

### *Earthquake in Bulgaria.*

In agreement with the President of the Health Committee, the Secretary-General of the League offered the public health administration of Bulgaria the services of the Health Organisation to co-ordinate any health measures which might be considered necessary by this administration. The offer was accepted and an Epidemic Commissioner was immediately placed at the disposal of the Bulgarian administration. This Commissioner has secured the collaboration of the health services of Hungary, Poland, Roumania and the Kingdom of the Serbs, Croats and Slovenes.

## 6. VARIOUS INVESTIGATIONS.

### *Enquiry into the Health Conditions of certain Pacific Islands.*

The Assembly, during its eighth ordinary session, noted the recommendations formulated by the International Pacific Conference held at Melbourne in December 1926, concerning the work which might be undertaken by the Health Organisation with a view to the study of health problems in the Pacific region, and expressed the hope that the possibilities of action in this direction might be examined in detail by the Health Committee.

As a result of this examination, two experts will go to the Pacific at the beginning of November next and carry out a preliminary investigation into the present health conditions in Papua, New Guinea, the New Hebrides, New Caledonia, the Solomon Islands and Fiji.

### *Ship Fumigation.*

The problem of deratisation of ships, which is very closely bound up with the problem of plague, is supremely an international question, and the Committee has thought it desirable to compare the methods of fumigating ships, and more particularly to determine the value and limits of the practical application of hydrocyanic acid gas. The use of this gas is general in certain countries, whereas in others it is prohibited.

The Health Committee has entrusted the study of this question to a commission presided over by the Chief of the Federal Public Health Service of the United States, whose Service will assist the commission and its experts, and place at their disposal the facilities available for experiments to be carried out on board ships, and the hospitality of the ports of New York and New Orleans.

### *Other Enquiries.*

In the field of hygiene and social welfare, the Health Organisation, in collaboration with the International Labour Office, is carrying out an enquiry into the condition of the *blind*, following a detailed questionnaire.

A considerable amount of information is being collected which is intended for use as the basis of a report on *physical education*.

Further, the Health Committee, during its twelfth session, decided to collect information on legislative provisions for the elimination of dangers attendant upon the *use of X-rays*.

---

## 11.

### HUMANITARIAN QUESTIONS.

---

#### I. PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE.

##### A. TRAFFIC IN WOMEN AND CHILDREN.

###### (a) PART II OF THE REPORT BY THE SPECIAL BODY OF EXPERTS : MEASURES TAKEN BY THE COUNCIL.

In March 1927, the Council decided that Part II of the report of the Special Body of Experts should be sent to the various Governments for their observations. In June 1927, it decided that the Governments should be invited to forward their observations to the Secretariat by the end of September at latest ; that a meeting of the Special Body of Experts should be convened, if funds were available, on or about November 15th, 1927, to consider the communications of the Governments and to make such modifications in Part II of the report as were useful and necessary ; and that Part II should then be submitted to the Council during the first session after the meeting of the Experts and should be published immediately after that session of the Council. In accordance with this decision, a session of the Special Body of Experts was held at Geneva from November 15th to 27th, 1927, funds for the purpose being again generously provided by the American Bureau of Social Hygiene.

The Special Body of Experts presented to the Council two documents :

1. Part II of their report, modified in the light of observations made by the Governments.

It may be noted that one of the Experts, Dr. Paulina Luisi, who was absent when Part I was considered, did not accept Part II without reservations.

2. The communications from the Governments, with the comments of the Special Body of Experts thereon.

Eighteen Governments sent observations and another Government sent certain information through a member of the Special Body of Experts.

As regards the second document, the Special Body of Experts has endeavoured to give effect, as far as possible, to corrections of fact or other modifications suggested by the various Governments. Certain Governments have criticised the method of enquiry of the Experts and the conclusions which they have drawn. Others have confirmed the general accuracy of the report. In several countries the position has changed for the better since the enquiry was begun, and a good deal has been done in the way of new legislation or administrative action to cope with the evil dealt with in this report.

After a statement by the Chairman of the Special Body of Experts regarding the general character of the afore-mentioned reservations by Dr. Paulina Luisi, the Council authorised the immediate publication of Part II of the Experts' report, it being understood that the Governments' observations and the comments of the Special Body of Experts would be annexed to it.

The observations of one Government, which were communicated after the publication of this material, have been transmitted separately to the Members of the League.

(b) WORK OF THE SEVENTH SESSION OF THE TRAFFIC IN WOMEN AND CHILDREN COMMITTEE.

The seventh session of the Traffic in Women and Children Committee was held at Geneva from March 12th to 17th, 1928.

1. *Material and Moral Protection of Music-hall and Similar Artistes Touring Abroad.*

The Committee, after hearing a report submitted by the International Labour Office on this subject, considered that, although the class of persons concerned was not very large, it was nevertheless particularly exposed to moral danger. It was accordingly decided that the first step was to consult Governments on certain points connected with the conditions of employment of these young artistes and a questionnaire was drafted for this purpose. The Committee also decided to ask the International Labour Office to consult some of the principal professional organisations and ask them to furnish their observations upon the different subjects dealt with in the questionnaire.

2. *Annual Reports of Governments for the Year 1926.*

The Committee examined the annual reports from Governments and decided that, in order to avoid any misunderstanding, an explanatory note should henceforward be appended to the questionnaire.

It was also decided that a list of countries which have not yet replied to some or all of the questions asked should be published with the summary of annual reports.

3. *Reports of Voluntary Associations.*

The assessors representing voluntary associations submitted their annual reports to the Committee. They also made certain recommendations, the chief of which are as follows :

That the question of the desirability of an international convention to settle the question of voluntary or obligatory repatriation of prostitutes should be placed on the agenda of the next session of the Committee.

That consideration should be given at the next session to the question of an international convention on child adoption with a view to safeguarding the children concerned.

That the Committee should study the question of the biological education of the adolescent.

That the expert enquiry into the traffic in women and children should be extended to the Far-Eastern countries.

That women should be more extensively represented on all Committees which are more particularly concerned with the social and moral interests of women.

4. *Employment of Women in the Police.*

Although this question had not been placed on the agenda, the Committee, in view of the presence at Geneva of Mlle. Erkens, Women-Police Inspector at Hamburg, heard a report on the development of women-police work in Germany. The Committee, after

hearing this statement, decided to place the question of women police on the agenda of its next session.

5. *Assistance to Women leaving Prison.*

At the request of the Spanish representative, this question was adjourned to the next session, at which a clear distinction will have to be made between the discussion of measures affecting minors and measures affecting adults.

6. *Report of the Special Body of Experts, Part II.*

Certain members of the Committee, when examining Part II of the Experts' report, considered that the enquiry might have been more thorough in some of the countries visited and that it would be expedient to ask the Governments and voluntary organisations to forward to the Secretariat any information in their possession which might add to that already available. The Committee once more thanked the Experts and paid a tribute to the important work done by the investigators.

7. *Continuation of the Experts' Enquiry.*

After hearing various proposals regarding the selection of new countries to which the enquiry should be extended, and the means of doing so, the Committee unanimously called for the continuation and extension of the enquiry. The nature and scope of the further enquiry will need careful consideration and the Committee proposed to put this subject on the agenda of its next session.

8. *Examination of the Resolution adopted at the Eighth Ordinary Session of the Assembly with regard to the System of Licensed Houses.*

The Committee took note of the Assembly resolution requesting it to examine as soon as possible the question of the desirability of recommending to all Governments the abolition of the system of licensed houses.

Certain delegates and all the assessors agreed with the conclusion of the Special Body of Experts on the subject of licensed houses. Other delegates, without expressing any definite view on this question, were of the opinion that, in countries where the system had long been in existence, it was important that the public should recognise the necessity of bringing it to an end. They therefore urged the necessity of putting their Governments in possession, beforehand, of information as to the legislative and administrative measures taken by countries in which the system had been abolished.

The Committee earnestly hoped that the Governments of all those countries which still retained the licensed-house system would investigate the question as soon as possible in the light of the report made by the Body of Experts and the other information collected by the League; in order to facilitate this investigation, the Committee asked the Secretariat to make a study of the laws and regulations in force in those countries where the system had been abolished.

9. *Action to be taken against Persons living on the Earnings of Prostitutes.*

The discussion in the Committee showed that it was necessary to adopt stricter measures against *souteneurs* in order to put a stop to their operations, which are among the main causes of the traffic in women. The Committee therefore requested the Secretariat to submit at its next session a concise study of the laws and penalties relating to the *souteneur*.

10. *Desirability of abolishing the Age-limit in Conventions.*

The Committee discussed the desirability of abolishing the age-limit in the Conventions of 1910 and 1921. In spite of the fact that the Committee had heard the arguments put forward from various quarters, its attention was drawn to the drawback of proposing such a modification in the text of the Conventions lest ratification by certain Governments should be further delayed.

The Committee requested the assessor representing the Jewish Association for the Protection of Girls and Women to submit a report on this question at the next session.

11. *Legal Age of Marriage.*

The Committee, after examining this question, referred its consideration to a joint meeting of the Traffic in Women and Children Committee and the Child Welfare Committee. It noted that the fixing of the age of consent and the age of marriage at too early an age is apt to encourage the traffic and to promote the corruption of the young. It therefore recommended that the appropriate legislative action should be studied by the Child Welfare Committee.



12. *Examination of the Replies from Governments on the Subject of the Suppression of Obscene Publications.*

The Committee decided to give more careful consideration at its next session to the subject of obscene publications, which undoubtedly contribute to the growth of the traffic.

The Committee's attention was drawn to the fact that, of the forty-three countries which had signed the Convention of 1923, only twenty-two countries had ratified, and five had since acceded thereto.

In virtue of Article XVI of the Convention of 1923, the question of the desirability of calling a further Conference might come before the Council this year, and the Committee decided to suggest to the Council that the time had not yet come for such a step.

The Committee placed this question on the agenda of its next session.

\* \* \*

The report of the Committee was placed on the agenda of the June session of the Council. The resolutions adopted by the Council as a result of the examination of this report will be summarised in the Supplementary Report to the Assembly.

B. CHILD WELFARE.

The Child Welfare Committee held its fourth session at Geneva from March 19th to 24th, 1928.

1. *Legal Age of Marriage.*

At a joint meeting, the Traffic in Women and Children Committee and the Child Welfare Committee examined the observations made by various Governments on the resolution relating to the age of consent adopted by the Committee in 1927. Considering that with regard to the age of consent it was unnecessary to add to this resolution, the Committee recommended that Governments should examine, in the light of these considerations, the question of the ages of marriage fixed in their respective laws. The fixing of the age of marriage has an important bearing on the physical and moral welfare of persons of both sexes and, if fixed too low, may lead to serious dangers.

2. *Cinematograph.*

A. *International Educational Cinematograph Institute.*

The Council submitted to the Committee a plan for the establishment at Rome of an International Educational Cinematograph Institute. The Committee emphasised the importance of this Institute, the object of which would be to encourage the production, distribution and exchange between the various countries of educational films.

On the invitation of the Council, the Committee examined the draft Statutes of the Institute and made the following suggestions :

(1) That the Council of the League of Nations, under whose direction the Institute will work, should take due note, not only of the opinions expressed by the International Committee on Intellectual Co-operation, but also of those expressed by the Child Welfare Committee.

(2) That the number of delegates from the Child Welfare Committee appointed to sit on the Governing Body of the Institute should be increased from one to three.

(3) In fixing periodically the programme of work of the Institute, the Governing Body should pay due regard to the powers of the Child Welfare Committee, among other institutions.

The Committee appointed the Spanish delegate to represent it on the Governing Body of the Institute. If the number of its delegates can be increased to three, it will appoint as its two other members the German and Belgian delegates.

B. *Progress of Work.*

M. Martin read to the Committee a detailed report on the question of the cinematograph and its influence on children and young people.

The Committee reaffirmed its recommendations adopted in 1926, and requested further that the attention of States should be drawn to the advisability, from the point of view of the moral and physical protection of the young, of showing films in diffused light and in daylight. The Rapporteur [then pointed out to the Committee the value of unflammable films, which in his opinion offer a complete guarantee of safety.

### 3. *Recreation.*

The Committee, after hearing the statements of the three Rapporteurs and of the delegate of the International Labour Office, considered that the enquiry regarding education should be continued on general lines, and expressed its thanks to the authors of these reports and to the voluntary organisations which had kindly furnished information.

### 4. *Juvenile Courts.*

The Committee paid a tribute to the report on this question submitted by the International Prison Commission, and expressed the hope that the enquiry would be completed by including the question of the auxiliary services of juvenile courts, particularly as to the social action which could be undertaken to reform delinquent children and improve their home environment. It appointed three Rapporteurs to submit proposals, after consulting the International Prison Commission, regarding the form which the future enquiry should take.

### 5. *Legal Sub-Committee.*

The Sub-Committee, after considering the documents so far received, decided that its future proceedings should be taken in the following order :

- (1) Final drafting of a preliminary draft Convention for the repatriation of minors not under the authority of their parents or guardians.
- (2) Proposal for a preliminary draft Convention on the relief of minors of foreign nationality.
- (3) Final drafting of a preliminary draft Convention on the execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support who have deserted them and gone abroad.

### 6. *Illegitimate Children.*

The Committee decided to maintain this question on its agenda, and to ask the Council to communicate the Secretariat's report to the Governments which have replied to the questionnaire, inviting them to forward any observations, and notify any changes which may have occurred in their respective laws. The Secretariat was requested to supplement the information received and to submit a new report at the 1929 session.

### 7. *Blind Children.*

The Committee heard a report from Mr. L. W. Carris, Director of the American Association for the Prevention of Blindness, in the course of which he laid before the Committee a scheme for the creation of an international organisation to deal with this subject. The Committee took cognisance of the document concerning blind children sent to the Secretariat by various Governments and private organisations, and instructed the Secretariat to point out to the delegates of Governments which have not yet sent any information on the question that it was of the utmost importance to obtain their replies. The Danish delegate was appointed Rapporteur.

### 8. *Protection of Life and Health in Early Infancy.*

The Committee noted the progress of the enquiry into the causes of mortality of infants. An assessor of the Committee requested that this enquiry should be extended to include the effects of premature marriage from the point of view of infantile mortality and the mother's health, particularly in countries in which the age of marriage is very low.

In conclusion, the Committee heard two memoranda, one on the results obtained by anti-tuberculosis vaccination, and the other on the work of boarding-out of infants, the object of which is to remove children from a tuberculosis-infected environment.

### 9. *Utilisation of Funds.*

A joint meeting of the Traffic in Women and Children Committee and the Child Welfare Committee considered methods of utilising a gift of \$5,000 made in 1925 by the American Social Hygiene Association to the Child Welfare Committee in order to allow the latter to extend its studies in the field of social hygiene.

A proposal had been submitted to the Committee for using this sum for an enquiry into the methods employed in various countries for giving biological education to young people. The proposal, however, was dropped, the Joint Committee failing to reach agreement. After examining other proposals for enquiries, the Child Welfare Committee decided that this sum could most usefully be employed in studying the problem of the child whose environment is bad and who is exposed to moral and social danger.

The Committee considered that further information was required to show how far the legislative, administrative and voluntary measures were adequate for the protection of children who are handicapped by the surroundings in which they grow up. Attention

must be paid not only to the work done by various institutions but also to what can be done for such children in their own homes.

The Committee therefore recommended the following procedure :

(1) That seven or eight countries should be selected for a preliminary study and that the Governments of these countries should be invited to afford facilities for the purpose.

(2) That this study should be made by a competent person to be nominated by the Chairman of the Child Welfare Committee in agreement with the Secretary and subject to the approval of the Council of the League. The person appointed should gather together and correlate information furnished by the Governments, and should consult not only the official bodies, but also the voluntary organisations and any individuals who may be able to furnish useful information.

(3) The object of the study should be to ascertain to what extent provision is being made for children who need protection against moral and social dangers owing to their surroundings, and what results are being obtained by the various methods employed.

(4) That on the results of this preliminary study the lines of any further enquiries should be determined.

#### 10. *Alcoholism.*

The Committee heard a report on the dangers of the consumption of alcohol in relation to the development of the child.

The Committee expressed the opinion that further enquiries should be made into the effects of alcoholism on the physical and mental development of children, with reference to the measures taken in various countries to restrict the consumption of alcoholic beverages by young people. Further, a study might also be made, subsequently, of the problems of poverty, abandonment and crime connected with alcoholism, and also the protection of the child against ill-treatment inflicted by adult alcohol addicts.

#### 11. *Family Allowances.*

The Committee, after having taken cognisance of the report by the International Labour Office and of the note drawn up by the International Federation of Christian Trade Unions, expressed its conviction that the investigations carried out by the International Labour Office have very greatly helped to interest the various countries in the system of family allowances. It thinks it desirable that the organisation of family allowances and the influence which they exercise on the welfare of children should be studied at a subsequent session of the Committee.

#### 12. *Feeble-minded Children.*

The Committee recognised the great importance of an exhaustive study of the psychological methods applied to abnormal or feeble-minded children. The question is so wide, however, that the Committee preferred not to add it to its programme before completing the study of some of the subjects already figuring thereon.

It invited the International Association for the Protection of Children to get into touch with Dr. Simon, Chairman of the A. Binet Society, in order to obtain a scientific definition and classification of feeble-minded children with a view to subsequent investigations.

\* \* \*

The Committee's report was placed on the agenda of the June session of the Council. The resolutions adopted by the Council on examination of this report will be summarised in the Supplementary Report submitted to the Assembly.

## II. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS:

### 1. TENTH (EXTRAORDINARY) SESSION OF THE ADVISORY COMMITTEE.

The tenth (extraordinary) session of the Advisory Committee was held at Geneva from September 28th to October 8th, 1927. It was convened by the Chairman in exercise of the discretion conferred upon him by the resolution of the Council dated March 11th, 1927. The primary object of the session was to consider the question of the illicit traffic, but advantage was taken of the opportunity presented to discuss various cognate questions and to deal with certain documents which had either been referred to the Committee or had been circulated to it by order of the Council.

(a) *Ratification of the Geneva Convention.*

The Committee adopted a resolution stating that further experience had strengthened its conviction of the absolute necessity, if the illicit traffic was to be dealt with adequately, of the powers which the Geneva Convention of 1925 confers. Until that Convention comes into operation over as wide a field as possible, the Committee thought that little progress could be hoped for in combating the traffic. The Committee urged the Council to give this question its most serious consideration, as the coming into force of the Convention depended solely on the action taken by the States Members of the Council.

(b) *Reservations made by the Swedish Government to Article 6 (c) of the Geneva Convention of 1925.*

At the Council meeting of June 13th, 1927, the question of the ratification by the Swedish Government of the Geneva Convention of 1925, subject to a reservation regarding Article 6 (c), was referred to the Committee for a report embodying its views on the subject. Article 6 (c) of the Convention requires chemists, among others, to enter in their books all sales and other distribution of certain narcotic drugs, unless they should adopt the alternative course which is provided for by the Convention of filing and preserving the relevant medical prescriptions.

The Swedish Government considered that the entry of such details would involve the upkeep of records dealing in meticulous detail with many comparatively unimportant transactions and would delay, and greatly complicate, the making-up of prescriptions. It felt that the control in Sweden is so strict and the standard of pharmaceutical practice there so high that these provisions would, in fact, add little or nothing to the effective measures of control which are already in existence.

As a result of the discussion which took place on this point and during which M. Hennings, the representative of the Swedish Government, gave the views of that Government, the Committee felt that it would be undesirable for it to pronounce a definite opinion on the point at issue. It hoped that the information which had been placed at M. Hennings' disposal as to the practical working of the system in other countries would serve to remove the difficulties which had hitherto been anticipated by the Swedish Government. It considered that, until that Government had had an opportunity of examining this information, and of learning the general trend of the discussion before the Committee, it would be premature to come to any final decision in the matter.

The Norwegian Government had made it known unofficially that it felt difficulties similar to those experienced by Sweden, and an unofficial representative of the Norwegian Government, Dr. Lange, was present throughout the discussions.

The Committee recommended to the Council that a copy of the section of its report dealing with this question, together with copies of the relevant Minutes of the meetings, should be forwarded to the Swedish Government officially and to the Norwegian Government unofficially for their information and consideration, with the intimation that the Committee proposed to reconsider the question at its next session.

(c) *Report of the Commission of Enquiry into the Production of Opium in Persia.*

The Committee examined the report of the Commission of Enquiry into the Production of Opium in Persia and congratulated the Commission on its detailed and exhaustive study, at the same time thanking the Persian Government for the way in which it had responded to the suggestions put forward by the Commission of Enquiry. It pointed out, however, that, as a rule, any opium from Persia which is not covered by import certificates becomes absorbed in the illicit traffic.

(d) *Memorandum by M. Cavazzoni suggesting a System for the Control of the Drug Traffic.*

M. Cavazzoni, the representative of Italy on the Committee, presented to it for its consideration a memorandum containing an elaborate scheme for the control of the drug traffic.

The Committee felt that the moment was opportune for a general examination of the question of the best methods of ensuring administrative control over the drug traffic and for the preparation of a report on the subject. A Sub-Committee was therefore appointed to undertake this work, including a detailed study of M. Cavazzoni's memorandum. The following members were appointed members of the Sub-Committee: Dr. ANSELMINO, M. BOURGOIS, Dr. CARRIÈRE, M. CAVAZZONI, Sir Malcolm DELEVINGNE and M. VAN WETTUM.

(e) *Illicit Traffic.*

The Committee examined, case by case, all the seizure reports received since the time of its last session. Eighty-three reports were examined relating to seizures and records of illicit transactions amounting in the aggregate to tons of morphine and diacetylmorphine in all parts of the world.

It was pointed out that free ports, if not efficiently and adequately controlled, become bases of the illicit trade and it was represented that wholesale dealers should be effectively supervised and licences withdrawn from manufacturers or traders whose products are regularly finding their way into the illicit traffic.

The Committee passed a resolution requesting the Council to urge as insistently as possible upon all Governments Members of the League and parties to the Opium Convention that all factories manufacturing dangerous drugs should be owned or adequately controlled by the Governments. Under either system the Governments would at least:

(1) Regulate, and require an accurate accounting of, all internal traffic, including the purchase of raw materials, manufacture, sales, distribution, storage;

(2) Strictly control the issue and possession of licences or authorisations for the manufacture, sale, distribution and storage of the drugs;

(3) Adopt, and rigidly enforce, the import and export certificate system;

(4) Strictly control the export of dangerous drugs to any country which does not enforce the import and export certificate system. Where this system is not in force in the importing country, the Government of the exporting country must satisfy itself, beyond reasonable doubt, that the demand is for legitimate purposes only. This precaution is particularly important, since the readiest route which the illicit traffic can follow is through those countries which do not enforce the import and export certificate system. It is recognised that this will present various difficulties until the Central Board has been constituted; but it is imperative that such control should be exercised, as far as that is practicable, by the exporting countries until the Central Board begins to function. Experience in certain countries has shown that, even in present circumstances, a large measure of effective control can, in fact, be exercised in such cases.

Another resolution was passed, asking all Governments to give precise information as to the manner in which narcotic substances which have been seized are dealt with, in order that the Committee might be in a position to form an accurate idea as to the traffic.

Finally, the Committee requested the Council to represent to the Government of China that it would be of the greatest assistance to the Committee in its work if it were provided with information regarding all important seizures of narcotic substances effected by the Chinese Maritime Customs. Such reports would also help other Governments to prevent the illicit export of narcotics into China.

\* \* \*

The report of the Committee was placed on the agenda of the December 1927 session of the Council. The Council instructed the Secretary-General to take the necessary action in order to give effect to the resolutions adopted by the Committee. During the discussion which took place, the representative of Italy called attention to the question of the establishment of a Central Board as provided for in the Geneva Convention of 1925. As this Board was to be rather a small body, the Italian representative feared that many States interested in the suppression of the drug traffic could not be represented on it. If the Secretary-General could, however, so constitute the Secretariat of the Central Board that it would form part of the Social Section of the League of Nations Secretariat, there would be no further difficulties, because, through the League of Nations, all States would be able to supervise the work of the Central Board. The question was referred to the Advisory Committee for examination.

## 2. ELEVENTH SESSION OF THE ADVISORY COMMITTEE.

The eleventh session of the Advisory Committee was held at Geneva from April 12th to April 27th, 1928.

### (a) *Ratification of the Geneva Convention.*

The Committee noted with satisfaction that further ratifications had been registered and that there is every hope of the Convention coming into force very shortly.

### (b) *Statistics.*

Considering the importance of the accuracy and completeness of the information which forms the basis of its work, the Committee adopted a resolution requesting that Governments should be asked to classify their exports and imports of raw opium according to the country of production (Turkish, Persian, Indian, etc.). It further decided to call the attention of Governments to the difficulties which arise from the fact that some Customs statistics give the gross weight of the consignments and not the net weight of the goods. Governments might be asked to base their statistics on the net weight of the narcotics exported and imported.

(c) *Annual Reports from Governments.*

The Committee found that, thanks to the goodwill of a very large number of Governments, it now receives information of great value. There are, however, still certain gaps in this information, so that it is impossible for the Committee to acquire an exact idea of the situation. In the eyes of the Committee, it is particularly unfortunate that certain producing countries have not yet seen their way to supply the Committee with information. Two producing or manufacturing countries — Turkey and the Union of Socialist Soviet Republics — are not Members of the League. The League Secretariat was asked to consider whether, and, if so, in what form, the Governments of these two countries could be requested to furnish the Committee with particulars concerning their territory.

A resolution was adopted asking the Council to instruct the Secretary-General to send a reminder to any Government which fails to send in its report by July 1st in the case of European countries, and by November 1st in the case of countries outside Europe. If no reply is received to the reminder, a second reminder would be sent (by cable when necessary) not less than one month before the date of the annual meeting of the Committee.

(d) *Situation in the Far East.*

The Committee decided to request the Secretary-General to remind the Persian Government of the resolution adopted by the 1927 Assembly inviting this Government to keep the League of Nations informed of the progress made in carrying out the scheme proposed for the gradual diminution of the cultivation of the opium poppy in Persia. With

With regard to China, it was found that the contraband trade in narcotics which exists to-day on so large a scale in that country is a very serious danger and that energetic steps would have to be taken to counteract this truly critical situation.

(e) *Swedish Reservation.*

The Swedish Government addressed to the Secretary-General of the League a note, dated March 31st, 1928, stating that, after careful consideration of the document submitted as a result of the discussion which took place during the tenth session, its apprehensions were not entirely dispelled, and it could not therefore see its way to make any definite examination of the question of Sweden's accession to the Convention until it knew whether its reservation would be accepted.

The Committee concluded from this communication that the Swedish Government was not prepared to withdraw its reservation. It therefore considered whether the Council should not be advised to accept the Swedish reservation. A resolution was adopted, pointing out that the Convention allows two alternatives : the registration by the pharmacist of the details of the supply of the drug or the retention by the pharmacist of the prescription ; that the difficulties in the way of registration were not, in the Committee's opinion, such as to justify a reservation on the point, and that the Committee deprecated, for the reasons which appear in the Minutes of the discussion in the Committee, the acceptance of the Swedish reservation.

(f) *Illicit Traffic.*

It appeared from the documents submitted to the Committee that the position with regard to the illicit traffic is still highly unsatisfactory. The measures taken to combat the traffic should therefore be increased and strengthened. This will certainly be possible if the certificate system is generally applied. Moreover, the Committee considered that the attention of Governments should be drawn to the necessity of inflicting on traffickers heavy penalties in the form of imprisonment and fines in view of the serious character of the offence and the large profits traffickers derive from their transactions. The Courts everywhere should energetically associate themselves with the action of the administrative authorities.

A resolution was adopted, emphasising the urgent necessity for :

(a) The immediate ratification and enforcement by all States Members of the League of the Geneva Convention of 1925 ;

(b) The adoption and strict application of the other measures which have been recommended by the Committee from time to time, and in particular the following :

(i) Withdrawal of the licence to manufacture or trade in the drugs from any firm, if there is sufficient evidence to show that the firm is engaged in or is knowingly supplying drugs for the illicit traffic ;

(ii) Strict control over exports to countries not exercising adequate supervision over the trade in the drugs, and the rigid limitation of such exports to the quantities that may reasonably be required for medical purposes in the country itself ;

(iii) Immediate communication of the fullest particulars relating to any important seizures of smuggled drugs to the Governments of any countries in which the persons connected with the transaction may be or may have been residing at the time or in which any part of the transaction may have taken place ;

- (iv) Immediate and full investigation by the Government, on the receipt of particulars of such a transaction, whether directly or from the League ;
- (v) Exercise of an adequate control by every Government to ensure as far as possible that its territories shall not be used for the transit or transshipment of consignments of drugs (whether declared as such or not) for the illicit traffic ;
- (vi) Provision in each country's national law of severe penalties for persons convicted of organising the smuggling of drugs whether into that or into other countries.

A further resolution was adopted recommending Governments to supply each other with all particulars necessary for enquiries conducted by the authorities in regard to persons implicated in smuggling offences and to communicate to each other, whenever this is recognised as essential, copies of telegrams relating to the transactions of smugglers.

(g) *Benzoyl-morphine.*

Since morphine has been subject to control, a number of manufacturers have endeavoured to find substitutes for this alkaloid which would escape the supervision applicable only to morphine and its salts. One of these substitutes is benzoyl-morphine, which is already manufactured in comparatively large quantities and has been shown to possess all the properties of a drug of addiction. Moreover, the morphine contained in benzoyl-morphine can readily be recovered by a simple chemical process, and hence quantities of morphine which will escape supervision can be put on the market. In addition to benzoyl-morphine there is a whole series of other morphine "esters", *i.e.*, combinations of morphine with an organic acid having the same properties. The Committee therefore thought it necessary to consider the possibility of applying Article 10 of the Geneva Convention to all these products. As this was an urgent question, and as the regular procedure would still require a certain amount of time, the Committee adopted a resolution requesting the Council to draw the attention of Governments to the necessity of placing benzoyl-morphine, and possibly other similar substances, under control forthwith.

(h) *List of Drugs and Preparations covered by the Convention.*

In 1925, the Committee appointed a Sub-Committee consisting of Dr. ANSELMINO, Dr. CARRIÈRE and Dr. TSURUMI (then the Japanese delegate) to study the possibility of drawing up a list showing with all necessary detail the drugs and preparations which fall under the provisions of the Convention. As, however, Dr. Tsurumi has since left the Committee and has not been replaced by a delegate who is an expert in pharmacology, the Committee decided to add to the Sub-Committee two experts who are not members of the Committee, namely, Dr. KNAFFL-LENZ, Professor of Pharmacology in the University of Vienna and Expert to the Health Committee ; and Dr. BURGI, Professor of Pharmacology in the University of Berne.

(i) *Question of the Permanent Central Board and its Relations with the Advisory Committee.*

The question of the respective powers of the Advisory Committee and those of the future Permanent Central Board had been raised at the previous session by the representative of the Kingdom of the Serbs, Croats and Slovenes, and a Sub-Committee had been appointed to examine the question. The Sub-Committee presented a report to the full Committee, which returned it with a request that the question should be further examined at a later session. A new fact, however, emerged in the meantime, namely, the suggestion made to the Council of the League during its December session by the Italian delegate. This suggestion was that the Secretary-General should be requested to constitute the Secretariat of the Central Board as a part of the Social Section of the League's Secretariat. This proposal, which the Council had submitted to the Committee for consideration, temporarily relegated to the background the question of the respective powers of the Committee and the Central Board, and it was this proposal which the Committee had to consider in the first instance.

The Committee adopted a resolution stating that the proposal referred to was in complete agreement with the stipulations of Article 20, paragraph 1, of the Opium Convention of February 19th, 1925, whereby the Secretary-General of the League of Nations is requested to provide for the control of the staff in administrative matters. The resolution further contained a statement that the proposal did not in any way affect the right which is conferred on the Central Board by Paragraph 2 of the said Article 20 to nominate the members of its staff, which will be appointed by the Secretary-General, subject to the approval of the Council.

(j) *Sub-Committee for the study of Administrative Systems of Control over the Drug Traffic, including the Memorandum by M. Cavazzoni.*

This Sub-Committee was appointed during the tenth session to consider the whole question of administrative control. For this purpose it was furnished with a great deal of

material received from a number of countries, which was studied at the same time as the memorandum submitted by M. Cavazzoni. The Sub-Committee selected from this memorandum, and from the information placed at its disposal regarding the systems in force in the various countries, the provisions which it considered sound or which had proved valuable in practice. These provisions were embodied in a standard set of regulations or code for the supervision of the traffic in narcotics. This code is appended to the Committee's report to the Council.

The results of the work of the Sub-Committee were approved by a majority of the full Committee, M. Cavazzoni dissenting. He embodied his views in a special declaration.

\* \* \*

The report of the Committee will be considered by the Council at its June session.

---

## 12.

### ARMENIAN REFUGEE SETTLEMENT SCHEME

---

The question of the settlement of Armenian refugees in the Republic of Erivan was placed on the agenda of the Council session held in September 1927.

Dr. Nansen, High Commissioner for Refugees, informed the Council that he had not been able to secure any confirmation by the Armenian Government of the proposed arrangement whereby that Government would undertake itself to carry out a great part of the scheme of irrigation which it was originally proposed should be carried out by means of a loan to be raised under the auspices of the League. Dr. Nansen added that he had come to the firm conclusion that it would be very difficult for him to secure any such confirmation unless and until he could offer to the Armenian Government a solid promise of material help for the execution of the settlement parts of the scheme from the Members of the League.

The representative of Roumania said that it would be extremely unfortunate if Dr. Nansen gave up his mission. In the Roumanian representative's view, the best solution would be to make a last appeal to all the Members of the League to give their assistance. The Roumanian representative's proposal to address a further appeal to all the Members of the League was adopted. The matter was also referred to the Assembly, where Dr. Nansen, on September 26th, 1927, addressed an appeal to the delegates.

In a letter of October 31st, 1927, the Secretary-General informed the Governments of all States Members of the League of the Council's decision, attaching, in accordance with the Council's instructions, a copy of the Minutes of the Council meeting of September 22nd, 1927, containing Dr. Nansen's report and an account of the discussion thereon. A copy of Dr. Nansen's speech to the Assembly was also attached to the letter.

Up to May 1928, a certain number of replies had been received. The German, Greek, Roumanian and Swiss Governments have declared themselves willing to co-operate in various ways in order that the settlement scheme may be realised ; in addition, the Netherlands Government has declared that, if effective guarantees can be furnished for the practical realisation of the plan and if the participation of all interested States can be assured, it will not fail to collaborate. Certain Governments have not given any definite reply ; others have for various reasons finally declared themselves unable to respond to the Council's appeal.

---

## 13.

### INTERNATIONAL RELIEF UNION

---

The Assembly on September 22nd, 1927, adopted the following resolution :

“ The Assembly :

“ Highly gratified at the success of the Conference for the Creation of an International Relief Union ;

“ Convinced that the Governments before which the results of the Conference have now been laid, will definitely decide to co-operate in this work of international solidarity :

“ Offers its thanks to Senator Ciruolo, to the President of the Conference, and to the members of the Preparatory Committee for the scheme on which the Conference's work was based, and requests the President of the Conference and the members and experts



of the Preparatory Committee to hold themselves at the Council's disposal to propose to it all measures that may be calculated to facilitate the putting into force and the application of the Convention concluded by the Conference."

The Council considered this resolution on December 6th, 1927, and took the following decision :

" The Council decides to invite the Preparatory Committee of the International Relief Union to meet in the near future, under the chairmanship of the recent President of the International Conference, in order to carry out the work indicated in the Assembly resolution of September 22nd, 1927. The date of this meeting will be fixed by the Secretary-General in agreement with the President of the Conference.

" If supplementary investigations are required as a result of this meeting, the Preparatory Committee is requested to appoint as small a body as possible to continue the work on its behalf.

" M. Kittredge, Secretary-General of the League of Red Cross Societies, is appointed member of the Preparatory Committee in succession to Colonel Bicknell."

The Preparatory Committee met at Geneva on February 23rd and 24th, 1928. The results of the meeting were embodied in the following resolutions :

#### I.

" The Preparatory Committee of the International Relief Union :

" Expresses its satisfaction at the resolutions adopted by the Assembly and Council to facilitate the rapid application of the Convention establishing the International Relief Union ;

" Draws the Council's attention to the fact that the Convention has up to the present been signed by seventeen States ;

" Desires to state that the Convention is open for signature until April 30th, 1928, and that after this date accessions only may be received ;

" Considers that, in view of the spirit of international and universal solidarity which should animate the Union, it is advisable that the greatest possible number of States should be included among the original signatories of the Conventions ;

" Notes with satisfaction the results already obtained, and would be grateful to the Council if it would be good enough to communicate the present resolution to all the States referred to in Article 15 of the Convention.

#### II.

" The Preparatory Committee of the International Relief Union, at its first meeting since the Conference at which the Convention establishing the International Relief Union was drawn up,

" Expresses its gratitude to the Red Cross organisations for their promise of assistance so as to enable the work of the Union to be carried on in a spirit of mutual understanding and solidarity, which is essential for its complete success.

#### III.

" The Preparatory Committee of the International Relief Union :

" Having been requested by the Council to create as small an organisation as possible for the purpose of conducting on its behalf the supplementary studies necessary for the putting into force and the application of the Convention concluded by the Conference for the establishment of the International Relief Union ;

" And remaining at the disposal of the Council to examine any questions which the Council might consider within its competence, until the organs of the Union are ready to operate :

" Decides to create from among its members a permanent committee, consisting of its Chairman, M. Külz ; its honorary President, Senator Ciruolo and the Chairman of the Drafting Committee of the Conference, Senator François.

" The duties of this Committee, the members of which will co-operate in accordance with arrangements made between them, will be :

" (1) To represent the Preparatory Committee permanently ;

" (2) To take or recommend measures to facilitate the coming into operation of the International Relief Union ;

" (3) To co-opt for this purpose one or more members of the Preparatory Committee, according to the requirements of each particular case ;

" (4) If necessary, to convene a meeting of the Preparatory Committee, particularly in order to approve draft regulations to be submitted to the General Council of the Union."

These resolutions were circulated to the Members of the Council by the Secretary-General, and the Council considered them during its session held in March 1928. It decided, in view of the special importance of the first of the resolutions, to forward it to all the States mentioned in Article 15 of the Convention.

The resolution was circulated to those States under a covering letter from the Secretary-General on March 29th, 1928.

On May 25th 1928, the following States had signed the Convention for the establishment of an International Relief Union on May 25th, 1928 :

Albania	Finland	Monaco
Belgium	France	Nicaragua
Brazil	Germany	Poland
Bulgaria	Greece	Portugal
Colombia	Guatemala	Roumania
Cuba	Hungary (with reservation	San Marino
Czechoslovakia	as to Article 10)	Spain
Danzig (Free City of)	India	Turkey
Ecuador	Italy	Uruguay
Egypt (with reservation)	Latvia	Venezuela

*Accession.* — Sudan.

---

## 14.

### INTELLECTUAL CO-OPERATION.

---

On September 22nd, 1927, the Assembly, at its eighth ordinary session, took note of the reports submitted by the International Committee on Intellectual Co-operation and the Governing Body of the International Institute of Intellectual Co-operation. It recognised that the Intellectual Co-operation Organisation had in hand a large number of definite and practical undertakings of international co-operation in regard to various scientific, artistic and literary activities, and that results had already been obtained.

The Assembly observed that the International Institute of Intellectual Co-operation would in future receive grants from other States in addition to that given by the French Government. At the moment, the following States have replied to successive appeals from the Assembly on this point: Austria, Czechoslovakia, Ecuador, Hungary, Italy, Luxemburg, Monaco, Poland, Portugal and Switzerland. The Assembly once more expressed the hope that States Members of the League who had not already done so would consider the possibility of providing the necessary funds to meet the expenses of their respective National Committees.

The Assembly noted as being particularly worthy of attention and encouragement, the proposals of the Committee on Intellectual Co-operation in regard to the following points :

1. The creation at the International Institute of Intellectual Co-operation of an International Co-ordination Service of Information Offices attached to libraries ;
2. Plans for co-ordination between the organs of bibliography for the various sciences ;
3. The recommendation of the International Committee in favour of annual tables of constants and mathematical quantities ;
4. The steps taken by the Institute with a view to preparing for the Popular Arts Congress an international agreement with regard to casts, an extension of the work of museums as a means of artistic education, etc.

As the result of the report submitted by M. Jules Destrée, the Assembly approved the recommendations of the Sub-Committee of Experts for the instruction of children and youth in the existence and aims of the League of Nations. It instructed the Secretary-General to communicate them to the Governments of States Members of the League, requesting them, so far as might be possible in each case, to take the necessary measures to give effect to the recommendations.

Finally, the Assembly approved the creation of a League of Nations Educational Information Centre under the conditions laid down by the Sub-Committee of Experts. It decided that the Sub-Committee should continue its work on the lines suggested by the French representative in his report approved by the Council on September 2nd, 1927.

In view of the fact that the Committee on Intellectual Co-operation will not meet until July of this year, an account of its work will be inserted in the Supplementary Report on the work of the Council, together with a summary of the activities of the International Institute of Intellectual Co-operation.

It is, however, possible to refer in the present report to certain measures taken in the field of international intellectual co-operation by the International Institute since the last session of the Assembly.

1. ESTABLISHMENT OF AN INTERNATIONAL EDUCATIONAL CINEMATOGRAPHIC INSTITUTE AT ROME.

It will be remembered that, on September 6th, 1927, the Italian delegate informed the Assembly that the Royal Government of Italy had decided to propose the establishment of an International Educational Cinematographic Institute at Rome to be placed under the direction of the League. On September 20th, 1927, the Assembly adopted the report of its Second Committee and acknowledged with gratitude the generous offer of the Royal Italian Government, the decision as to the future steps to be taken being reserved for the Council after consultation with the competent organisations, more particularly the International Committee on Intellectual Co-operation, and in agreement with the Italian Government.

At the request of the Italian Government, representatives of the Secretary-General, assisted by the Director of the International Institute of Intellectual Co-operation, met at Rome, on February 6th and 7th, 1928, representatives of the Royal Italian Government with the object of drawing up a draft statute of the International Educational Cinematographic Institute. The Council, during its forty-ninth session, received this draft statute and decided to submit it for examination and comment to the International Committee on Intellectual Co-operation, to the Child Welfare Committee and to the International Labour Office. The Council will examine at a later date the replies given by these organisations with a view to concluding an agreement with the Royal Italian Government.

2. OFFER OF \$5,000 MADE BY THE AMERICAN COUNCIL ON EDUCATION FOR AN ENQUIRY REGARDING EUROPEAN AGENCIES FOR EXCHANGES OF PROFESSORS AND STUDENTS.

In a letter dated December 15th, 1927, the Chairman of the American National Committee on Intellectual Co-operation informed the Chairman of the International Committee on Intellectual Co-operation that the American Council on Education held the sum of \$5,000 at its disposal for the purpose of conducting an enquiry into the European agencies dealing with exchanges of professors and students. It should be noted that the Committee on Intellectual Co-operation had already considered taking similar work in hand and had appointed a special committee in July 1927 to study the question of international exchanges of professors and students.

The Chairman of the Committee gave his provisional approval to the contemplated enquiry, and the Council of the League of Nations, by a resolution dated March 7th, 1928, approved this provisional decision and expressed its great appreciation of the help thus given to the work of intellectual co-operation. An enquiry is being carried out at the moment by the International Institute of Intellectual Co-operation, and the results will be published during the summer.

3. INSTRUCTION OF CHILDREN AND YOUTH IN THE EXISTENCE AND AIMS OF THE LEAGUE OF NATIONS.

(a) *Replies of Governments.*

The recommendations of the Sub-Committee of Experts on this subject, approved by the International Committee on Intellectual Co-operation on July 26th, 1927, by the Council on September 2nd, 1927, and by the Assembly on September 22nd, 1927, have been communicated to Members of the League in a letter from the Secretary-General dated October 28th, 1927, and published in the *Official Journal* of the League for March 1928. In the same number of the *Official Journal*, and in the May number, are to be found the replies to the letter received from the Governments of South Africa, Canada, Denmark, the Netherlands and Hungary. The measures taken and the appreciable progress which has been made can be judged from these replies.

(b) *National Conferences.*

Among other recommendations, the Sub-Committee of Experts took the view that an international conference should be convened by the Government of each country, after consulting as far as possible the National Committees on Intellectual Co-operation. The object of this Conference would be to adapt the general recommendations of the Sub-Committee to the special needs of each country and to ensure the harmonious co-operation between the administrations, professors, teachers and voluntary associations. Action in this sense has already been taken by the British Government, which convened, on June 8th, 1927, a Conference of local educational authorities. The Sub-Committee of Experts also recommended that the reports of the various national Conferences should be sent by the Secretary-General of the League of Nations, for purposes of information, to the States Members of the League, and the Secretary-General, in a letter dated February 23rd, 1928, forwarded a copy in English of the report of the Conference of local educational authorities of England, Wales, Scotland and Northern Ireland, convened by the Board of Education on June 8th, 1927. This report had been received by the Secretary-General from the British Government.

(c) *Handbook for Teachers.*

The Sub-Committee of Experts also urged the preparation, for the use of teachers, of a special reference work dealing with the constitution and working of the League of Nations of the International Labour Organisation and of the Permanent Court of International Justice. To carry out this recommendation, which was approved by the Assembly, the Secretary-General has appointed two experts in education with instructions to prepare a draft manual to meet the views of the Sub-Committee. These experts have submitted their draft, which is being examined by the services concerned with a view to publication at a future date.

4. APPOINTMENT OF NEW ADDITIONAL MEMBERS TO THE SUB-COMMITTEES.

*Sub-Committee on University Relations :*

Baron A. DE KOBANYI, Professor of Medicine, Director of Third Medical Clinic of the Royal Hungarian University of Budapest.

*Sub-Committee on Science and Bibliography :*

M. OTTO JESPERSEN, Professor at the University of Copenhagen ;  
M. THIBAUDET, Professor of French Literature at the University of Geneva, Author ;  
M. IONESCU-MIHAI, Sub-Director of the Institute of Sera and Vaccines at Bucharest, Professor of the Faculty of Medicine at Jassy.  
M. ANTONIO GARBASSO, Professor of the University of Florence.

*Sub-Committee on Arts and Letters — (a) Letters Branch :*

M. KIPPENBERG, Director of the " Insel Verlag ", Leipzig ;  
M. VITTORIO ROSSI, Professor of Italian Literature at the University of Rome ;  
Mr. JOHN GALSWORTHY, Author and Playwright ;  
M. SALVADOR DE MADARIAGA, Professor of Spanish Literature at the University of Oxford.

*(b) Arts Branch :*

Sir Cecil Harcourt SMITH, Surveyor of His Majesty the King of England's Works of Art ;  
M. GRAUL, Director of the Museum of Arts and Crafts and of the Museum of Decorative Art, Leipzig ;  
Mr. EDWARD J. DENT, Professor of Music at the University of Cambridge, Fellow of King's College, Cambridge.

*Sub-Committee on Intellectual Rights :*

M. LOUIS GALLIÉ, Secretary-General of the International Confederation of Intellectual Workers to represent that Confederation.

5. DEATH OF PROFESSOR H. A. LORENTZ, CHAIRMAN OF THE INTERNATIONAL COMMITTEE ON INTELLECTUAL CO-OPERATION.

The International Committee on Intellectual Co-operation has had the misfortune to lose its Chairman, Professor Lorentz, who died at Haarlem on February 4th last. At the forty-ninth session of the Council, the French representative, Rapporteur for questions of intellectual co-operation, paid a tribute to the memory of Professor Lorentz. The Council unanimously associated itself with the proposal of its Rapporteur that the Council should address its respectful condolences to Mme. Lorentz, who was her husband's devoted assistant, and should also ask the Minister for Foreign Affairs of the Netherlands, representing that country on the Council, to express to the Netherlands Government the deep regret with which all the members of the Council had heard of the death of his distinguished compatriot.

---

15.

INTERNATIONAL BUREAUX.

(ARTICLE 24 OF THE COVENANT.)

---

I. CO-OPERATION WITH INTERNATIONAL BUREAUX.

Co-operation with the international bureaux placed under the authority of the League of Nations has been continued.

### 1. INTERNATIONAL HYDROGRAPHIC BUREAU.

Co-operation between the Bureau and the League Secretariat has been substantially extended during the past year. The Bureau continues to send to the Secretariat its publications, reports and circular letters addressed to its members. The Secretariat regularly audits the Bureau's accounts. The Bureau, by collecting and publishing valuable information with regard to existing buoyage systems throughout the world, has assisted the League's Technical Committee on Buoyage and Lighting of Coasts.

### 2. CENTRAL INTERNATIONAL OFFICE FOR THE CONTROL OF LIQUOR TRAFFIC IN AFRICA.

This Bureau sends to the Secretariat the information forwarded to it by the parties to the Convention of St. Germain-en-Laye relating to the Liquor Traffic in Africa. It also furnishes the Permanent Mandates Commission, by request, with a yearly report containing statistics of import of liquor into the mandated territories in Africa and the adjacent areas.

### 3. INTERNATIONAL COMMISSION FOR AIR NAVIGATION.

During the past year, closer contact and co-operation have been established between the International Commission for Air Navigation and the League of Nations. All the publications of the International Commission for Air Navigation are now sent to the Secretariat. The Secretary-General of the Commission attended the meetings of the Advisory and Technical Committee for Communications and Transit, and the Secretary-General of the League of Nations was represented at the meetings of the International Commission for Air Navigation.

In the course of the year, the International Commission for Air Navigation held two sessions: one at Rome in October 1927 and the other at Geneva at the Secretariat of the League in June 1928. At each of these two sessions, the International Commission for Air Navigation dealt with two questions submitted to it by the League: the identification of aircraft doing service for the League; and the guarantees to be afforded in times of emergency to aircraft employed in a service of importance to the League.

### 4. INTERNATIONAL COMMITTEE OF CONGRESSES FOR PUBLIC RELIEF.

An International Congress for Public and Private Relief will be held in Paris from July 5th-8th, 1928, in connection with the "Quinzaine sociale internationale".

## II. PUBLICATIONS RELATING TO INTERNATIONAL ORGANISATIONS.

The publication of the *Quarterly Bulletin of Information on the Work of International Organisations* has been continued. No. 22 of the *Bulletin*, published in January 1928, contains a list of ninety-six conferences and international congresses organised by the different associations. The number of international associations which make use of the *Bulletin* steadily increases.

A new edition of the *Handbook of International Organisations* will be published during the course of this year.

---

## 16.

### INTERNATIONAL CONFERENCE OF PRESS EXPERTS.

---

#### ACTION TAKEN ON ITS RESOLUTIONS.

The Conference of Press Experts, which met at Geneva from August 24th to 29th, 1927, was attended by one hundred and eighteen members, of which sixty-three were delegates, thirty-five technical advisers and twenty assessors, from thirty-eight States and five continents.

The Conference adopted ten resolutions, which may be summarised as follows:

The first resolution demands that the dissemination of Press news shall be assured as rapidly as possible and at moderate rates; the second asks for the authorisation of an appropriate code, at ordinary Press rates, for the despatch of Press news by wireless; the third stresses the importance of the improvement of telegraphic, telephonic and wireless communications; the fourth asks for greater facilities for the transport of newspapers; the fifth recommends the more general use of postal subscriptions to newspapers.

The sixth resolution, which was the object of protracted discussions, concerns the protection of news. This is a delicate and complicated problem — possibly the most difficult which the Conference had to handle. For a long time it has engaged the attention of Press circles which, on several occasions, have endeavoured to find a national or international solution for it. The resolution adopted by the Conference condemns unfair competition as regards the publication of news, declares itself in favour of protection for non-published news, subject to certain guarantees, and recommends equality of treatment as regards the issuing of news from official sources.

The seventh resolution concerns professional facilities for journalists such as collective travel tours, schools, scholarships, reductions of railway fares, passport visas, identity cards, equality of treatment for foreign journalists, etc. It also deals with the question of the double taxation of journalists living abroad and that of repressive measures against foreign journalists. The preamble defines the sense in which these suggestions are put forward :

“ The Conference does not ask for the granting or extension to journalists of any favour the acceptance of which would entail the risk of infringing the independence of the Press or the unbiased judgment of journalists. ”

The eighth resolution characterises peace-time censorship as an obstacle to the exchange of international information, recommends that it should be promptly and definitely abolished and asks that, in any country where it still exists, its application should be subject to certain guarantees.

The ninth resolution, with numerous sub-divisions, deals with the publication of tendentious news, expresses itself in favour of university courses for journalists and of the establishment in newspapers of a special heading on the work of the League of Nations, emphasises the rôle of the Press as regards moral disarmament, recommends regional Press understandings, and asks the Council to examine the possibility of regular Press conferences.

The tenth resolution appeals to all participants in the Conference to support the resolutions and to promote the general interests of the Press in their newspapers in order to influence public opinion and the Governments of their respective countries.

The Council, at its meeting on September 2nd, 1927, referred to the League Committee on Communications and Transit, for further study, all the resolutions on telegraphic and telephonic rates, code telegrams, the improvement of communications and the despatch of newspapers, identity cards for journalists, etc., adjourning to its December session the consideration of resolutions calling for Government action, or action by the Press itself. These resolutions related to the protection of news, professional facilities, peace-time censorship, the dissemination of false or tendentious news, etc.

The Council, after examining these resolutions at its December session, noted that they aimed at promoting peace and international co-operation, in accordance with the principles of the League, and stated that, in its view, their application would contribute in a large degree to the removal of misunderstandings among the peoples. In its resolutions, it drew the attention of Governments to such Conference resolutions as called for action on their part, requesting them to inform the Secretary-General of any measures they might be able to take.

The Committee on Communications and Transit, at its session of February-March 1928, began to study the resolutions of the Conference referred to it. All questions on wireless telegraphic and telephonic communications were referred to a special Committee convened for May 22nd, 1928.

The Chairman and Secretary-General of the Committee were instructed to make a general study of Press facilities as regards communications between Geneva and the rest of the world in order to meet, as far as possible, the requirements of journalists.

On one important point journalists have already obtained satisfaction, thanks to the joint efforts of the Communications and Transit Organisation and the British, French and Swiss telegraphic administrations. The International Association of Journalists accredited to the League of Nations complained on November 18th, 1927, of the delay in the transmission of telegrams from Geneva to London, and accordingly telegrams transmitted via London to non-European countries, and pointed out that this delay was prejudicial not only to the interests of journalists, but to those of the public and, indirectly, to those of the League of Nations itself. The Council invited the Organisation for Communications and Transit to deal with this question. As the result of negotiations between the latter and the French, British and Swiss telegraphic administrations, a through wire between Geneva and London was established on February 20th for Press telegrams concerning the League.

The question of the abolition of Customs formalities applicable to newspapers will be studied by a special conference of experts at the end of 1928. Definite recommendations as to possible improvements will then be made to European Governments. Meanwhile, the Committee has asked Governments which levy special duties on the import of newspapers and periodicals to consider the possibility of abolishing them and to communicate to it the results of their examination.

On the subject of the transport by rail of newspapers and other periodicals the Advisory Committee on Communications and Transit decided to seek the opinion of various European Governments before December 31st, 1928, so that the Committee on Transport by Rail might study the question at the beginning of 1929. If this Committee considers it desirable, a European Conference will be summoned to examine the measures already taken or contemplated by Governments and railway administrations. Finally, the Committee asked any countries which reserve the transport of newspapers and periodicals as a postal monopoly to consider as soon as possible whether this system could not be abandoned. The question of the air transport of newspapers will be discussed at the next Conference of the Universal Postal Union.

The Committee on Communications and Transit decided to refer to the Committee of the International Railway Union the resolution concerning reductions of railway fares for journalists. The Committee considered that, as regards passport visas, the necessary steps to obtain exceptions to the general rules might be more easily taken by the competent Press associations of the various countries.

Finally, it decided to study the question of the creation of an international identity card for journalists.

## 17,

### CONSTRUCTION OF AN ASSEMBLY HALL, OF NEW BUILDINGS FOR THE SECRETARIAT, AND OF A NEW LIBRARY.

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution :

" The Assembly :

" Approves the report (document A.93.1927) of the Special Committee of five members in regard to the new buildings ;

" Approves, in principle, that the amount to be spent on the new buildings may be increased to approximately 19,500,000 francs. The exact amount of the supplementary credit necessary will be submitted to the Assembly at the next session ;

" Empowers a Committee composed as follows :

" M. Adatci, M. Osuský, M. Politis, M. Urrutia and Sir Edward Hilton Young to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which in its opinion complies most nearly with the practical and æsthetic requirements. The decision of this Committee will be submitted to the Council of the League of Nations for approval and ratification, and will be communicated to the Assembly at the next session. "

On September 12th, 1927, the Assembly, in reference to the gift of Mr. John D. Rockefeller, Jr., for the construction and endowment of a League of Nations Library, adopted the following resolution :

" In accordance with Article 23 (a) of the Financial Regulations of the League, the Assembly confirms with gratitude the acceptance by the Council of the League of the gift of two million dollars offered by Mr. John D. Rockefeller, Jr., for the construction and endowment of a League of Nations Library. "

The Special Committee appointed under the former resolution during a session held in November 1927, carefully examined the nine plans from which its choice was to be made and called for supplementary reports :

(a) From the Secretary-General on the administrative needs of the Secretariat ;  
and

(b) From two experts nominated by the Committee itself on certain strictly technical points.

It also, in accordance with the desire expressed by the Assembly, consulted the Swiss Cantonal and Federal Authorities. At the following session, held in December 1927, the Committee examined the reports presented by the Secretariat and by the two experts referred to above, as well as a report prepared by two Swiss experts for the Federal and Cantonal Authorities, which had been communicated to the Committee for its information.

The Committee felt itself bound, by its terms of reference, to choose one plan from among the nine submitted to it; but, being authorized by the Assembly resolution of September 26th, 1927, to propose any changes that might be necessary to the plan chosen, it considered itself empowered to take advantage of certain features of other plans, and consequently to propose that the author or authors of the plan chosen should collaborate with the authors of other plans, not only in the preparation of a revised design, but also in the ultimate execution of the design, as finally adopted.

After a careful study of the above reports and a further examination of the plans, the Committee reached unanimously the following conclusions:

1. That the plan which, in its opinion, was most nearly satisfactory, both from the practical and aesthetic points of view, was that numbered 387 and the result of collaboration between M. H. P. Nénot, of Paris, and M. J. Flegenheimer, of Geneva.

2. That this plan was open, nevertheless, to a certain number of objections and must be revised.

3. That the authors of this plan should be invited to revise the design on the lines indicated to them in full by the Committee, and to do this in collaboration with the authors of three other designs, as follows:

No. 117, Messrs. Broggi, Vaccaro and Franzl, of Rome.

No. 143, M. Camille Lefèvre, of Paris.

No. 431, M. Joseph Vago, of Budapest.

Design No. 117 being the joint work of three authors, one of them was to be nominated by his colleagues as their sole representative in this collaboration<sup>1</sup>.

The revised plan, which was to make provision for a separate building for the new library, was to be submitted to the Committee by the end of February 1928, and the Committee reserved entire liberty of judgment on the revised design before definitely accepting it and submitting it to the approval and ratification of the Council in conformity with the Assembly's decisions.

The revised plan was examined by the Special Committee at a session immediately preceding the session of the Council in March 1928, and was considered generally satisfactory. The Committee did not, however, approve the façade or the proposed form of the Assembly Hall. It therefore reported to the Council proposing the provisional adoption of the revised plans subject to the final approval by the Special Committee of new designs for the Assembly Hall and façade. It also proposed to the Council the acceptance, with certain modifications, of the arrangements proposed by the architects with regard to fees and office expenses.

The Council, on March 6th, 1928, approved the report of the Special Committee on the understanding that the contract between the League and the architects would not be signed by the Secretary-General until the Special Committee had given its full and final approval to the revised design, including the alterations desired to the Assembly Hall and the façade.

Shortly after the close of the forty-ninth session of the Council, the first meeting took place of the Committee of Experts appointed by the Secretary-General with the authorisation of the Assembly and in agreement with the donor, to advise on the best use of the Rockefeller fund and to draw up specifications for the new Library building.

This Committee, after an inspection of the site and a careful study of the revised plans which had just been provisionally approved by the Special Committee and the Council, made a strong and unanimous recommendation against the adoption of the site proposed for the Library, on the ground of its exposure to noise and dust, inadequate size and the impossibility of providing for future extensions.

The plans were therefore referred to the architects with a view to the revision of the Assembly Hall and façade and study of a possible alternative site for the Library.

Information on subsequent progress will be given in the Supplementary Report on the work of the Council.

---

## 18.

### RATIFICATION OF AGREEMENTS AND CONVENTIONS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS.

The Secretary-General, on August 31st, 1927, and on February 29th, 1928, acting on the instructions contained in the report adopted, on the recommendation of the Assembly, by the Council during its forty-third session on December 6th, 1926, submitted a list indicating the States which had become contracting parties either by ratification or adhesion

---

<sup>1</sup> M. Broggi was nominated by his colleagues.



to agreements and conventions concluded under the auspices of the League of Nations, and mentioning at the same time the States which had signed these international agreements but which had not yet ratified them. There was further indicated in the lists the States which had neither signed nor adhered to Conventions framed during Conferences in which they had participated, or Conventions to which they had been invited to adhere.

The submission of the report of the Secretary-General to the Council gave rise to various comments on the part of its members with reference to some of the Conventions. In particular, the report of March 1928 was the subject of a discussion, and the Minutes of that discussion were, at the request of the Council, forwarded to all the Members of the League.

The above discussion dealt with certain Conventions or Protocols concluded under the auspices of the League of Nations, but the debate had also a general interest.

The Council accordingly instructed the Rapporteur on the subject, the Italian representative, to present a further report on the whole question.

The Secretariat, as is customary, will submit as an annex to the Supplementary Report on the work of the Council to the next ordinary session of the Assembly a list giving all the ratifications, signatures and adhesions to treaties, conventions and agreements concluded under the auspices of the League.

## 19.

### PRESENT SITUATION WITH REGARD TO INTERNATIONAL ENGAGEMENTS REGISTERED BY THE SECRETARIAT OF THE LEAGUE OF NATIONS.

#### REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL ENGAGEMENTS.

(ARTICLE 18 OF THE COVENANT.)

As in previous years, the registration of treaties by the Secretariat has been carried out according to the method laid down by the Council's memorandum of May 19th, 1920. Between May 19th, 1920, and May 19th, 1928, 1,718 treaties and international engagements have been submitted for registration.

During the period between May 19th, 1927, and May 19th, 1928, 247 treaties have been submitted for registration by Members of the League or communicated by other States.

The treaties registered have, as in previous years, dealt with various subjects, as may be seen by consulting the following list, which gives a general picture of the character of the agreements registered during the period in question. Some of the treaties mentioned in the list may be classified under several heads.

#### ARBITRATION AND CONCILIATION CONVENTIONS, TREATIES OF GUARANTEE AND PACIFIC SETTLEMENT, ETC.

Registration No.	Registration No.
1484. Germany and Estonia.	1555. Denmark and Lithuania.
1487. Great Britain and Siam.	1558. Spain and Italy.
1493. Spain and Uruguay.	1561. Hungary and Italy.
1494. Sweden and Uruguay.	1567. Belgium and Switzerland.
1496. The Netherlands and Switzerland.	1593. France and the Kingdom of the Serbs, Croats and Slovenes.
1500. Denmark and Estonia.	1610. Chile and Italy.
1527. Germany and The Netherlands.	1618. Belgium and Finland.
1540. Belgium and Sweden.	1673. Chile and Spain.
1541. Denmark and Czechoslovakia.	1684. Denmark and France.
1542. Belgium and Denmark.	1700. Italy and Lithuania.
1551. The United Kingdom and Bulgaria.	

#### CONVENTIONS RESPECTING THE REGULATION OF LIQUOR TRAFFIC, NARCOTIC DRUGS, ETC.

1508. Germany and Estonia.	1543. United States of America and Spain.
1536. China and Switzerland.	1690. United States of America and Belgium.

AGREEMENTS CONCERNING COMMERCE AND NAVIGATION.

Registration No.	Registration No.
1472. Norway and Sweden.	1600. Germany and Norway.
1473. Italy and France.	1615. Economic Union of Belgium and Luxemburg and Greece.
1474. Italy and France.	1625. Germany and Denmark.
1475. Economic Union of Belgium and Luxemburg and Estonia.	1636. Finland and Greece.
1478. Greece and Switzerland.	1633. Guatemala and Italy.
1479. Greece and Sweden.	1638. Denmark and Union of Socialist Soviet Republics.
1480. Greece and Italy.	1644. Finland and Turkey.
1483. Iceland and Union of Socialist Soviet Republics.	1645. Austria and Finland.
1488. British Empire and Greece.	1647. Economic Union of Belgium and Luxemburg and Kingdom of the Serbs, Croats and Slovenes.
1490. British Empire and Spain.	1652. Greece and Latvia.
1498. Denmark and Sweden.	1660. Great Britain and Latvia.
1501. Switzerland and Czechoslovakia.	1665. Haiti and The Netherlands.
1507. Albania and Czechoslovakia.	1668. Denmark and Spain.
1512. Great Britain and Maskat.	1674. Czechoslovakia and Turkey.
1516. Austria and Latvia.	1678. Haiti and Italy.
1517. Great Britain and Japan.	1688. Finland and Sweden.
1520. Hungary and Czechoslovakia.	1689. Economic Union of Belgium and Luxemburg and France.
1524. Germany and France.	1694. France and Italy.
1530. Norway and Poland.	1697. Hungary and Turkey.
1532. Finland and Czechoslovakia.	1698. France and Switzerland.
1544. Switzerland and Turkey.	1701. Italy and Lithuania.
1546. The United Kingdom and Hungary.	1702. Estonia and Sweden.
1553. France and Hungary.	1703. Finland and Sweden.
1568. Bulgaria and Greece.	1704. Latvia and Sweden.
1569. Greece and Roumania.	1710. Germany and Bolivia.
1574. Finland and Switzerland.	1711. Germany and France.
1586. Denmark and Italy.	1712. Germany and Turkey.
1591. Latvia and Union of Socialist Soviet Republics.	1716. Germany and Paraguay.
1596. Economic Union of Belgium and Luxemburg and Guatemala.	1717. Germany and France.
1598. Estonia and Greece.	

CONSULAR CONVENTIONS AND CONVENTIONS RESPECTING  
CONDITIONS OF RESIDENCE.

1587. France and Japan.	1696. Hungary and Turkey.
1599. Belgium and France.	1706. Switzerland and Turkey.
1614. Bulgaria and Hungary.	1713. Germany and Turkey.

AGREEMENTS CONCERNING CUSTOMS AND CUSTOMS FORMALITIES.

1522. Germany and Poland.	1557. Finland and Norway.
---------------------------	---------------------------

ECONOMIC AND FINANCIAL TREATIES.

1503. United States of America and Great Britain.	1607. Great Britain and Kingdom of the Serbs, Croats and Slovenes.
1549. Great Britain and Greece.	1681. Belgium and Portugal.
1565. Greece and Turkey.	1692. Estonia and Latvia.
1585. Hungary and Italy.	1714. Germany and Austria.

AGREEMENTS REGARDING DELIMITATION OF FRONTIERS AND FRONTIER TRAFFIC.

1485. Germany and Economic Union of Belgium and Luxemburg.	1648. Estonia and Union of Socialist Soviet Republics.
1504. Germany and Poland.	1649. Germany and Poland.
1509. Estonia and Latvia.	1683. Belgium and Portugal.
1511. Great Britain, Iraq and Turkey.	1693. Germany and Poland.
1549. Union of South Africa and Portugal.	

**TAXATION.**

<b>Registration No.</b>	<b>Registration No.</b>
1563. United States of America and Norway.	1661. Germany and Great Britain.
1655. Denmark and Japan.	1669. Germany and Denmark.

**TONNAGE MEASUREMENT.**

1510. Portugal and Sweden.	1672. Iceland and Sweden.
1552. United Kingdom and Latvia.	1677. The Netherlands and Sweden.
1617. Norway and Portugal.	1705. Germany and Latvia.
1662. Great Britain and Portugal.	

**LEGAL AND EXTRADITION CONVENTIONS.**

1477. Estonia and Switzerland.	1620. Estonia and Czechoslovakia.
1491. Switzerland and Uruguay.	1630. France and Saar Territory Governing Commission.
1492. Brazil and Uruguay.	1631. France and Saar Territory Governing Commission.
1495. Estonia and Czechoslovakia.	1635. Norway and Union of Socialist Soviet Republics.
1497. Belgium and Latvia.	1646. Netherlands and Sweden.
1502. Germany and Bulgaria.	1667. Denmark and France.
1523. Belgium and Estonia.	1671. Latvia and Norway.
1531. Finland and France.	1687. Denmark and Estonia.
1545. Albania and the United Kingdom.	
1588. Liberia and Monaco.	
1594. Switzerland and Czechoslovakia.	
1597. Belgium and The Netherlands.	

**AIR NAVIGATION.**

1525. British Empire, France, Italy, Japan and Bulgaria.	1595. British Empire, France, Italy, Japan and Hungary.
1528. Denmark and Netherlands.	1659. Germany and Great Britain and Northern Ireland.
1554. Poland and Czechoslovakia.	1707. Spain and France.

**CONVENTIONS CONCERNING FISHERIES.**

1481. Greece and Italy.	1634. Finland and Sweden.
-------------------------	---------------------------

**POLITICAL AGREEMENTS, TREATIES OF PEACE AND FRIENDSHIP, SOVEREIGNTY, ALLIANCE, ETC.**

1556. China and Finland.	1616. Albania and Italy.
1559. Italy and Yemen.	1624. Estonia and Turkey.
1560. Italy and Roumania.	1658. British Empire and Hedjaz.
1592. France and Kingdom of the Serbs, Croats and Slovenes.	

**POSTAL, TELEPHONIC, TELEGRAPHIC AND RADIO-TELEGRAPHIC COMMUNICATIONS.**

1489. Hedjaz and Sudan and British Empire.	1582. Belgium, France and The Netherlands.
1513. Great Britain and Northern Ireland and The Netherlands.	1601. India and Iraq.
1547. Germany and Great Britain.	1602. India and Iraq.
1548. Belgium and Great Britain.	1603. United States of America and Great Britain.
1550. Great Britain and Northern Ireland and France.	1604. United States of America and Great Britain.
1575. Germany and The Netherlands.	1605. India and Iraq.
1576. Germany, Austria and The Netherlands.	1606. Germany and Great Britain.
1577. Germany, The Netherlands and Switzerland.	1611. Commonwealth of Australia and Norway.
1578. Germany, The Netherlands and Czechoslovakia.	1619. Estonia, Finland and Latvia.
1579. Germany, Denmark and The Netherlands.	1653. Denmark and Iceland.
1580. Belgium and The Netherlands.	1656. Belgium and Great Britain.
1581. Belgium, Luxemburg and The Netherlands.	1657. Belgium and Great Britain.
	1666. Great Britain and the Netherlands.
	1691. United States of America and the Netherlands.

**AGREEMENTS REGARDING SOCIAL QUESTIONS.**

Registration No.		Registration No.	
1476.	Estonia and Latvia.	1675.	Germany and Finland.
1486.	Belgium and the United Kingdom.	1686.	Denmark and The Netherlands.
1562.	Denmark and Iceland.	1695.	Belgium and Luxemburg.
1612.	Denmark and Switzerland.	1715.	Germany and Austria.
1629.	Germany and Saar Territory Governing Commission.	1718.	Germany and Poland.

**AGREEMENTS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS.**

Registration No.	
1539.	Germany, Austria, Belgium, Bulgaria, British Empire, Spain, Finland, France, Greece, Hungary, Italy, The Netherlands, Poland, Roumania, Union of Socialist Soviet Republics, Kingdom of the Serbs, Croats and Slovenes, Switzerland, Czechoslovakia. Convention regarding the measurement of vessels employed in Inland Navigation, and Protocol of Signature, signed at Paris, November 27th, 1925.
1622.	Greece. Protocol for the stabilisation of the currency and liquidating the budget arrears of the Hellenic State and for the further settlement of Greek refugees, signed at Geneva, September 15th, 1927.
1623.	France, Great Britain and Italy. Declaration concerning the Protocol signed by Greece on September 15th, 1927, signed at Geneva, December 8th, 1927.

**QUESTIONS RELATING TO THE APPLICATION OF THE TREATY OF VERSAILLES.**

Registration No.		Registration No.	
1564.	Germany and Italy.	1650.	Germany and Poland.

**SANITARY CONVENTIONS.**

1499.	Germany and Latvia.	1680.	Belgium and Portugal.
-------	---------------------	-------	-----------------------

**TRANSIT CONVENTIONS.**

Registration No.		Registration No.	
1482.	Finland and Latvia.	1583.	Italy and The Netherlands.
1505.	Germany and Poland.	1584.	Norway and Sweden.
1506.	Germany and Poland.	1628.	France and Saar Territory Governing Commission.
1514.	Estonia and Latvia.	1637.	Germany and Norway.
1526.	Austria and Latvia.	1651.	Finland and Union of Socialist Soviet Republics.
1529.	Estonia, Latvia and Union of Socialist Soviet Republics.	1663.	Finland and Switzerland.
1533.	Germany and Finland.	1664.	Austria and Norway.
1534.	Estonia and Finland.	1670.	Austria and Sweden.
1535.	Austria and Finland.	1682.	Belgium and Portugal.
1566.	Luxemburg and Norway.	1685.	Finland and Japan.
1570.	Austria and The Netherlands.	1699.	Finland and Sweden.
1571.	Austria and Portugal.	1708.	Japan and Norway.
1572.	Austria and Denmark.	1709.	Austria and Czechoslovakia.
1573.	Austria and Great Britain.		

**WATERWAYS AND INLAND NAVIGATION.**

1515.	Germany and Poland.	1643.	Union of South Africa and Portugal.
1519.	Germany and Poland.	1654.	France and Switzerland.
1521.	Italy and Switzerland.	1676.	Germany and Poland.
1621.	Germany and Poland.		

GENERAL RELATIONS.

Registration No.	Registration No.
1518. Spain and Switzerland.	1638. Poland and Czechoslovakia.
1537. Germany and Poland.	1639. Poland and Czechoslovakia.
1538. Hungary and Czechoslovakia.	1640. Poland and Czechoslovakia.
1590. Germany and Poland.	1641. Poland and Czechoslovakia.
1609. Great Britain and France.	1679. Sweden and Union of Socialist Soviet Republics.
1613. French Indo-China and Siam.	
1627. Germany and Saar Territory Governing Commission.	

INTELLECTUAL RELATIONS.

1632. France and Norway.

MISCELLANEOUS.

1589. United States of America and France.  
1608. Great Britain and Spain.

The following table gives the number of treaties registered by the Secretariat at the request of the various States during the period from May 19th, 1927, to May 19th, 1928:

Union of South Africa. . . . .	2	Latvia . . . . .	12
Albania. . . . .	1	Liberia . . . . .	1
Austria. . . . .	8	The Netherlands. . . . .	19
Belgium. . . . .	19	Norway. . . . .	13
Great Britain . . . . .	34	Poland . . . . .	18
Bulgaria . . . . .	1	Kingdom of the Serbs, Croats and Slovenes . . . . .	2
Chile. . . . .	2	Siam . . . . .	1
China. . . . .	1	Spain. . . . .	1
Czechoslovakia . . . . .	14	Sweden . . . . .	14
Denmark . . . . .	21	Switzerland . . . . .	15
Estonia. . . . .	17	Uruguay . . . . .	3
Finland. . . . .	18	Venezuela. . . . .	1
France . . . . .	4	Conference of Ambassadors. . . . .	2
Germany . . . . .	10	Saar Territory Governing Commission. . . . .	5
Greece . . . . .	11	International engagements registered in consequence of their deposit with the Secretariat of the League . . . . .	3
Hungary . . . . .	7		
Italy. . . . .	20		
Japan . . . . .	2		

Four treaties were communicated by the United States of America in accordance with the arrangement described on page 125 of the Report to the Assembly of 1926.

The Secretariat has also registered many adhesions, ratifications, denunciations, etc., to conventions previously registered at the request of Members of the League of Nations.

It has also registered further information relating to general conventions which it had already published.

The above-mentioned international engagements have appeared, or will appear, in the *Treaty Series* in their original languages, with translations into French and English.

The Secretariat will shortly issue the *Index* of registered treaties from No. 1001 to No. 1500. This *Index* is a continuation of the *Index* published last year, which included the first thousand treaties registered. It contains chronological and alphabetical tables arranged according to subject, giving details regarding the character of each treaty, the contracting parties which have signed it, and the position of each international engagement registered.

Up to the present, sixty-eight volumes of about 450 pages each, containing some 1,600 treaties, have been published by the Secretariat. Other volumes will appear in the near future.

*[Distributed to the Council, the  
Members of the League and the  
Delegates at the Assembly.]*

A. 6 (a). 19

16

Geneva, August 31st, 1928.

**LEAGUE OF NATIONS**

Supplementary Report to the Ninth Ordinary  
Session of the Assembly of the League on  
the Work of the Council, on the Work of the  
Secretariat and on the Measures taken to execute  
the Decisions of the Assembly.

Publications of the League of Nations

GENERAL.  
1928. 4.

CONTENTS.

	Page
1. COLLABORATION OF COSTA RICA IN THE WORK OF THE LEAGUE. . . . .	5
2. LEGAL QUESTIONS :	
I. Work of the Committee of Experts for the Progressive Codification of International Law during its Fourth Session . . . . .	6
II. International Institute for the Unification of Private Law . . . . .	6
3. FINANCES OF THE LEAGUE :	
I. General Financial Position . . . . .	7
II. Action taken by the Council at its June Session. . . . .	7
III. Extraordinary Sessions of the Supervisory Commission. . . . .	7
4. REDUCTION OF ARMAMENTS :	
I. Communications with the League in Times of Emergency. . . . .	8
II. Financial Assistance to States Victims of Aggression. . . . .	8
III. Arbitration, Security and the Pacific Settlement of International Disputes. . . . .	8
IV. Preparatory Commission for the Disarmament Conference. . . . .	12
V. Private Manufacture and Publicity for the Manufacture of Arms and Ammunition and of Implements of War . . . . .	12
VI. Right of Investigation under the Treaties of Versailles, St. Germain, Trianon and Neuilly . . . . .	12
VII. Request of the Governments of (a) Czechoslovakia, (b) Roumania, (c) Kingdom of the Serbs, Croats and Slovenes for Consideration by the Council of the incident which occurred on January 1st, 1928, at Szent-Gotthard Railway Station on the Austro-Hungarian Frontier . . . . .	12
5. POLITICAL QUESTIONS :	
I. Request of the Roumanian Government under Paragraph 2 of Article 11 of the Covenant, regarding the Agrarian Questions submitted to the Mixed Roumano-Hungarian Arbitral Tribunal; Request of the Hungarian Government for the Appointment by the Council, in virtue of Article 239 of the Treaty of Trianon, of Two Deputy Judges for the Mixed Roumano-Hungarian Arbitral Tribunal. . . . .	16
II. Request of the Lithuanian Government dated October 15th, 1927, submitted under Article 11 of the Covenant; Request dated October 26th, 1927, with regard to the Expulsion of Eleven Polish Nationals on Lithuanian Territory. . . . .	18
III. Request by the Albanian Government, under Article 11 of the Covenant, concerning the Questions of the Properties of Albanians in Greece and of the Albanian Minority in Greece . . . . .	19
IV. Third Report of the Straits Commission addressed to the League of Nations in accordance with the Terms of Article 15 of the Straits Convention of July 24th, 1923. . . . .	20
V. Incidents between the Japanese Troops and the Chinese Troops at Tainan-Fu. . . . .	20
VI. Communication by the British Government of its Notes replying to the United States Proposals for a Treaty for the Renunciation of War as an Instrument of National Policy . . . . .	21
6. ADMINISTRATIVE QUESTIONS :	
I. Territory of the Saar Basin. . . . .	21
II. Free City of Danzig . . . . .	22
III. Mixed Greco-Bulgarian Emigration Commission . . . . .	22
IV. Mixed Commission for the Exchange of Greek and Turkish Populations. . . . .	22
7. PROTECTION OF MINORITIES :	
I. Minorities in Upper Silesia . . . . .	24
II. Complaints of the Lithuanian Government regarding the Treatment of Persons of Lithuanian Race or Speech in the Vilna Area. . . . .	28
III. Receivability of Minorities Petitions: Questions raised by the Lithuanian Government . . . . .	28
8. MANDATES :	
I. Work of the Thirteenth Session of the Permanent Mandates Commission. . . . .	20
II. New Member of the Permanent Mandates Commission. . . . .	25
9. SLAVERY . . . . .	25

10. WORK OF THE THEORETICAL ORGANIZATIONS :	
I. Economic and Financial Organizations :	
A. Work in the Economic Field :	
I. Work of the Economic Committee . . . . .	36
II. Work of the Economic Committee . . . . .	36
III. Second Conference for the Abolition of Import and Export Prohibitions and Restrictions . . . . .	44
IV. Second Conference concerning the Exportation of Hides, Skins and Bones . . . . .	44
B. Work of the Financial Committee :	
I. Bulgarian Reconstruction Scheme . . . . .	45
II. Greek Rehabilitation Scheme . . . . .	46
III. Financial Reconstruction of Portugal . . . . .	47
IV. Mixed Greco-Bulgarian Emigration Commission . . . . .	47
V. Meeting of Central Bank Statisticians . . . . .	48
VI. Purchasing Power of Gold . . . . .	48
VII. Economic Tendencies affecting the Peace of the World. . . . .	48
II. Organization for Communications and Transit. . . . .	49
III. Health Organization . . . . .	50
11. HOWARDIANLY QUESTIONS :	
I. Protection and Welfare of Children and Young People :	
A. Traffic in Women and Children. . . . .	54
B. Child Welfare . . . . .	55
II. Traffic in Opium and Other Dangerous Drugs. . . . .	56
12. AMERICAN EUROPEAN BOTTLENECKS . . . . .	56
13. INTERNATIONAL RAILWAY UNION . . . . .	57
14. INTELLECTUAL CO-OPERATION . . . . .	57
15. INTERNATIONAL CONGRESS OF PRESS EXPERTS . . . . .	64
16. CONSTRUCTION OF AN ASSEMBLY HALL, OF NEW BUILDINGS FOR THE BOURGEOISIE, AND OF A NEW LIBRARY . . . . .	64
17. PRESENT POSITION AS REGARDS INTERNATIONAL HEADQUARTERS DEPOSITED WITH THE BOURGEOISIE ON CONNECTED WITH THE WORK OF THE LEAGUE OF NATIONS. . . . .	64



1.

**COLLABORATION OF COSTA RICA IN THE WORK OF THE LEAGUE.**

In a reply, dated July 18th, 1928, to the letter which was addressed to the Government of Costa Rica in accordance with the indications given by the Council at its March session, the Secretary of State for Foreign Affairs of Costa Rica states that his Government, while deeply appreciating the Council's action, desires, before giving a definite answer, to know the interpretation placed by the League of Nations on the Monroe doctrine and the scope given to that doctrine when it was included in Article 21 of the Covenant.

This letter has been communicated to all the Members of the League (see document C.391.M.126.1928).

2.

**LEGAL QUESTIONS.**

**I. WORK OF THE COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW DURING ITS FOURTH SESSION.**

The Committee of Experts for the Progressive Codification of International Law held its fourth session from June 22nd to 28th, 1928, M. Hammarskjöld being Chairman.

Its agenda included first of all the examination of Government replies to Questionnaires Nos. 8 to 11 on the following subjects :

*Questionnaire No. 8.* Communication of judicial and extra-judicial acts in penal matters and letters rogatory in penal matters.

*Questionnaire No. 9.* Legal position and functions of consuls.

*Questionnaire No. 10.* Revision of the classification of diplomatic agents.

*Questionnaire No. 11.* Competence of Courts in regard to foreign States.

It had to be determined whether the replies received from the various Governments were sufficiently favourable to allow the Committee to recommend to the Council and the Assembly certain subjects as ripe for international regulation.

The question of the legal position and functions of consuls and that of the competence of Courts in regard to foreign States were held by the Committee to have reached a stage suitable for codification.

The Committee was of opinion that the regulation by means of a general convention of the question of the communication of judicial and extra-judicial acts in penal matters and letters rogatory in penal matters was not yet practicable. It felt, however, that judicial co-operation should be ensured in conventions on certain crimes universally condemned. Although, with regard to the question of the revision of the classification of diplomatic agents there was a majority of Governments in favour of international regulation, the minority was so strongly represented that, for the present, the Committee does not regard codification as possible.

Of the above four questions, therefore, two were held by the Committee of Experts to be ripe for international regulation; they have consequently been recommended to the Council and to the Assembly.

The Committee also had on its agenda certain questions which, for various reasons, had been adjourned until this session. These were matters which had been studied by Sub-Committees of the Committee of Experts, but which were not to be referred to the various Governments unless the Committee decided that it would be desirable to do so. The question of prescription was not maintained on the list, the Committee agreeing with the negative conclusions of its Rapporteur. Consideration of the legal position of private non-profit-making associations and private international foundations was adjourned, the Committee having learned that this question was being considered by the International Institute of Intellectual Co-operation in Paris, and that the work was making good progress. In order to avoid overlapping, the Committee thought it preferable to postpone the examination of this subject. The question of the conflict of laws in the matter of domicile also came before the Committee, which had received a report on the subject from

one of its Sub-Committees. After consideration, the Committee decided to submit this subject to the various Governments for their opinion in the form of Questionnaire No. 12. This is the only subject on which the Committee prepared a new questionnaire for the Governments.

The Committee has also had to consider a proposal submitted by the Paraguayan delegation to the Assembly in 1927. The proposal was for the preparation of a general and comprehensive plan of codification of international law. On this subject the Committee has addressed a special report to the Council and the Assembly, the tenor of which is as follows :

In the light of the experience gained during its work, the Committee of Experts is of opinion that codification should be carried out progressively, account being taken of the realities of the legal situation and the numerous obstacles of a political nature which make it impracticable to deal with the various subjects in an order corresponding to considerations of system, but which imperatively require that the method of procedure shall be cautious and modest. The Committee of Experts has taken into account first and foremost the actual possibilities of codification. It is for this reason that it has always felt that a method of partial and progressive codification is preferable.

Although, in conformity with the Assembly resolution of September 22nd, 1924, it is in favour of adhering to the method which it has hitherto followed in its work, the Committee of Experts nevertheless considers that the proposal of the delegation of Paraguay deserves attention.

If the Council and the Assembly of the League feel that the course suggested by the delegation of Paraguay should be followed, it would be possible to draw up a systematic outline of a more complete codification, on the understanding always that what was contemplated was not immediate and simultaneous realisation of a plan thus formed, or determination of the order in which the various matters ought to be the subject of efforts at international legislation. Advantage might be seen in such a work of co-ordination.

Finally, mention should be made of Recommendations VII and VIII, formulated by the Mixed Committee for the Suppression of Counterfeiting Currency, which the Council had transmitted for an opinion to the Committee of Experts. The first of these recommendations referred to the question of extradition. This question had already been included in the agenda of the Committee at a previous session, and the Committee had come to the conclusion that it was not yet ripe for codification. The Committee felt bound to reaffirm its former opinion on the subject, but added in its report to the Council that there were, in the domain of the suppression of counterfeiting, particularly strong arguments in favour of establishing rules for extradition, and that consequently the universal adoption of Article 2 of the draft Convention prepared by the Mixed Committee seemed to be highly desirable and also practicable.

With regard to the second recommendation, regarding letters rogatory, the Committee merely referred to the opinion expressed in its report on the questions which seemed to be sufficiently ripe for codification (see previous page, Questionnaire No. 8).

The Committee has reported in the following documents its conclusions on the various questions submitted to it :

1. Letter dated June 28th, 1928, from the Chairman of the Committee of Experts to the Secretary-General, communicated to the Council and the Assembly (document A.14.1928.V).
2. Report to the Council, transmitted to the Assembly, with regard to the questions which seem to be mature for international regulation (Questionnaires Nos. 8 to 11) (document A.15.1928.V).
3. Questionnaire No. 12, addressed to the various Governments for their opinion on the question of domicile (document C.343.M.101.1928.V).
4. Report to the Council, transmitted to the Assembly, concerning the Paraguayan delegation's proposal (document A.16.1928.V).
5. Report to the Council regarding Recommendations VII and VIII of the Mixed Committee for the Suppression of Counterfeiting Currency (document C.344.1928.V).

The reasons which, at its third session, induced the Committee to abstain from undertaking the study of new questions still persisted at its fourth session.

Under these conditions, the Committee felt that, before resuming its activities, it should wait until new circumstances have arisen or further instructions have been received.

With regard to the question of domicile, the only question on which the various Governments are being consulted by the Committee of Experts, the Committee has requested the Secretary-General to transmit the replies from the Governments for consideration either to the Committee itself, if the latter has occasion to meet at a sufficiently early date, or to the Council direct.

## II. INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW.

The opening of the Rome International Institute for the Unification of Private Law took place on May 30th, 1928, at the Villa Aldobrandini, Rome, in the presence of His Majesty King Victor Emmanuel III of Italy, and under the presidency of Signor Mussolini, Head of the Government and Minister for Foreign Affairs of the Kingdom of Italy.

There were present the Diplomatic Corps accredited to His Majesty the King of Italy, the representative of the President of the Council of the League of Nations, the President of the Institute, His Excellency M. Scialoja, and the members of the Governing Body of the Institute, the representatives of the Secretary-General of the League of Nations, of the Director of the International Labour Office and of the Director of the International Institute of Intellectual Co-operation.

After the inaugural meeting the Institute held two sittings, at which the representatives of the Secretariat of the League of Nations, of the International Labour Office and the International Institute of Intellectual Co-operation were present.

In the course of these meetings the Governing Body discussed and adopted the regulations governing the work of the Institute, appointed Professor Pietro de Francisci Secretary-General, and outlined its initial programme of work.

On June 20th, 1928, His Excellency M. Scialoja, President of the Institute, forwarded to the Secretary-General the Minutes of the inaugural meeting, of the two meetings of the Governing Body, and also the texts of the three sets of Regulations (Internal, Staff and Financial) as adopted by the Governing Body.

Under Article 14 of the Organic Statute of the Institute, the above-mentioned three sets of Regulations have been placed on the agenda of the next session of the League Council for approval, in order that the Institute may exchange its present provisional organisation for a permanent one. When this approval has been given, the three sets of Regulations will be communicated to the Assembly of the League of Nations and to the Italian Government.

---

### 3.

## FINANCES OF THE LEAGUE.

---

### I. GENERAL FINANCIAL POSITION.

The financial position remains satisfactory owing to the regular payment of contributions by States Members. Over 59 per cent of the amount due under the budget for 1928 has been received during the first seven months of this year.

### II. ACTION TAKEN BY THE COUNCIL AT ITS JUNE SESSION.

The Council, at its June session, decided not to submit any observations on the report of the Supervisory Commission, on the accounts for 1927 and the budget for 1929, reserving, however, the right of its members to make, during the Assembly, such proposals or amendments as they might think desirable.

### III. EXTRAORDINARY SESSIONS OF THE SUPERVISORY COMMISSION.

The Supervisory Commission held two extraordinary sessions during the course of the summer.

#### (a) SUPPLEMENTARY CREDITS AND DIVERGENCIES BETWEEN THE FOURTH COMMITTEE AND OTHER COMMITTEES OF THE ASSEMBLY WITH REGARD TO BUDGET CREDITS.

The Assembly, at its eighth ordinary session, requested the Supervisory Commission to consider the improvements which might be made in the procedure of the Assembly in regard to the consideration of supplementary credits and the settlement of divergencies which might arise between the Fourth and another Committee of the Assembly concerning the budget.

The Supervisory Commission came to the conclusion that the only satisfactory method of dealing with this question was to amend the Financial Regulations and the Rules of Procedure on the basis of the following principles :

All proposals for supplementary credits should be forwarded, at least one month before the opening of the Assembly, to the Secretary-General, who would estimate the expenditure involved. The proposals and the Secretary-General's estimates would be referred to the competent technical Committee of the Assembly ; if the Committee agreed with the policy involved, it would, within fifteen days after the opening meeting of the Assembly, communicate its report direct to the Supervisory Commission, which, after considering the estimates, would report to the Fourth Committee.

A similar procedure would be applied when, at its May session, the Supervisory Commission had doubts concerning new expenditure.

Any divergency between the Fourth and another Committee of the Assembly would be finally settled by a second vote of the Fourth Committee, taken after an interval sufficient to enable the members to consult their colleagues.

(b) COST OF LIVING AND ADJUSTMENT OF SALARIES.

The Supervisory Commission, after discussing the matter at four consecutive sessions and receiving, in accordance with the Assembly's decision, the views of the Salaries Adjustment Committee, and a report drawn up by the statisticians of the Secretariat and of the International Labour Office, decided to recommend the Assembly to stabilise the salaries at the 1921 nominal figures.

In taking this decision, the Commission was moved by the following four principal considerations :

1. The cost-of-living index amounted at present to 95.2 per cent of the index during the basic period.
2. It seemed probable that the upward tendency of the index would continue for some time to come.
3. The officials thought that they had been unfairly treated in past years because the rent index had been based on insufficient data.
4. Finally, there would be a considerable advantage, from an administrative point of view, if all the officials came under a single system devoid of complications and above criticism.

(c) ESTIMATES OF THE REFUGEE SERVICE FOR 1929.

The Commission approved the estimates of the Refugee Service, amounting to 298,000 francs, as against 339,175 francs in the budget for the present year.

(d) PUBLICATIONS OF THE LEAGUE OF NATIONS.

The Supervisory Commission recommended the Assembly to adopt a certain number of new principles in regard to the control of the printing of League publications, documents, Minutes, etc.

---

4.

REDUCTION OF ARMAMENTS.

---

I. COMMUNICATIONS WITH THE LEAGUE IN TIMES OF EMERGENCY.

For the details of the decisions taken and the present position of the work, reference should be made to that part of the Supplementary Report which deals with the work of the Organisation for Communications and Transit.

II. FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION.

See Section III below on the work of the Committee on Arbitration and Security and that of the Joint Committee composed of members of that Committee and of the Financial Committee.

III. ARBITRATION, SECURITY AND THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

The Committee on Arbitration and Security having, at the end of its second session, expressed the wish that the results of its work would be communicated to all the States in time for discussion at the next ordinary session of the Assembly<sup>1</sup>, the Preparatory

---

<sup>1</sup> See document A.6.1928, page 22.

Commission for the Disarmament Conference at its fifth session endorsed this recommendation in the following terms :

“ The Commission :

“ Expresses its satisfaction with the results achieved and its approbation of the general spirit in which the Committee carried out the work.

“ According to precedent, the report of the Committee on Arbitration and Security on the work of its second session, together with the Minutes of that session, will be communicated to all Governments. The Commission seconds the recommendation adopted by the Committee that these documents should be transmitted in sufficient time to allow of their discussion at the next session of the Assembly. ”

At its meeting on June 4th, 1928, the Council, acting on the motion of the Roumanian representative, adopted the following resolution :

“ The Council :

“ Having taken note of the work already done by the Committee on Arbitration and Security and of the programme for its future work,

“ Instructs the Secretary-General to insert on the supplementary Assembly agenda the question of the work and the proposals of the Committee on Arbitration and Security. . . . ”

The Committee on Arbitration and Security held its third session at Geneva from June 27th to July 4th, 1928, in order to proceed to :

- (1) The second reading of the model treaties and conventions drawn up at the second session ;
- (2) The examination of the German delegation's suggestions for the prevention of war on the basis of a memorandum prepared by M. Rolin-Jaequemyns, Rapporteur;
- (3) The study of model bilateral conventions ; and
- (4) The continuation of the examination of the scheme of financial assistance to States victims of aggression, on the basis of the report by the Joint Committee, submitted as a result of its second session, held at Geneva on June 5th, 1928.

After discussions before the plenary Committee, the Committee on Arbitration and Security instructed a Drafting Committee to prepare for second reading the model treaties and conventions adopted on first reading during the preceding session, and, further, to prepare a model treaty designed to give effect to the German delegation's suggestions. These drafts, accompanied by an introductory note and a resolution regarding the German delegation's suggestions, were subsequently submitted to the Committee on Arbitration and Security, which adopted them, together with three model bilateral conventions for the pacific settlement of disputes. It also adopted a report and a resolution on the question of financial assistance and proceeded to the second reading of the resolutions which it had drafted at its second session.

The following is a list of the texts adopted by the Committee on Arbitration and Security from the time of its creation until the end of its third session (see document A.20.1928) :

1. Model arbitration and conciliation conventions, accompanied by an introductory note and two resolutions, one submitting and recommending these model conventions, the other relating to the good offices of the Council.
2. Resolution on the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice.
3. Model treaties of non-aggression and mutual assistance, accompanied by an introductory note and two resolutions, one submitting and recommending these model treaties, the other relating to the good offices of the Council.
4. Resolution concerning the memorandum on Articles 10, 11 and 16 of the Covenant.
5. Resolution concerning communications with the League in times of emergency.
6. Resolution and report on financial assistance to States victims of aggression.
7. Model treaty with a view to strengthening the means of preventing war, accompanied by an introductory note and a resolution.

The resolutions adopted by the Committee on Arbitration and Security read as follows :

*Resolution on the Submission and Recommendation of the Model Conventions on Conciliation, Arbitration and Judicial Settlement.*

The Committee on Arbitration and Security recommends that the following draft resolution be submitted for the approval of the next ordinary session of the Assembly :

- “ The Assembly :
- “ Having noted the model general conventions drawn up by the Committee on Arbitration and Security on the subjects of conciliation, arbitration and judicial settlement ;
- “ Appreciating the value of these model general conventions ; and
- “ Being convinced that their adoption by the greatest possible number of States would serve to increase the guarantees of security :
- “ Recommends all States, whether Members of the League or not, to accede thereto ;
- “ Draws the attention of Governments which may not feel able to assume general obligations to the fact that they could accept the rules established by the aforesaid model conventions by means of special agreements or a simple exchange of notes with any States they may desire ; and
- “ Requests the Council, with a view to this eventuality, to give the Secretariat of the League of Nations instructions to keep a list of the special obligations undertaken within the scope of the general conventions, so as to enable Members of the League of Nations and States non-Members of the League to obtain information thereon as soon as possible. ”

*Resolution regarding the Good Offices of the Council.*

The Committee on Arbitration and Security recommends that the following draft resolution be submitted for the approval of the next ordinary session of the Assembly :

- “ The Assembly :
- “ In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security ;
- “ Recognising that the development of procedures for the pacific settlement of any disputes which may arise between States is an essential factor in the prevention of wars ;
- “ Expresses its appreciation of the progress achieved in concluding treaties of this kind, and its desire to see the application of the principle of the pacific settlement of all disputes extended as far as possible ; and
- “ Invites the Council to inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding for this purpose a treaty to ensure the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue. ”

*Resolution concerning the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice.*

The Committee on Arbitration and Security recommends that the following draft resolution be submitted for the approval of the next ordinary session of the Assembly :

- “ The Assembly :
- “ Referring to the resolution of October 2nd, 1924, in which the Assembly, considering that the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice are sufficiently wide to permit States to adhere to the special Protocol opened for signature in virtue of that article, with the reservations which they regard as indispensable, and convinced that it is in the interest of the progress of international justice 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 to the said Protocol at the earliest possible date ;
- “ Noting that this recommendation has not so far produced all the effect that is to be desired ;
- “ Being of opinion that, in order to facilitate effectively the acceptance of the clause in question, it is expedient to diminish the obstacles which prevent States from committing themselves ;
- “ Being convinced that the efforts now being made through progressive codification to diminish the uncertainties and supply the deficiencies of international law will greatly facilitate the acceptance of the Optional Clause of Article 36 of the Statute of the Court, and that meanwhile attention should once more be drawn to the possibility offered by

the terms of that clause to States which do not see their way to accede to it without qualification to do so subject to appropriate reservations limiting the extent of their commitments, both as regards duration and as regards scope ;

“ Noting, in this latter connection, that the reservations conceivable may relate, either generally to certain aspects of any kind of dispute, or specifically to certain classes or lists of disputes, and that these different kinds of reservation can be legitimately combined ;

“ Recommends that States which have not yet acceded to the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice should, failing accession pure and simple, consider, with due regard to their interests, whether they can accede on the conditions above indicated ;

“ Requests the Council to communicate the text of this resolution to those States as soon as possible, desiring them to notify it of their intentions in the matter ; and

“ Asks the Council to inform them at the next session of the Assembly of the replies it has by then received. ”

*Resolution on the Submission and Recommendation of Model Treaties of Non-aggression and Mutual Assistance.*

The Committee on Arbitration and Security recommends that the following draft resolution be submitted for approval to the next ordinary session of the Assembly :

“ The Assembly :

“ Having noted the model treaties of non-aggression and mutual assistance prepared by the Committee on Arbitration and Security ;

“ Appreciating the value of these model treaties ;

“ And convinced that their adoption by the States concerned would contribute towards strengthening the guarantees of security :

“ Recommends them for consideration by States Members or non-Members of the League of Nations ; and

“ Hopes that they may serve as a basis for States desiring to conclude treaties of this sort. ”

*Resolution concerning the Good Offices of the Council.*

The Committee on Arbitration and Security recommends that the following draft resolution be submitted for approval to the next Assembly :

“ In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security,

“ The Assembly :

“ Convinced that the conclusion between States in the same geographical area of security pacts providing for conciliation, arbitration and mutual guarantees against aggression by any one of them constitutes one of the most practical means that can now be recommended to States anxious to secure more effective guarantees of security ;

“ Being of opinion that the good offices of the Council if freely accepted by all the parties concerned might facilitate the conclusion of such security pacts ;

“ Invites the Council to inform all the States Members of the League of Nations that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding a security pact for this purpose, and should the negotiations relating thereto meet with difficulties, the Council would, if requested — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted, would be calculated to bring the negotiations to a happy issue. ”

*Resolution concerning M. Rutgers' Memorandum on Articles 10, 11 and 16 of the Covenant (Document C.A.S. 10).*

The Committee on Arbitration and Security :

Having taken note of the memorandum on Articles 10, 11 and 16 of the Covenant,

Appreciates the great importance of the work accomplished in regard to the application of these provisions ;

Considers that the data regarding the criteria of aggression collected in this memorandum constitute a useful summary of the Assembly's and the Council's work in regard to this matter and of the provisions of certain treaties ;

Draws particular attention to the fact that the action which the Council, under Article 11 and the other articles of the Covenant, is called upon to take in case of conflict, will provide it with valuable indications to enable it to form an opinion and to make it easier to decide who is the aggressor if war breaks out in spite of all endeavours to prevent it ;

Considers that the examination of Article 11 of the Covenant, which lays down that the League "shall take any action that may be deemed wise and effectual to safeguard the peace of nations", forms a useful corollary to the enquiry undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the recommendation of the Assembly, and at the same time clearly demonstrates — without in any way detracting from the force of the other articles of the Covenant — that the League must in the first place endeavour to prevent war, and that in all cases of armed conflict or threat of armed conflict of any kind the League should take action to prevent hostilities or to bring hostilities to a standstill if they have already begun;

Notes the suggestions contained in the memorandum with regard to Article 16;

Recommends these studies to the Assembly as a valuable contribution in that they do not propose any rigid and detailed procedure to be followed in times of crisis, and do not add to or subtract from the rights and duties of the Members of the League, but constitute highly instructive indications of the possibilities inherent in the various articles of the Covenant and the manner in which those articles can be applied without prejudice to the methods of application which an infinite variety of circumstances may demand in practice.

*Resolution concerning Communications of the League in Case of Emergency.*

The Committee on Arbitration and Security :

Considering that, in case of emergency, rapidity and security in the matter of communications between the Secretary-General, the Members of the Council, the States concerned or the special missions of the Council are of particular importance with a view to ensuring efficacious action by the League ;

Noting that the importance of this was recognised by the last Assembly in Resolution No. III, adopted on September 26th, 1927, on the proposal of the Third Committee ;

While gratified at the results of the initial efforts of the Committee for Communications and Transit to make the best possible use of existing means of communication ;

Directs attention to the following passage in the report of the Committee for Communications and Transit, dated March 1927, which was submitted to the Council and the Assembly :

" . . . that, at a time of general emergency — for example, immediately before mobilisation and, above all, during the actual period of mobilisation — the total or partial taking over by the State of the means of communication must inevitably mean that, in many cases, communications of importance to the League might be rendered less rapid or less certain despite the successful application of the measures laid down in the report approved by the Council at its December session, unless some special means, independent of the general system of national communications . . . " ;

Considers that the systematic study of the means to be employed by the organs of the League to enable Members to carry out the obligations devolving upon them in virtue of the different articles of the Covenant requires that communications for the purposes of League action in case of emergency should have every guarantee of independence and should be as little affected as possible by the disturbance which a state of emergency will necessarily produce in the regular working of the communications controlled by the different Governments ;

Trusts that the supplementary technical studies undertaken by the Transit Committee, at the request of the Council and in conjunction with all the authorities concerned, with a view to providing the League of Nations with independent air communications and a radio-telegraphic station enabling it to communicate direct with as many Members of the League as possible, may be rapidly completed ;

And emphasises the desirability of enabling the next Assembly to take steps to put these schemes into effect, more particularly as regards the establishment of a radio-telegraphic station.

*Resolution regarding Financial Assistance to States Victims of Aggression.*

The Committee on Arbitration and Security :

Having taken note of the report by the Joint Committee on questions relating to financial assistance ;

Thanks the Joint Committee for its valuable collaboration ;

Adopts the attached report submitted by its Rapporteur (document C.A.S.69) ;

Invites the Financial Committee to continue its technical enquiries on the basis of the results obtained after the meeting of the Assembly ;

Recommends that the Assembly should give its opinion upon the questions raised ;

For this purpose, requests the Secretary-General to forward the report and the Minutes of the Joint Committee to Governments in order that they may give instructions to their delegates at the Assembly.



*Resolution on the Suggestions submitted by the German Delegation with a view to Strengthening the Means of preventing War.*

The Committee on Arbitration and Security :

Having taken note of the memorandum of its Rapporteur, Baron Rolin-Jaequemyns, on the suggestions submitted by the German delegation with a view to strengthening the means of preventing war ;

Thanks its Rapporteur for the exhaustive report which he has submitted ;

Adopts the model Treaty designed to give effect to the German delegation's suggestions and submits it to the Assembly ;

And requests the Secretary-General to forward the said model with the introductory note, as well as Baron Rolin-Jaequemyns' memorandum and the Minutes of its third session, to the Governments in order that they may give the necessary instructions to their delegations at the Assembly.

IV. PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

The Minutes of the fifth session of this Commission, at which was adopted the resolution of March 24th, 1928, quoted in the General Report to the Assembly<sup>1</sup>, have been distributed in document C.165.M.50.1928.IX.

V. PRIVATE MANUFACTURE AND PUBLICITY FOR THE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

The Chairman of the Special Commission has convened the members of this Commission to a meeting to be held at Geneva on August 27th, 1928, for the purpose of establishing a single text for the draft Convention, as requested by the Assembly during its eighth ordinary session.

VI. RIGHT OF INVESTIGATION UNDER THE TREATIES OF VERSAILLES, ST. GERMAIN, TRIANON AND NEUILLY.

On June 25th, 1928, the Secretary-General was informed that Major-General G. S. Clive, President of the Commission of Investigation for Hungary, will be unable to complete his term as President of that Commission.

VII. REQUEST OF THE GOVERNMENTS OF (a) CZECHOSLOVAKIA, (b) ROUMANIA, (c) KINGDOM OF THE SERBS, CROATS AND SLOVENES FOR CONSIDERATION BY THE COUNCIL OF THE INCIDENT WHICH OCCURRED ON JANUARY 1ST, 1928, AT SZENT-GOTTHARD RAILWAY STATION ON THE AUSTRO-HUNGARIAN FRONTIER.

Three letters dated February 1st, 1928, were received by the Secretary-General, containing requests by the Governments of Czechoslovakia, Roumania and the Kingdom of the Serbs, Croats and Slovenes for the consideration by the Council of the incident which occurred on January 1st, 1928, at the Szent-Gotthard railway station on the Austro-Hungarian frontier.

The matter concerned the discovery of war material (machine-gun parts), under a false declaration, in five wagons of Italian origin which, after passing in transit through Austria, had entered Hungarian territory. The way-bills gave as the consignor, Commercio Universale in Ferramenta Ed Ordigni, S. A., Giovanni Curti, engineer, Verona ; as consignee, the firm Berkovics Bros., Slovensko Nové-Mesto ; and, as the final destination, Warsaw.

The Czechoslovak and Serb-Croat-Slovene Governments attached to their request a memorandum in which they pointed out that the consignment was not intended for Czechoslovakia, that the Polish Government had formally stated that it was not intended for Poland, that Berkovics Bros. was a Hungarian firm, the owners residing in Hungarian territory, in the town of Satoraljaujhély, one of the stations being Slovensko Nové-Mesto in Czechoslovak territory and that, in these circumstances, the question arose whether it was intended that the consignment should leave Hungarian territory or not.

In their letters, the three Governments referred to the Treaty of Trianon and to the decisions of the Council governing the exercise of the right of investigation provided for under the military clauses of the Peace Treaties, and requested that the question should be placed on the agenda of the March session of the Council (document C.25.1928.IX).

In the interval before the Council's session, the Hungarian authorities announced in the Press that, in pursuance of international conventions and national regulations governing international traffic, the consignment would be sold by auction after the material had been rendered unserviceable for war purposes. On February 23rd, 1928, the President

<sup>1</sup> See document A.6.1928, page 22.

of the Council, through the Secretary-General, sent the following telegram to the Hungarian Government :

“ Kindly telegraph the Hungarian Government that, since the Council has received a request from the Czechoslovak, Roumanian and Serbian Governments, I, having learnt from the Press that the Hungarian Government is about to sell the articles to which the request refers, consider that it would be prudent to suspend this action, as the matter is shortly to be considered by the Council. ”

On the same day, the Hungarian Government replied to the Secretary-General as follows :

“ The Hungarian Government was surprised by the contents of your telegram received this evening. Several weeks ago it was stated in the Press from Hungarian official sources that the competent authorities would proceed, in accordance with the rules in force, to render the stores in question unserviceable and sell them by auction if the lawful owner did not come forward. As the auction is fixed for to-morrow morning and is to be held under the supervision of the competent judicial authorities at Szent-Gotthard in accordance with the railway regulations, postponement is impossible. I would further point out that the Regulations for the Exercise of the Right of Investigation contain no clause applicable to such cases. As a matter of personal courtesy to the President of the Council, however, the Hungarian Government will ask the purchasers not to remove their purchases. ”

The Council considered the matter at its meeting on March 7th, 1928. It first discussed the question of the possible measures to be taken in the interval between the sessions of the Council. This question arose out of the telegrams exchanged between the President of the Council and the Hungarian Government. A discussion of the Szent-Gotthard incident then took place. The representatives of the Czechoslovak and Serb-Croat-Slovene Governments and of the Hungarian Government were invited by the Council to attend the meeting, to give any information that might be required. The Roumanian representative stated, on behalf of the three Governments which had submitted the matter to the Council, that these Governments did not regard it as a matter of special concern to them, but as a question of general importance which should be dealt with, taking into consideration the respect for treaties and the rights and duties of the Council of the League.

The Hungarian representative, who had previously communicated a voluminous dossier to the Council, stated that the execution of measures against Hungary under these conditions would hardly be likely to improve her relations with her neighbours. He doubted whether Article 143 of the Treaty of Trianon, which gave the Council the right to carry out investigations in Hungary, could be applied to the present case, and pointed out that the incident in question could not have arisen if the Convention on the control of the international trade in arms, concluded at Geneva in 1925, were in force.

The Council decided to appoint a Committee, composed of the representatives of the Netherlands, Chile and Finland, to study the documents and present a report. This Committee submitted a preliminary report, which was adopted by the Council on March 10th, 1928 (see General Report to the Assembly, page 25).

The measures taken by the Committee of Three to carry out the task entrusted to it are set forth in the report which it addressed to the Council at the June session (document C.199). The Committee obtained supplementary information from the Hungarian Government on certain points which still seemed to it obscure and sent two small-arms experts to Szent-Gotthard to examine the material and draw up an inventory. It caused the incident and the procedure followed by the various authorities involved in the matter to be examined by two experts in railway traffic, Customs and forwarding formalities. Finally, at a meeting held at The Hague from May 3rd to 7th, 1928, the Committee proceeded, in conjunction with all these experts, to examine all the documents. At one of the meetings, the Hungarian representative was asked to furnish additional explanations. The Committee's report, which was drawn up at the close of that session, concluded in the following terms :

“ The affair was minutely examined and discussed in every aspect by the Committee. The Committee feels bound to express its deep regret at finding itself confronted with an attempt to effect the clandestine transport of war material. Although the consignment in question may not have been of great military importance, the Committee cannot omit to point out the grave dangers to good understanding and mutual confidence between nations which are involved by any clandestine traffic in arms. The incident affords striking evidence of the immense importance, for the establishment of mutual confidence between States, and consequently for the consolidation of peace, of an early ratification of the Convention on the Control of Trade in Arms, concluded under the auspices of the League of Nations.

“ As regards the Hungarian Government in particular, the unlawful presence of war material in its territories would appear to acquire special importance from the fact that, in regard to the trade in arms, the Hungarian Government is under obligations arising from the Treaty of Trianon. It may be pointed out that the request for the insertion of this matter in the agenda of the Council was actually made with reference to the Rules in force for the Exercise of the Right of Investigation by the League of Nations, as provided in Article 143 of that Treaty.

“ The Hungarian Government has considered the incident in question exclusively from the standpoint of railway and Customs regulations. The Hungarian authorities complied with the provisions of those regulations. The Hungarian Government does not appear ever to have thought it necessary to consider the question of the final destination of this war material. It believed that it was sufficiently complying with its obligations under the Treaty of Trianon by ordering the material in question to be rendered unserviceable as war material, which was done. The final destination of the material is not apparent from the information which the Committee has been able to obtain, acting within the limits of its powers. On the other hand, that information furnishes no evidence that this material was intended to remain in Hungarian territory.”

The report was examined by the Council on June 7th, 1928.

The representative of Czechoslovakia stated that he regretted to note that the Committee had not been able to shed entire light on certain points which seemed to him of the first importance, particularly that of the final destination of the war material discovered at Szent-Gotthard. “ It is obvious ”, he added, “ that any first step in a new field taken by the League of Nations serves as an important example for the future work of the League in the same field. If the League of Nations were condemned to remain inactive in this field the confidence between States and their feeling of security would certainly not be increased.”

The representative of the Kingdom of the Serbs, Croats and Slovenes said that he also regretted to note that, in spite of the Committee's efforts to clear up this affair, the report threw no light on several very important points, and its conclusions did not remove the anxiety felt by Governments concerned in regard to the execution by Hungary of her obligations in the matter of disarmament.

The Roumanian representative said that he entirely agreed with the observations made by his colleagues, the representatives of Czechoslovakia and the Kingdom of the Serbs, Croats and Slovenes.

The French representative pointed out that it should not be argued from the insufficiency of the results of the enquiry that the right of investigation of the League of Nations had been shown to be powerless, because no investigation had taken place. He then explained the reasons why, in his opinion, the consignment of arms seized at Szent-Gotthard was of very great military value. He thought that the procedure chosen by the Council was not likely to afford the necessary guarantees and he reminded the Council of the existence of the procedure laid down in the regulations of 1926 regarding the exercise by the Council of the right of investigation, a right which could be supplemented by conservatory measures.

The Netherlands representative, Chairman of the Committee of Three, pointed out that the Committee's task was merely to compile a dossier that should be as complete as possible to enable the Council to form an opinion on the matter.

The representative of the British Empire stated that the result of the procedure which the Council had adopted in this case was not satisfactory to anyone. It was clear that, if another incident arose, the Council would have to seek means more efficacious than those which had been chosen on this occasion.

The German representative stated that the partial unsuccess of investigation proceedings in a particular case did not give ground for doubting the value and effectiveness of this procedure. He added that, in his opinion, too wide conclusions had been drawn in many quarters from the Szent-Gotthard incident and that this incident did not contain any element that might be considered as an obstacle to the beginning of general disarmament.

On the President's proposal, the Council adopted the following resolution :

“ The Council :

“ (1) Takes note of the report submitted by the Committee of Three and warmly thanks the members of that Committee for discharging the task entrusted to them ;

“ (2) Regrets that the Hungarian Government has considered the incident which occurred on January 1st, 1928, at the Szent-Gotthard railway-station exclusively from the standpoint of railway and Customs regulations, without having thought it necessary to concern itself with the question of the final destination of this war material, although its presence, under a false declaration, on Hungarian territory acquired special importance from the fact that, in regard to the trade in arms, Hungary is under obligations arising from the Treaty of Trianon ;

“ (3) Notes with regret that, in the present circumstances, it has been impossible to determine this final destination. It is, however, convinced that the discussions have sufficiently shown the Council's view of the gravity of this incident and the importance it attaches to such incidents not recurring ;

“ (4) Draws attention to the fact that every Member of the Council has the right to request an extraordinary meeting of the Council, and that the latter has authority to order immediate investigation in virtue of the Rules in force for the Exercise of the Right of Investigation, which Rules the Council maintains intact ;

“ (5) Takes this opportunity of emphasising the importance, for the establishment of mutual confidence between States and consequently for the consolidation of peace, of an early ratification of the Convention on the Control of the Trade in Arms concluded under the auspices of the League of Nations.”

*Conservatory Measures.*

The Council also adopted, on June 7th, 1928, in accordance with another report by the same Committee of Three, the following resolution :

“ 1. The Council considers that, when a question has been submitted for its examination, it is extremely desirable that the Governments concerned should take whatever steps may be necessary or useful to prevent anything occurring in their respective territories which might prejudice the examination or settlement of the question by the Council.

“ 2. When there is submitted to the Council a request for investigation or the case of a dispute which has been placed on the agenda under paragraph 2 of Article 11, or other articles of the Covenant, such as Articles 13 or 15, the Secretary-General shall immediately communicate with the interested parties, drawing their attention to the resolution under (1) above, requesting them, in the name of the Council, to forward their replies to him without delay for communication to the Council and to inform him of the steps which have been taken. ”

---

5.

POLITICAL QUESTIONS.

---

I. REQUEST OF THE ROUMANIAN GOVERNMENT UNDER PARAGRAPH 2 OF ARTICLE 11 OF THE COVENANT, REGARDING THE AGRARIAN QUESTIONS SUBMITTED TO THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

REQUEST OF THE HUNGARIAN GOVERNMENT FOR THE APPOINTMENT BY THE COUNCIL, IN VIRTUE OF ARTICLE 239 OF THE TREATY OF TRIANON, OF TWO DEPUTY JUDGES FOR THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

In accordance with the last paragraph of the resolution adopted by the Council at its meeting on March 9th, 1928<sup>1</sup>, the Roumanian and Hungarian Governments replied to the Council in letters dated May 28th and June 6th, 1928, respectively.

The Roumanian Government stated that, after a further examination of the proposal made by the Council on March 9th, 1928, it had reached the conclusion that Roumania could not accept it. The Hungarian representative repeated, on behalf of his Government, his declaration of acceptance of the Council's resolution made at its March session.

In answer to questions addressed to them by the Rapporteur, the representative of the British Empire, the two parties confirmed their replies before the Council at its meeting on June 8th, 1928.

The Rapporteur then reminded the Council of the previous history of the question, mentioning the prolonged and patient efforts made by the Committee of Three, over which he had presided, to secure from the two parties proposals which could form the basis of a friendly agreement between them. The Committee of Three, after the failure of its efforts, then presented to the Council a report based on the opinion of eminent jurists in attendance on the Council, and recommended that the two parties should be asked to proceed in conformity with the juridical principles enunciated by those jurists. This proposal was accepted by Roumania but refused by Hungary.

The Council then confined itself to a general approval of the principles laid down by the jurists and recommended the two parties to take them as a basis on which they might negotiate a compromise settlement. This renewed attempt at conciliation failed because Hungary declared herself unable to enter into a discussion on this basis and Roumania was not prepared for discussion on any other basis.

This was the position in March 1928, when the British representative, not without great hesitation, made a further proposal to the Council<sup>1</sup>.

From the statements made by the two parties it appeared that the position had not altered : Hungary maintained her objection to the solution suggested by the Council in September 1927, and Roumania maintained her objection to the proposal made in March 1928. Neither proposal could be imposed on either party against its will.

---

<sup>1</sup> See General Report to the Assembly (document A.6.1928, page 31).

The Rapporteur then expressed the opinion that, as the Council had declined to enforce a sanction on the refusal of Hungary to accept the first proposal, it would not, he presumed, think it proper to proceed to sanctions against Roumania for her refusal of the second proposal, and he proposed to the Council the following draft resolution :

“ The Council : .

“ Whilst deeply regretting that the parties have hitherto failed to reach agreement on the lines of the Council's recommendations ;

“ Without desiring to exclude any other friendly arrangement, remains of opinion that this dispute ought to be settled by the parties upon the basis of the solutions which the Council has recommended to their acceptance ;

“ Maintains its resolutions of September 19th, 1927, and March 9th, 1928 :

“ And urges the Governments of Hungary and Roumania to bring this long dispute to a close by reciprocal concessions. ”

The Roumanian representative stated that he accepted the resolution proposed by the Rapporteur.

The Hungarian representative said that it was difficult for him to take up a position immediately with regard to a proposal which he then heard for the first time. He explained the doubts and objections that came to his mind concerning the acceptance pure and simple of a proposal which left the entire question in abeyance.

After making certain reservations with regard to the first part of the resolution, the Hungarian representative said that he was only too willing to obey the recommendation contained in the last paragraph, if the Council made it possible for Hungary to do so. He considered, however, that the duty of the Council was not fulfilled. If, as he feared, all the resources of conciliation were exhausted, there still remained to be done what had been laid down in Article 239 of the Treaty of Trianon, namely, for the Council to appoint two persons belonging to neutral countries, one of whom would be chosen as a substitute judge, to enable the Mixed Arbitral Tribunal to function.

The draft resolution was then put to the vote and unanimously adopted by the Council. The Hungarian representative abstained from voting.

The Roumanian representative then read a proposal which the Roumanian Government intended to put before the Hungarian Government.

According to this proposal, “ which forms an indivisible whole ”, as soon as the Hungarian Government had notified the Roumanian Government of its acceptance, the two Governments would ask the Council to appoint one of its members from among those who had been specially interested in this question, who, on the basis of the recommendations of the Council of July 5th, 1923, September 17th, 1927, and March 9th, 1928, would enquire whether, within the limits of the Roumanian Agrarian Law for Transylvania, any liquidations prohibited by Article 250 of the Treaty of Trianon had in fact occurred, and who would fix, if necessary, *ex æquo et bono*, the amount of compensation due to those nationals whose requests had been recognised as well-founded on the basis indicated above.

The possible sums to be allotted to certain of the claimants would be paid to them by the Hungarian Government, and the deduction of those sums would be made from the reparations due to Roumania under the Treaty of Trianon.

The Hungarian representative stated that he could not give a definite and detailed reply to a proposal which would be made to his Government, and which he had no instructions to accept or refuse. Nevertheless, he would like to point out certain difficulties which it might encounter. He believed that the opposition of his Government to a proposal which connected the question of reparations with the financial obligations that might be imposed, as a result of the award, upon Roumania would be insurmountable.

The Hungarian representative then explained the reasons why he had abstained from voting when the Rapporteur's proposal was put to the Council. These, he stated were as follows :

“ The proposal in itself, subject to the reservations and explanations which I have made, does not contain anything which is contrary to my principles or ideas. I did not vote for it, however, because I did not wish to be a party to the supposition that this proposal constitutes for the Council a final solution of the difficulty. The attitude which I feel bound to take up in this question could not be expressed by a mere negative or affirmative. In any case, negotiations with a view to a friendly understanding are about to be undertaken. The Council has been informed of them. Naturally, the positive or negative result of this effort will also be brought to the knowledge of the Council. Should the result be negative, I must state in advance that I shall maintain before the Council, to its full extent, my request that the neutral persons shall be appointed from whom the substitute judge may be chosen. ”

The President of the Council stated that, since the resolution submitted by the Rapporteur had been adopted, the question of the Hungarian optants was now closed as far as the Council was concerned. He thought he would be interpreting the feelings of all the members of the Council in welcoming the new conciliation proceedings that were to begin between the two countries.

In a letter dated June 9th, the Hungarian representative informed the President of the Council that the declaration made by the latter at the meeting on June 8th, at the end of

the debate on the question of the Hungarian optants, might lead to misunderstanding. The Hungarian representative had stated that the Council's decision would only take the question out of its hands provided that an agreement were successfully reached between the parties independently of the Council, or provided that the substitute judges were appointed. He had therefore stated that he reserved for his Government the right to bring up again its request with regard to these appointments should the negotiations not succeed. It was in this sense that the President's words were to be interpreted, in conformity both with the Council resolution itself and with the letter and the spirit of the Covenant and the Treaty of Trianon.

The Hungarian representative requested the President to be good enough to communicate this statement to the Members of the Council.

Having noted the Hungarian representative's letter the Roumanian representative sent to the President of the Council, on June 10th, a letter in which he stated that he desired to point out not merely that the declarations contained in Count Apponyi's letter were contradicted by the report, by the resolution passed on June 8th and by the whole discussion in the Council on that occasion, and could not in any way alter the Council's decision to regard the question as closed so far as it was concerned, but also that these unilateral declarations had already appeared in the Minutes.

The Roumanian representative added that :

“ These unilateral declarations made by Count Apponyi led immediately to the reply from the President, whose statement did not give rise to the least objection or observation on the part of any member of the Council. ”

The President of the Council acknowledged the receipt of the letters from the Hungarian and Roumanian representatives and communicated them to the Members of the Council.

## II. REQUEST OF THE LITHUANIAN GOVERNMENT DATED OCTOBER 15TH, 1927, SUBMITTED UNDER ARTICLE 11 OF THE COVENANT; REQUEST DATED OCTOBER 26TH, 1927, WITH REGARD TO THE EXPULSION OF ELEVEN POLISH NATIONALS ON LITHUANIAN TERRITORY.

At its March session, the Council decided to place this question on the agenda of its June session and instructed the Netherlands representative, as Rapporteur, to submit to it a report on the progress of negotiations between the Polish and Lithuanian Governments, and on the official communications made by the two parties.

At the meeting on June 6th, 1928, the Rapporteur informed the Council that, in letters dated May 21st and June 3rd, the Polish Minister for Foreign Affairs had forwarded to him additional documents referring to the Polish-Lithuanian Conference at Königsberg (see documents C.279.1928.VII and C.285.1928.VII).

The Rapporteur added :

“ Although the Council can feel gratified at finding that the two countries have followed its recommendations and opened direct negotiations, I have unfortunately to state that these negotiations, recognised by the Council as indispensable for the establishment between the two countries of the ‘good understanding upon which peace depends’, have not yet succeeded, and that they are being protracted without any appreciable progress being made.

“ With regard to the return to Poland of the persons expelled last October, I was entrusted with the task of helping to settle any difficulties which might arise.

“ I am glad to be able to inform the Council that the four ecclesiastics among the eleven expelled persons have taken advantage of the arrangements made by the Polish Government for the return of those expelled and have been able to go back to Poland without meeting with any difficulties. The Council will doubtless note with appreciation this gesture of the Polish Government and will thank it for the goodwill it has shown in carrying out the Council's recommendations.

“ I am sure that, when the other expelled persons wish to return to Poland, the Polish authorities will raise no difficulties with regard to their admission.

“ The resolution of December 10th last marks a starting-point in the League's work for peace and concord in this part of the world. The Council, conscious of the practical difficulties which have to be overcome in accomplishing this work, for that reason considers it to be its duty to state that, when declaring in its December resolution that that resolution in no way affected questions on which the two Governments had differences of opinion, it did not mean to say that one of the parties was free to take any measure likely to prejudice the progress of the negotiations, for the party which takes such measures is putting itself in the wrong not only at the Council table but in the eyes of international opinion. ”

After the Council had heard the statements of the representatives of both Governments, the President of the Council submitted to his colleagues the following draft resolution :

“ The Council :

“ Notes the information contained in the report of the representative of the Netherlands, approves the conclusions of the report and,

“ Considering that, for the negotiations between Poland and Lithuania to have the successful results indicated in its resolution of December 10th, 1927, it is important that these negotiations should, before the next session of the Council, have made appreciable progress,

“ Asks the representative of the Netherlands to submit a report at its next session in order that the Council may, if necessary, take up the question again. ”

The Lithuanian representative raised certain objections to this text and at the next meeting submitted to the Council an amended draft resolution reading as follows :

“ The Council :

“ Having heard the statement of His Excellency M. Beelaerts van Blokland, who was invited to submit a report on the information which had been received officially from the Polish and Lithuanian Governments since the December session of the Council, and the discussions which followed on that report, takes note of the report and those discussions ; and,

“ Considering that the putting into effect of its resolution of December 10th last would greatly contribute to the maintenance of peace in Eastern Europe,

“ Expresses the hope that every part of that resolution will be carried out to the full extent and as shortly as possible. ”

The two draft resolutions were successively put to the vote, the counter-proposal submitted by the Lithuanian representative being rejected unanimously except for his own vote. All the members of the Council voted in favour of the President's proposal except the Lithuanian representative, who voted against it.

The representative of the British Empire then proposed a third draft resolution, calling the attention of his colleagues to the fact that this resolution required only a majority vote for its adoption. The text was as follows :

“ The Council decides to place the question of the relations between Poland and Lithuania on the agenda of the next session of the Council, and requests its Rapporteur to present it with a report on the state of the negotiations on that date. ”

The resolution was unanimously adopted.

### III. REQUEST BY THE ALBANIAN GOVERNMENT, UNDER ARTICLE 11 OF THE COVENANT, CONCERNING THE QUESTIONS OF THE PROPERTIES OF ALBANIANS IN GREECE AND OF THE ALBANIAN MINORITY IN GREECE.

This question was examined by the Council at its June session. The representative of the Albanian Government defined the point of view of his Government, which had been developed earlier in document C.200, dated May 9th, 1928, to the effect, in particular, that Albanian nationals owning real estate in Greece were dispossessed without reasonable compensation, and stated that direct negotiations had led to no satisfactory settlement. The Albanian representative complained also of the treatment of the Albanian minority in Greece in regard to property rights as well as civil and educational rights.

The representative of the Greek Government contested the legitimacy of bringing these matters before the Council under Article 11 of the Covenant. He did not admit that any circumstances existed which might threaten the good relations between the two countries. On the question of the properties of Albanian nationals in Greece, direct negotiations were proceeding at the time that the Albanian Government sent its communication to the League. With regard to the question of the Albanian minority in Greece, he submitted that a regular procedure existed for the examination of such complaints, and that some of the complaints had been, and others still were, before the competent Committee of the Council.

The representative of Poland, as Rapporteur, assisted by the representatives of the British Empire and Japan, subsequently presented a report to the Council. In this report the view was expressed that, in regard to the question of the properties of Albanian nationals in Greece, direct negotiations, conducted in a spirit of conciliation, between the parties would seem to constitute the most suitable means of reaching an agreement. As regards the question of the Albanian minority in Greece the report stated :

“ We are unanimous in considering that the system of the protection of minorities instituted by the Treaties, while having as its principal object the protection of the

minority itself, is also intended not only to prevent that questions concerning the protection of minorities should acquire the character of a dispute between nations, but to ensure that States with a minority within their borders should be protected from the danger of interference by other Powers in their internal affairs.

" The authors of the Minorities Treaties had this danger clearly in view. They gave to members of the Council the right to call the Council's attention to any infraction or any danger of infraction of the provisions of the Minorities Treaties.

" This, however, does not prevent, under the rules in force, a State not represented on the Council from presenting a petition on the subject of the treatment of a minority.

" The protection of minorities is an international affair, but one of the essential objects of the system established by the Treaties and of the procedure laid down by the Council is that, whilst bearing this international character, a case of the protection of minorities should not become a dispute between neighbouring States. Once the matter is before the Council, it becomes an affair between the Council and the State to which the minority belongs nationally, not a question between that State and the State with which the minority is racially connected.

" One of the main objects of the system of the protection of minorities would be frustrated and an important purpose of the Minorities Treaties themselves would be defeated if the Council consented to accept as normal an appeal based on Article 11 in lieu of the minority procedure.

" Article 11 should only be invoked in grave cases which produce a feeling that facts exist which might effectively menace the maintenance of peace between the nations. In normal cases, on the other hand, an appeal to Article 11 would create the very dangers which the Minorities Treaties were intended to avert.

" For the reasons given above, it would seem that the Council should abstain from taking into consideration the question raised by the Albanian Government concerning the situation of the Albanian minority in Greece. It should also be pointed out that some of the complaints which have been made are at present in course of being examined under the ordinary procedure as the result of petitions addressed to the League of Nations. "

The report was unanimously adopted by the Council, and the Greek and Albanian representatives undertook to recommend to their respective Governments that direct negotiations should be resumed on the subject of the properties of Albanian nationals in Greece.

#### IV. THIRD REPORT OF THE STRAITS COMMISSION ADDRESSED TO THE LEAGUE OF NATIONS IN ACCORDANCE WITH THE TERMS OF ARTICLE 15 OF THE STRAITS CONVENTION OF JULY 24TH, 1923.

As in previous years, the Council, at its June session, noted the report of the Straits Commission on its work during 1927.

This report is divided into two parts: the first part deals with the work of the Commission in 1927; the second contains the whole of the regulations applicable to maritime and air navigation as on January 1st, 1928. These regulations are based either on the provisions of the Straits Convention or on the Turkish regulations in force.

At its meeting on June 5th, 1928, the Council authorised the Secretary-General to send future reports of the Commission not only to the Members of the Council and Powers signatory to the Convention but also to the States Members of the League and to any technical organisation of the League which might be interested in the reports.

It also decided that the Commission's report should not be included in the Council's agenda unless one of the Governments to which it had been communicated wished to raise a question in regard thereto.

#### V. INCIDENTS BETWEEN THE JAPANESE TROOPS AND THE CHINESE TROOPS AT TSINAN-FU.

On May 27th, 1928, the Japanese representative on the Council communicated to the Secretary-General, for the information of the Members of the League of Nations, a declaration by his Government containing a statement of the facts and circumstances which, at the beginning of May, provoked certain incidents between the Japanese troops and the Chinese troops at Tsinan-Fu.

The Japanese Government's declaration gives a detailed statement of the incidents and the circumstances in which they occurred. It emphasises that the despatch of Japanese troops to Tsinan-fu was a measure of self-protection rendered unavoidable by the state of affairs, that it implied nothing approaching interference with the military operations of the Chinese Northern or Southern armies, and that the Japanese Government would withdraw its troops as soon as the necessity for their continued presence ceased to exist, as announced at the time they were despatched. It was to be sincerely regretted that the outrages committed by the Chinese soldiers should have compelled the Japanese troops to resort to force for the protection of Japanese residents.



The Secretary-General had already received a telegram from Nanking, on the same subject, from M. Tan Yen-kai, President of the Nationalist Government of the Chinese Republic. This telegram drew attention to the grave situation caused by the despatch of a considerable number of Japanese troops to the province of Shantung and by the incidents which had occurred at Tsinan, the capital of that province. This telegram had been immediately communicated, for information, to all the Members of the Council, including the Chinese representative, and the Secretary-General had informed M. Tan Yen-kai by telegram that this had been done.

## VI. COMMUNICATION BY THE BRITISH GOVERNMENT OF ITS NOTES REPLYING TO THE UNITED STATES PROPOSALS FOR A TREATY FOR THE RENUNCIATION OF WAR AS AN INSTRUMENT OF NATIONAL POLICY.

On August 4th, 1928, the British Government transmitted to the Secretary-General, for communication to the Members of the League, copies of two notes addressed to the United States Ambassador and the United States Chargé d'Affaires in London on May 19th and July 18th last, replying to the United States proposals for a treaty for the renunciation of war as an instrument of national policy.

In its letter to the Secretary-General, the British Government states that, in considering the United States proposals, it has been at great pains, in view of the provisions of Article 20 of the Covenant of the League of Nations, to assure itself that its acceptance would not involve any inconsistency with the obligations resulting from the Covenant. It points out that, as appears from its notes of May 19th and July 18th, it is satisfied that signature of the proposed treaty will not involve any conflict with the obligations resulting from membership of the League.

The British Government transmitted this communication because the question of the compatibility of the proposed treaty with the Covenant of the League of Nations is evidently one of general interest to all the Members of the League.

---

## 6.

### ADMINISTRATIVE QUESTIONS.

---

#### I. TERRITORY OF THE SAAR BASIN.

In accordance with the arrangement approved by the Council on May 17th, 1920, the Governing Commission has sent the League of Nations its thirty-fourth periodical report, for the second quarter of 1928.

Certain questions dealt with in this report are mentioned below.

##### 1. ECONOMIC AND SOCIAL SITUATION.

The procedure in connection with the allotment of quotas of goods, as provided for in the Franco-German Arrangement of February 23rd, 1928, concerning commercial exchanges was completed during the second quarter of 1928, and the lists were drawn up. The provisional allotment made by the Governing Commission, after consulting the organisations concerned, was communicated to the interested parties, who were allowed a certain time in which to appeal. The appeals were heard by a special Committee, consisting of the President of the Court of First Instance of Saarbruck and two foreign jurists of Swiss and Dutch nationality. The definite scheme of allotment for the first half of 1928 was published on June 30th, 1928. Under a provisional arrangement with the French Customs authorities, the future beneficiaries had already enjoyed facilities which had been granted them a considerable time before this list was published. No inconvenience had thereby been caused. The scheme of provisional allotment for the second half of 1928 has also been drawn up. The Governing Commission stated that some of the facilities resulting from the granting of the quotas had been rendered nugatory owing to the entry into force on April 15th, 1928, of the most-favoured-nation clause, in application of the Franco-German Commercial Treaty of August 1927, the provisions of which extend to the Saar Territory.

The Governing Commission has furnished certain statistics with regard to the production of steel, coal and coke in the Saar, the cost of living, prices, unemployment and bankruptcies declared.

The improvement in the labour market which was noted at the end of March 1928 has continued. Towards the middle of June the number of unemployed was only 2,805, as compared with 4,125 on April 4th last. A further thousand miners were dismissed. Owing to holidays, no short time was necessary. The number of persons in receipt of relief was, in March 1928, 4,199, and in May 1928, 2,585.

In March 1928, the Governing Commission decided to make use of the unemployed to carry out Government work or work for which subsidies are granted. The total number of unemployed who have been given work in the services of the Department of Public Works (railways included), or under their supervision, is at present 1,533.

As regards social insurance, further negotiations relating to mining accident insurance took place in April 1928 at Berlin between the Saar Insurance Institutes and the German Institutes. An agreement was reached between the accident, invalidity and employees' insurance institutions and the mining insurance funds concerned, and on May 30th, 1928, the Governing Commission adopted the relevant proposals. On the other hand, negotiations between the Governing Commission and the French Government relating to the question of reciprocity in regard to social insurance have not yet been completed.

## 2. POLITICAL SITUATION.

In its report, the Governing Commission states that, during 1927, its attention was drawn to the fact that considerable sums of money were being distributed in the Saar by the trade unions, not only to their own members but also to non-unionists. It was suggested by certain newspapers and speakers that the funds had been placed at the disposal of the trade unions by the German Government.

As some of the beneficiaries were dissatisfied with the manner in which the sums had been distributed, an explanation was furnished in August 1927 by a trade-union secretary. According to Press accounts of his speech, he appeared to attribute to these payments a significance which seemed to make them inadmissible in a plebiscite territory like the Saar.

The Governing Commission considered that it could not overlook such a large-scale distribution of funds, made without its knowledge in the Territory which it is its duty to govern, more especially as it was rumoured that the distribution was approved by the Commission. On October 13th, 1927, it asked the German Government whether it was the case that the latter had made the distributions in question in the Saar. In a note dated May 4th, 1928, addressed to the Governing Commission, the German Government stated that it was obliged, when the fall in the French franc occurred, to grant relief to the workmen residing in the frontier districts on German territory but employed in the Saar ("Saargänger").

At the beginning of 1927, the German Government attempted to discontinue these relief measures, but encountered serious difficulties. At this time, the Saar trade unions, through organisations in Berlin to which they are affiliated, requested the German Government to assist the general body of Saar workmen, who had been placed in a difficult position by a reduction in wages and, in the case of the miners, by a great deal of short time. The German Government was of opinion that, as the cost of living was now practically the same on both sides of the frontier, the ordinary workmen would not understand, and would even be embittered by the action of the Government in giving assistance only to workmen in the Saar who were resident in German territory. Moreover, as the question then stood, the only way to discontinue the measures of relief to the "Saargänger" appeared to be to meet the wishes of the workmen.

The German Government accordingly placed a single, but larger, sum at the disposal of all the Saar workmen at the end of May 1927 and, at the same time, discontinued the relief to the "Saargänger". The German Government states that it had no intention of interfering in the affairs of the Governing Commission. It intended to do in this sphere everything which it was permissible for it to do, that is to say, the money was not allocated to the Saar trade unions but was handed over to the central union committees in Berlin, on the understanding that the funds distributed were to appear merely as aid rendered by trade-union organisations. In the German Government's opinion, a purely charitable action should not be subjected to rules of purely formal competence. The German Government adds that the measures in question were not carried out entirely in the manner contemplated, and were, moreover, interpreted in a manner absolutely contrary to its intentions.

The Governing Commission stated in its report that it wished to bring this correspondence to the knowledge of the Council of the League of Nations, as it considered that the payments in question were abnormal and did not appear to be justified by the circumstances invoked in the German note of May 4th, 1928. It emphasised in particular the German Government's statement to the effect that the various declarations which had been made were absolutely contrary to its intentions. M. Kossmann, the Saar member of the Governing Commission, stated that he could not see that this relief action was in any way inconsistent with the situation established in the Saar Territory by the Peace Treaty. In his opinion, the German Government's object in granting this relief was a purely charitable one, as was shown by the circumstances which gave rise to this action.

### 3. ADMINISTRATIVE WORK.

As regards education, the report refers to the scholarships granted by the Education Department to teachers desirous of attending the summer holiday courses organised at Geneva. The number of applications received shows that increasing interest is being taken in these questions, especially in that of practical instruction concerning the League.

The periodical report also contains detailed information regarding various administrative questions such as finance, mines administration, public works, justice, public relief, hygiene, agriculture and forests.

## II. FREE CITY OF DANZIG.

The High Commissioner has informed the Secretary-General of the conclusion by direct negotiation of a certain number of agreements between the Free City of Danzig and Poland dealing with Polish workmen employed by the Harbour Board, railway tariffs, the Westerplatte and access to and anchorage in the port of Danzig for Polish war-vessels. The agreements concerning these last two questions will be submitted to the Council at its next session.

## III. MIXED GRECO-BULGARIAN EMIGRATION COMMISSION.

On March 10th, 1928, the Council urged the Bulgarian and Greek Governments to ratify, as soon as possible, the Agreement concluded between those two countries on December 9th, 1927, on the procedure to be followed in regard to the compensation payable to exchanged populations and the settlement of the debts of both Governments under this heading.

In its report submitted to the Council at its session in June 1928, the Financial Committee stated that the President of the Mixed Commission had informed it that there was a considerable improvement in the situation. The Agreement of December 9th, 1927, had been approved by the Bulgarian Parliament, but the Greek Government had not yet obtained its ratification. A draft Bill had, however, been deposited with the Chamber and submitted to the competent Parliamentary Committees. The Financial Committee considers that the position will not be completely satisfactory until Greece has ratified the Agreement and, on its recommendation, the Council on June 8th, 1928, again expressed the hope that the Greco-Bulgarian Agreement would be ratified by Greece as soon as possible.

## IV. MIXED COMMISSION FOR THE EXCHANGE OF GREEK AND TURKISH POPULATIONS.

### 1. RESIGNATION OF M. WIDDING ; APPOINTMENT OF M. RIVAS VICUÑA.

In March 1928, the President of the Mixed Commission informed the Council that, as M. Widding (Danish) had been appointed a member of the Memel Harbour Board, he had resigned his position as a neutral member of the Mixed Commission. The Greek Government requested the Council to place the question of M. Widding's resignation on its agenda, and the Turkish Government requested the Council to appoint a successor to M. Widding. On June 4th, 1928, the Council appointed M. Rivas Vicuña (Chilian), a member of the Mixed Commission, on the same terms as M. Widding.

### 2. REQUEST FOR AN ADVISORY OPINION FROM THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

In a letter to the Secretary-General dated February 4th, 1928, the President of the Mixed Commission for the Exchange of Greek and Turkish Populations referred to a report to the Council by Viscount Ishii dated October 31st, 1924, and requested, on the basis of that report, an advisory opinion from the Permanent Court of International Justice on the interpretation to be given to Article IV of the Final Protocol annexed to the Greco-Turkish Agreement concluded at Athens on December 1st, 1926, the execution of which had been entrusted by the two Governments to the Mixed Commission.

On June 5th, 1928, the Council after ascertaining that the two Governments agreed to submit the matter to the Court, requested the Permanent Court of International Justice to give an advisory opinion on the question raised in the letter dated February 4th, 1928, from the President of the Mixed Commission. The Court gave its opinion on August 28th, 1928.

7.

PROTECTION OF MINORITIES.

I. MINORITIES IN UPPER SILESIA.

1. APPEALS ADDRESSED TO THE COUNCIL, UNDER ARTICLES 149 AND 157 OF THE GERMANO-POLISH CONVENTION OF MAY 15TH, 1922, RELATING TO UPPER SILESIA, IN THE MATTER OF THE PRIMARY MINORITY SCHOOLS AT BIERTULTOWY, STARA-WIES AND GIERALTOWICE (POLISH UPPER SILESIA) (See Document A.6.1928, Page 44).

At its forty-ninth session, held in March 1928, the Council examined a petition relating to the establishment of a primary minority school at Biertultowy, in Polish Upper Silesia, and addressed directly to the Council by the Deutscher Volksbund of Polish Upper Silesia under Article 147 of the Germano-Polish Convention relating to Upper Silesia, signed at Geneva on May 15th, 1922. The Council then decided to postpone the examination of this question until the Permanent Court of International Justice had given its judgment in the proceedings instituted by a request of the German Government regarding the interpretation of certain clauses of the Geneva Convention which appeared to be applicable to the concrete case submitted to the Council.

This case, as well as those relating to the establishment of primary minority schools at Stara-Wies and Gieraltowice, had also been the subject of appeals lodged by the Deutscher Volksbund under Articles 149 and 157 of the Geneva Convention. On May 21st, 1928, the Polish Government forwarded these three appeals to the Council and, the Permanent Court having given the judgment mentioned above on April 26th, 1928, these appeals were placed on the agenda of the fiftieth session of the Council, held in June 1928.

In a preliminary report submitted to the Council on June 5th, the Rapporteur, the representative of Colombia, set out the facts which had given rise to the appeal in the Biertultowy case. It appears from this report that, of 77 children whose admission to the minority school was applied for, the entries of 62 were rejected on the ground that the children did not belong to the minority. The Rapporteur, after pointing out that this question was closely related to those on which the Permanent Court of International Justice had pronounced in its judgment of April 26th, 1928, confined himself, in view of the seriousness of the question and the importance of the resolution to be adopted by the Council, to suggesting that he should invite two other members of the Council to assist him in the preparation of the final report. He proposed, at the same time, that the resolution to be adopted in the Biertultowy case should also be applicable to the schools of Stara-Wies and Gieraltowice.

The Committee appointed as a result of this suggestion was composed of the Rapporteur and the representatives of Italy and the Netherlands. It presented its report to the Council on June 9th, 1928. This report contained the following resolution, which was adopted by the Council at the same meeting :

“ I.

“ The Council decides that, in future, declarations concerning the language spoken by the children, made by the persons responsible for their education, in conformity with Articles 106 and 131 of the Convention of May 15th, 1922, relating to Upper Silesia, should be governed by the three following principles :

“ (1) Any person making a request, either for the establishment of a minority school or for the entry of a child into an already-existing school, must declare, according to his conscience and on his personal responsibility, what is the language of the child for whose education he is legally responsible ; this declaration must set out what its author regards as the true position in regard to the point in question. It should, however, be understood that this right freely to declare what is the language of a child, though comprising, when necessary, the exercise of some discretion in the appreciation of circumstances does not constitute an unrestricted right to choose the language in which instruction is to be imparted, or the corresponding school.

“ (2) The Polish Government is justified in not admitting to the minority schools children whose language, according to the declaration of the persons responsible, is only Polish, or for whom there is no declaration concerning the child's language.

“ (3) The declarations concerning the language of children made by persons responsible for the education of these children may not be made subject to any verification, dispute, pressure or hindrance whatever on the part of the Polish authorities.

“ II.

“ The Council invites the Polish Government to inform the persons who have made the 62 declarations that have not been admitted because, according to the Polish Government's statement, the children concerned did not belong to the minority, that these persons may submit new requests for the establishment of the minority school at Biertultowy. The three principles laid down above should apply to the new declarations, concerning the language of the children, which accompany the request for the establishment of the school.

“ III.

“ The Council would point out that the difficulties which have arisen in this matter (difficulties common to several questions latterly considered by the Council) are due to the fact that many persons responsible for the education of children who do not speak the language of the minority have, nevertheless, requested that these children be admitted as pupils in minority schools. In this connection, the Council would refer to the opinion expressed in its resolution of March 12th, 1927, to the effect that it is not desirable to admit into minority schools children who only speak Polish. The Council is confident that, once the Polish Government has prepared the forms for the oral or written declarations regarding the language of the children in such a way as to avoid all possible misunderstanding with regard to the objective nature of these declarations — as demonstrated in paragraph (1) above — difficulties of the kind which have hitherto arisen will no longer occur; also that the normal working of the minority schools from a scholastic point of view, which is the particular responsibility of the Polish authorities, will thus be ensured.

“ IV.

“ The Council is also called upon to consider two other appeals from the Deutscher Volksbund concerning the closing of minority schools at Stara-Wies and Gieraltowice respectively (see documents C.231.1928.I and C.229.1928.I). The establishment of the school at Stara-Wies was requested for 52 children by the persons responsible for their education; according to the Government, in the case of 22 of these children, the persons responsible for their education declared that the ‘language for imparting instruction’ of these children was Polish. As regards the school at Gieraltowice, the same declaration was made, according to the Government, for 38 children out of the 44 for whom the establishment of the school was requested.

“ The Council decides that the present resolution also applies to the question of the schools at Stara-Wies and Gieraltowice. ”

Whilst accepting the report, the representative of Poland expressed his regret that the Committee of Three had not thought fit to recommend to the Council the application of the expedient already employed, namely, linguistic examinations by a neutral pedagogic expert. He further stated that the Polish Government would in no case admit that, in consequence of declarations not in accordance with the actual facts, the good working of the school from a pedagogic point of view should be rendered impossible.

The representative of Germany drew attention to the fact that the decision of the Permanent Court recognised, without any restriction, the principle—also admitted by the representative of Poland—that Article 131 of the Geneva Convention implies that the Polish school authorities are not at liberty to verify or dispute the declarations made in order to obtain entry into minority schools.

2. PETITIONS ADDRESSED TO THE COUNCIL UNDER ARTICLE 147 OF THE GERMANO-POLISH CONVENTION OF MAY 15TH, 1922, RELATING TO UPPER SILESIA.

(a) *Petition from the Deutscher Volksbund of Polish Upper Silesia regarding the Establishment of a Primary German Minority School at Brzezinka.*

This petition, presented on April 26th, 1928, complained that the German minority school which in October 1925 was to have been opened in the commune of Brzezinka had been located at Morgi — one of the three villages which compose this commune — where actually none of the children destined to attend this school were living. The children, of whom the greater number lived in Brzezinka and the remainder in the other village of the commune, Larysz, were therefore obliged to spend two hours a day on the way to and from the village of Morgi, where the school had been opened. As a result of this difficulty, the parents refused to send their children to Morgi, and, owing to insufficient attendance, the Polish authorities suppressed the school in virtue of Article 108, Section 1, paragraph 2, of the Geneva Convention.

In examining this question, the Council had at its disposal certain observations of the Polish Government contained in a note dated May 21st, 1928, and an opinion given by the President of the Upper Silesian Mixed Commission on December 14th, 1927. Taking into account the various elements of the question, the Rapporteur, the representative

of Colombia, reached the following conclusions, which were approved by the Council at its meeting on June 8th, 1928 :

.....

" I am sure that the Council will agree in considering that the reason for which the children failed to attend the minority school was that this school was located in the village of Morgi, instead of in that of Brzezinka, where the majority of the children for whom the school was established are living. On this point the Council will doubtless share the fears expressed by the President of the Mixed Commission in his opinion regarding the hardship caused to children from 6 to 10 years of age by their being forced to spend two hours a day in going to and coming from school. Strictly speaking, the question with which the Council has to deal is purely one of fact, namely, whether it is materially possible to install the minority school in the school-buildings at Brzezinka. The Council cannot examine in detail the different suggestions put forward on this point by the President of the Mixed Commission in his opinion, or the objections raised by the Polish Government. I would nevertheless propose that the Council should express its desire that the Polish Government will find it possible to reopen the minority school under conditions that will avoid any further fear of the drawbacks which have given rise to the present question and that will at the same time in no way interfere with the normal operation of the Polish school. "

(b) *Petition from the Deutscher Volksbund of Polish Upper Silesia regarding the Secondary Minority School at Krolewska Huta.*

This petition, submitted on April 26th, 1928, complained : (1) that the teaching staff of the secondary minority school at Krolewska Huta was constituted in a way which did not take due account of Article 123 of the Geneva Convention, which runs as follows :

" In public minority schools and classes of the secondary and higher grades, instruction shall only be given as a rule by teachers belonging to the minority and thoroughly acquainted with the minority language " ;

and (2) that, as regards professional qualifications, the teaching staff did not conform to the requirements of the provisions actually in force for secondary schools.

These two points were examined in detail both in certain observations submitted by the Polish Government in a note dated May 21st, 1928, and in an opinion on this case given on October 10th, 1927, by the President of the Mixed Commission for Upper Silesia. As regards the first of these points, the Polish Government was unable to accept the opinion of the President of the Mixed Commission that the appointment of three of the teachers should be regarded as contrary to the provisions of Article 123 of the Convention, since that article allowed exceptions to the rule that teachers in minority schools should belong to the minority and be thoroughly acquainted with the minority language. As regards the second point, the Polish Government was unable to admit the contention of the President of the Mixed Commission that the teaching staff of the Krolewska Huta secondary school should conform to the Prussian regulations of August 18th, 1908. The Government was of opinion that the Polish Laws of September 26th, 1922, and July 16th, 1924, should also be taken into consideration.

The conclusions reached by the Rapporteur in this case were submitted to the Council in a report presented on June 9th, 1928. These conclusions, which were adopted by the Council, were as follows :

" 1. It follows, in my opinion, from the statement I have just read, that Article 123 of the Geneva Convention, to which the Polish Government refers in its observations, and the President of the Mixed Commission in his opinion, does not exclude exceptions to the rule that, in public minority schools and classes of the secondary and higher grades, instruction shall only be given by teachers belonging to the minority, and thoroughly acquainted with the minority language. The Convention contains no precise provision which would allow a decision to be reached as to the exceptions that may be admitted to this rule ; but it is evident that, in allowing these exceptions, due regard should be paid to the spirit of the minority provisions of the Convention, and in particular of Articles 123 and 124.

" The Council is not in a position, in my opinion, to decide in what measure the exceptions in the case of the secondary minority school at Krolewska Huta are justified, but on this point it relies with complete confidence on the discretion of the Polish Government.

" 2. The articles of the Convention relating to the protection of minorities do not contain, in my opinion, any stipulations which would enable the Council to take a decision regarding the legal provisions on which the composition of the teaching staff of the Krolewska Huta secondary school should be based.

" In these circumstances, I have the honour to propose that the Council should refrain from taking any action in this matter. "

The German representative, whilst accepting the report, expressed the opinion that, in so far as the Convention itself contained provisions on secondary education, among which is also Article 117, the Council would be entitled to consider the application of these latter provisions.

The representative of Poland was unable to share this view of the representative of Germany, and associated himself entirely with the conclusions of the Rapporteur.

(c) *Petition from the Deutscher Volksbund of Polish Upper Silesia regarding the Use of the German Language together with the Official Language in the Registers and other Documents of the Minority Schools.*

This petition, dated April 26th, 1928, complained that, in virtue of certain instructions given by the Polish authorities, all accounts, school registers, nominal rolls and other forms used in the public minority schools must be kept exclusively in Polish. Thus, even teachers belonging to the minority, and imperfectly acquainted with the Polish language, were obliged to make these entries in Polish. The petition asked that the headings and letterpress in registers and other forms concerning school management in minority schools should be accompanied by a text in German, and that teachers in such schools should be entitled to make the necessary entries and statements in the German language.

In considering this case, the Council had before it certain observations of the Polish Government submitted in a note dated May 21st, 1928, and an opinion given by the President of the Mixed Commission for Upper Silesia on October 10th, 1927. It appeared from the Government's observations and from the opinion of the President of the Mixed Commission that the Geneva Convention contained no provisions expressly relating to the matter raised by the petition. The President of the Mixed Commission, however, basing his opinion on practical considerations and on the analogy of certain articles of the Convention, had concluded that the request of the petitioner should be granted. The Polish Government was unable to agree with this opinion, holding the view that, since the Convention itself contained no clear stipulations on this point, it was inadmissible that obligations should be laid on the Polish Government by way of a mere interpretation.

The conclusions of the Rapporteur on this case were submitted to and adopted by the Council at its meeting held on June 9th, 1928. These conclusions were as follows :

“ As the President of the Mixed Commission himself points out, there is no provision in the Upper Silesian Convention expressly relating to the question which is before the Council.

“ Cases will doubtless arise in which, in spite of the absence of any precise provision, the Polish Government will find it desirable, acting in a spirit of equity and in the interest of its subjects and its schools, to take measures which have not been provided for in the Convention, since the latter could not foresee all possible practical difficulties that might arise in its application. Since, however, there is no definite provision applicable to the present case, I feel that I should propose that the Council should refrain from taking any action in this matter, and rely upon the goodwill of the Polish Government to find a practical solution of the question. ”

The representative of Poland, in expressing his entire agreement with these conclusions, further stated that the Council might rely upon the complete goodwill of the Polish Government in the matter of the practical measures that might give satisfaction to the German minority in this question.

(d) *Telegram dated April 2nd and Letter dated April 3rd, 1928, from the Silesian Section of the Association of Poles in Germany.*

This petition referred to a number of incidents in German Upper Silesia which, according to the petitioners, indicated the existence of a system of terror and persecution under which the Polish minority in German Upper Silesia was suffering. The Polish minority at Miechowitz (district of Beuthen), at Kempa (district of Oppeln), at Malino (district of Oppeln), at Schoffschütz (district of Rosenberg), at Solornia (district of Ratibor), and at Poppelau (district of Oppeln) were said to have been attacked and insulted. The petition contained details concerning each of these cases, but stated that the most characteristic was that of the aggression committed at Beuthen-Rossberg on March 25th, 1928, against a children's fête organised by the Polish and Catholic Association of Upper Silesian schools of Oppeln.

The observations of the German Government on this case dispute the statement regarding the unfavourable position of the Polish minority and the system of terror alleged to reign in German Upper Silesia. Apart from a general affirmation regarding the satisfactory state of security of the Polish minority in German Upper Silesia, the Government supplied information regarding the concrete instances of aggression set out in the petition. In particular, details were supplied of the sentences inflicted by the Beuthen Court on twenty-three persons implicated in the Beuthen-Rossberg incident. As regards the

other incidents mentioned, the German Government stated that enquiries had been undertaken by the authorities and were still in progress. A communal employee whose name was mentioned in connection with the incidents at Kempa had been dismissed, and a schoolmaster also involved had been transferred to a post outside the plebiscite area. In one case only, dating from May 22nd, 1927, had the enquiry been dropped, since the offender could not be discovered.

The Rapporteur, the representative of Colombia, proposed, and the Council agreed at its meeting of June 8th, 1928, that the Council should take note of the observations forwarded by the German Government, showing that suitable punitive measures had been taken against the parties guilty of the aggression of March 25th at Beuthen-Rossberg, and against two officials implicated in the incidents at Kempa, and that enquiries had been instituted in regard to the other cases mentioned in the petition. The Council expressed its confidence that equally suitable measures would be taken against the guilty persons should the enquiries instituted and now proceeding show such measures to be necessary.

- (e) *Telegram dated May 25th, 1928, from Senator Pant and Deputy Rosumek on behalf of the German Deputies of Polish Upper Silesia, regarding the Position of the German Minority at Godula on the Occasion of the Entry of Children for the Minority School.*

This petition alleged that, on the occasion of the entry of children for the minority school at Godula, in Polish Upper Silesia, acts of violence had been committed against the houses of nine parents and guardians, and a proclamation posted up at fifty or sixty places at Godula containing insults directed against the parents who had entered their children for the minority school. The petition also stated that No. 120 of the *Oberschlesischer Kurier* was seized by the authorities for giving a faithful description of the situation. The Polish Government explained, in its observations, that the houses attacked belonged to nine Polish families who wished to send their children to the minority school. Those responsible for this breach of public order were stated to have been immediately arrested by the police and handed over to the Courts. The proclamations, which gave the names and addresses of Polish parents who were entering their children for the minority school, were at once removed by the police. As regards the newspaper *Oberschlesischer Kurier*, the Government stated that the number seized reported the facts relating to the incidents in a tendentious and inexact manner which was calculated to cause unrest.

On the proposal of the Rapporteur, the representative of Colombia, the Council, on June 8th, 1928, decided to express its confidence that suitable punitive measures would be taken against the responsible persons, and to regard the incident as closed.

- (f) *Petition dated May 19th, 1928, from the Deutscher Volksbund of Polish Upper Silesia concerning the Conditions of Public Security in Polish Upper Silesia.*

On the proposal of the Rapporteur, the representative of Colombia, the examination of this petition, which had arrived very late on the eve of the session, was adjourned to the September session of the Council.

## II. COMPLAINTS OF THE LITHUANIAN GOVERNMENT REGARDING THE TREATMENT OF PERSONS OF LITHUANIAN RACE OR SPEECH IN THE VILNA AREA.

The report called for by the Council resolution of December 10th, 1927 (see document A.6.1928, page 45), having been prepared by the Committee of Three, this question was placed on the agenda of the fiftieth session of the Council. The representative of Lithuania having raised the question of his right to sit on the Council during the consideration of this report, this point was submitted, on the proposal of the President of the Council, to a Committee of three jurists. The jurists reported that in their opinion the representative of Lithuania should have the right to hear and discuss the report when it was examined by the Council. The Council decided to accept this conclusion the exceptional character of which was emphasised by the representatives of Poland, the British Empire and France, but, owing to the absence of the Lithuanian representative, the consideration of the report of the Committee of Three was postponed until the September session.

## III. RECEIVABILITY OF MINORITIES' PETITIONS: QUESTIONS RAISED BY THE LITHUANIAN GOVERNMENT.

On November 14th, 1927, the Secretary-General received a petition dated November 2nd, 1927, signed by twenty-one persons of Ukrainian origin living in Lithuania. The signatories of this petition stated that they were Ukrainians from Kieff who had been living since 1910 and 1912 in the Suwalki district in Lithuania, where they had purchased land. When Lithuania became independent, they stated that they agreed to the request of the local police that they should become Lithuanian citizens, and since then they had considered themselves as such. The Lithuanian Government, however, declared shortly afterwards that they were foreigners, and that the Lithuanian Republic was going to take possession of their land. This was done, in spite of repeated protests of the interested



parties. The petitioners affirmed that Lithuanians who purchased land under the same conditions as themselves met with no difficulties from the Lithuanian Government. They added that the measures of which they complained had been applied to them because they were Ukrainians.

On December 3rd, 1927, the Secretary-General, who considered that this petition fulfilled the conditions of receivability laid down in the Council resolution of September 5th, 1923, concerning minorities petitions, forwarded it to the Lithuanian Government for observations. The Lithuanian Government contested the receivability of the petition, and the Secretary-General, in conformity with the provisions of Section 1, paragraph 2, of the resolution of September 5th, 1923, submitted the question of receivability to the Acting President of the Council. After examining the documents on this question, the President of the Council, who at that time was the representative of Colombia, came to the conclusion that the petition should not be considered as non-receivable for the reasons given by the Lithuanian Government. Having been informed by the Secretary-General of this decision, the Lithuanian Government, in a letter dated April 25th, 1928, relying upon Section 1, paragraph 2, of the resolution of September 5th, 1923, requested the inclusion in the Council agenda of "the question of the receivability of petitions concerning persons resident in a State but not belonging to a minority of race, language or religion".

The Rapporteur, the representative of Colombia, pointed out, in a report submitted to the Council on June 6th, 1928, that the immediate question before the Council was the limited one of deciding whether the petition of November 2nd, 1927, was receivable. He recalled that a decision regarding receivability was purely one of procedure, and in no way prejudged the further consideration of the validity of the complaints in the petition. After recalling the conditions of receivability laid down by the resolution of September 5th, 1923, the Rapporteur stated that the Lithuanian Government's objections seemed to be based on a belief that the first condition of receivability was not satisfied, namely, that the petition did not raise a question of the protection of minorities. He felt obliged once more to express his view that the petition was receivable.

In particular, he found himself unable to agree with the definition of a minority given by the Lithuanian Government, namely, that a minority must (1) belong to the country permanently, that is, by origin; and (2) must be sufficiently numerous to constitute an appreciable percentage of the country's population. He pointed out that, in the Lithuanian declaration of May 1922, which was applicable in this case, the condition of origin was not laid down. The declaration did not distinguish between citizens by origin and persons who had become citizens, for example, by marriage or naturalisation. Further, the declaration laid down no rule regarding the number of those concerned. Minority protection was expressly granted to "all Lithuanian nationals" (Article 4, paragraph 1) and to "any Lithuanian nationals" (Article 4, paragraph 3). It was also stipulated (Article 4, paragraph 2) that "difference of religion, creed or confession will not prejudice any Lithuanian national". Further, when importance was attached in the declaration to the number of the beneficiaries, this was formally stated, as in Articles 6 and 7, which dealt with the allotment of public funds for educational purposes.

The representative of Lithuania gave certain further explanations regarding his Government's point of view. He said that the petitioners, who now alleged that they were Ukrainians, had formerly stated that they were of Russian nationality. The question therefore for him was whether it was possible to change one's nationality as easily as one's religion and convictions, etc. Further, there arose the question of the number of persons necessary to constitute a minority. He was convinced that protection as a minority could not be given to the petitioners, who, according to Lithuanian law, were not Lithuanian citizens; but since the case had given rise to a question of principle, he had no objection to the appointment of a Committee of Jurists to determine what, in the future, should constitute a minority.

After further discussion, in which the Rapporteur and the representatives of Lithuania, Finland, France, Cuba, Italy, and Chile took part, the President recalled that the question before the Council contained two elements. The first was the concrete question of the receivability of the present petition. According to the existing rules, it seemed that the petition was receivable, which implied that it would be referred to a Committee of Three — the President and two members of the Council — who would study the substance of the question. There was the further question of constituting a Committee of Jurists to examine the points of procedure raised by the representative of Lithuania.

On the proposal of the President, the Council thereupon agreed that the petition itself was receivable, and further decided to constitute a Committee of Jurists to examine the concrete points of procedure raised by the representative of Lithuania.

At its meeting on June 9th, 1928, the Council authorised the President to request the representatives of France, Germany, Italy, the Netherlands and Roumania each to appoint a jurist to be a member of this Committee, for which the Secretary-General would appoint a member of the Secretariat to act as secretary. The Council further considered that it would be desirable that the jurists' report should be presented during its session in September 1928.

8.

MANDATES.

I. WORK OF THE THIRTEENTH SESSION OF THE PERMANENT MANDATES COMMISSION.

At its thirteenth session, held at Geneva from June 12th to 29th, 1928, the Permanent Mandates Commission examined, in the presence of the accredited representatives of the mandatory Powers, the following annual reports: New Guinea, 1926-27; Nauru, 1927; Palestine, 1927; Cameroons under French mandate, 1927; Togoland under French mandate, 1927; Tanganyika, 1927; Syria and the Lebanon, 1927.

The Commission also studied the report of the Royal Commission of Enquiry on the events which took place in the Islands of Western Samoa in 1926-27, communicated to it by the New Zealand Government, and other documents concerning the same question. It undertook this examination in the presence of the accredited representative of the New Zealand Government, Sir James Parr, K.C.M.G., High Commissioner of New Zealand in London, and of Major-General Sir George S. Richardson, K.B.E., C.B., C.M.G., late Administrator of Western Samoa.

The Commission also examined a certain number of petitions, together with the observations or particulars relating thereto forwarded by the mandatory Powers in writing, or communicated verbally by the accredited representatives.

Lastly, the Commission dealt with two questions of a more general character:

1. LIQUOR TRAFFIC.

The Commission noted two memoranda on this subject drawn up by the Secretariat in pursuance of the wish expressed by the Commission at its twelfth session.

It also took cognisance of the Council's resolution of December 6th, 1927, which reads as follows:

"The Council requests the Permanent Mandates Commission, in collaboration with the mandatory Powers, to continue to give serious consideration to the causes of the increased importation of spirituous liquors into those territories under B mandate where such an increase is taking place, and to take steps to remedy this situation."

In pursuance of this resolution, the Commission decided to recommend that the Council should request the mandatory Powers to undertake, as soon as possible, the revision of the memorandum (document C.P.M. 723) drafted by the Secretariat and containing statistics of importation and information concerning Customs tariffs, licences, etc., for each territory under B and C mandates. It also expressed the wish that the mandatory Powers should inform the Commission to which parts of the territories under their mandate Article 4, paragraph 2, of the St. Germain Convention concerning the liquor traffic in Africa had been applied.

2. ECONOMIC EQUALITY: PURCHASE OF SUPPLIES BY ADMINISTRATIONS OF MANDATED TERRITORIES.

At its twelfth session, the Commission had considered a certain number of questions connected with economic equality, such as postal tariffs, various concessions in Iraq, and the purchase of supplies by administrations of mandated territories.

The Commission did not think it advisable to go fully into this question during its thirteenth session, owing to the absence of its Rapporteur on the subject. In order, however, to provide itself in the meantime with the necessary documentation, it decided to recommend the Council to ask the mandatory Powers entrusted with the administration of territories under A and B mandates to furnish information regarding the regulations which had been adopted or were generally followed by them when supplies were purchased by the public authorities of the mandated territories.

3. TREATMENT EXTENDED IN COUNTRIES MEMBERS OF THE LEAGUE TO PERSONS BELONGING TO MANDATED TERRITORIES AND TO PRODUCTS AND GOODS COMING THEREFROM.

The Commission considered the position in which nationals of the mandated territories, and products and goods coming therefrom, are placed in certain countries

Members of the League of Nations, as a result of measures adopted by those countries. In particular, it took note of a letter dated May 7th, 1928, from the French Minister for Foreign Affairs to the Liberian Minister in Paris<sup>1</sup>, protesting against certain measures taken by the Liberian Government forbidding foreign traders belonging to countries not bound to the Liberian Republic by any commercial agreement to trade in the hinterland of Liberia, and pointing out the drawbacks entailed by these measures on the Syrians and Lebanese resident in the hinterland of Liberia.

Recalling the Council's resolution of September 15th, 1925, relative to the extension of special international conventions to territories under mandate, and the resolution of the Assembly on the same subject adopted on September 22nd, 1925, the Commission has called the Council's attention to the situation above described, in the hope that it would be possible to arrive at a satisfactory solution without prejudicing the principle of economic equality stipulated in the mandate.

OBSERVATIONS OF THE COMMISSION CONCERNING CERTAIN TERRITORIES  
UNDER A, B and C MANDATES.

**Territories under A Mandate.**

1. PALESTINE AND TRANSJORDAN.

The Commission gave its full attention to the difficulties which have been encountered in the efforts to make the Jewish settlement in Palestine economically self-supporting, and which have led to a restriction of Jewish immigration in order to make it proportionate to the economic capacity of the territory. It noted with satisfaction that the profits which resulted from the introduction of a Palestinian currency would accrue to the Palestine Treasury as soon as sufficient reserves had been accumulated by the Currency Board.

The Commission received from the mandatory Power a copy of an agreement between the United Kingdom and Transjordan signed on February 20th, 1928, which recognises the existence of an independent Government in Transjordan and defines and limits its powers. It noted that the accredited representative considered that, in the view of his Government, the Council, by the decision of September 16th, 1922, which implemented Article 25 of the mandate, had approved this step, and also that the mandate would still remain in force after the agreement came into effect.

The Commission recognised that it was in accordance with the spirit of the Covenant and of the mandate for the mandatory Power to further the development of self-government, especially in the territories under A mandate. It expressed the conviction that the Council would take into consideration, especially under Article 27 of the mandate, whether its formal assent was necessary for putting into force the agreement in question. At the same time, since the Commission is charged with the duty of seeing that the mandate is fully and literally carried out, it considered it necessary to point out that, in particular, Article 2 of the Agreement, which reads as follows :

“ The powers of legislation and of administration entrusted to His Britannic Majesty as Mandatory for Palestine shall be exercised in that part of the area under mandate known as Transjordan by His Highness the Amir . . . ”,

did not seem to be compatible with the stipulations of the mandate, Article 1 of which provided that :

“ The Mandatory shall have full powers of legislation and of administration save as they may be limited by the terms of this mandate. ”

2. SYRIA AND THE LEBANON.

The Commission noted the difficulties which, as stated in the mandatory Power's report for 1927, had arisen in regard to the final determination of the frontier between the territories under French mandate and Turkey. It thought it advisable to draw the Council's attention to these difficulties, while expressing the hope that a satisfactory solution for this important question would soon be found, in accordance with the treaties.

The Commission learnt with satisfaction that calm prevailed in Syria and the Lebanon and that the High Commissioner had taken measures to ensure a peaceful atmosphere during the preparation for the local elections. It appreciated the liberality of the policy which was being pursued, and hoped that this policy would lead, in the near future, to the adoption of the Organic Law provided for in the mandate.

While recognising that the country must be prepared for the emancipation which was the aim of the mandate by a policy that would gradually accustom it to self-government,

---

<sup>1</sup> This letter was communicated, at the French Government's request, to the members of the Commission at the same time as to the Council of the League of Nations (letter of May 14th, 1928, document C.230.1928.VI/C.P.M.717). On August 6th, 1928, the Liberian Minister in Paris forwarded to the Secretariat a communication replying to that from the French Government (document C.388.1928.VI/C.P.M.770).

the Commission expressed the hope that, until that moment had arrived, the mandatory Power would retain such a measure of authority as would fully enable it to continue to direct and superintend this evolution and to fulfil all its obligations to the League of Nations.

As regards economic equality, the Commission expressed the desire to receive information on the principles followed in respect of transactions connected with public works, on the conditions under which concessions dating from the Ottoman regime had been renewed or modified, on the question whether the coasting trade was open to vessels of all countries, and on the principles followed in drawing up the official lists of prices (*mercuriales*) used for assessing values for *ad valorem* duties.

Lastly, it expressed the hope that it would be possible to make more rapid progress in the sphere of labour legislation, particularly as regards the inspection and protection of the labour of women and children.

### Territories under B Mandate.

#### 1. TOGOLAND AND THE CAMEROONS UNDER FRENCH MANDATE.

The Commission noted the information furnished by the accredited representative concerning grants made by the mandated territories to institutions in the home country and certain international organisations. It expressed the conviction that, in fixing the amount and the objects for which such grants were made, the mandatory Power would always see that the charges under this head were in fair proportion to the direct and indirect benefits which these territories might derive from the said institutions. As regards education, the Commission expressed the desire to know the approximate number of children of school age and the average percentage of school attendance in the two territories.

Furthermore, the Commission asked that the next report on the administration of *Togoland* should contain, under a separate heading, details of the yield of the various direct and indirect taxes. It also expressed the desire that as detailed particulars as possible should be inserted in the next report regarding the mortality in the prisons of the territory.

As regards the *Cameroons*, the Commission drew attention to the exemptions from Customs duties granted exclusively to books in French, which would seem to be inconsistent with the principle of economic equality. It also expressed the desire to find in the next report a comparative table of the estimated and actual receipts and expenditure for the past financial year. As regards education, the Commission suggested that the mandatory Power should consider the possibility of securing the help of the missions in educational work, if necessary, by granting them subsidies. Lastly, the Commission noted with satisfaction the good results obtained by rationing the import of spirits, and asked that the next report should include a table indicating the quantity of the various categories of intoxicating beverages imported, and the Customs duties imposed on these imports.

#### 2. TANGANYIKA.

The Commission noted with great interest the account given in the report of the results of the policy of indirect rule and the consolidation of tribal units into homogeneous organisations. As regards the defence of the territory, it noted that the mandatory Power would resist any attempt to increase the proportion of the military expenditure of the British dependencies in East Africa at present borne by the mandated territory<sup>1</sup>.

The Commission appreciated the action of the Administration in further limiting the occasions upon which forced labour might be requisitioned and in taking steps for the gradual abolition of unpaid compulsory labour for village sanitation work. It asked for details of the measures taken to combat leprosy and for particulars regarding the number of the existing subordinate medical staff and their qualifications.

Lastly, the Commission welcomed the enactment of legislation with the object of assuring to the natives legal title to the lands they occupy.

### Territories under C Mandate.

#### 1. NAURU.

The Commission again noted that the mandatory Power was giving serious consideration to the question of the application of general international conventions to the territory. It expressed the hope that information would be given in the next report as to the situation in this respect. It noted the appointment of a new Advisory Council for native affairs and hoped to find in the next report some information as to this body's methods of work.

As regards labour conditions, the Commission welcomed the measures of protection that had been taken for Chinese workers. Lastly, it noted the information given as to the situation in regard to leprosy.

<sup>1</sup> The accredited representative of the British Government, commenting on this observation (document A.25.1928.VI), expressed the view that the word "Administration" (the local Government of the territory) should be substituted for the words "mandatory Power".

## 2. NEW GUINEA.

The Commission asked the mandatory Power to supply it with more detailed information as to the action taken under the existing legislation, since information had reached the Commission of such a nature as to arouse certain apprehensions. As regards general administration, the Commission asked for full information as to the method adopted for the selection of native district chiefs (Luluais), who were appointed by the Administration.

The Commission expressed the desire to learn in what way the financial interests of the mandated territory were represented in the settlement by the mandatory Power of the liabilities incurred by the territory to the Australian Department of Defence before and after the inception of civil administration, and also the principles on which the settlement of this question was to be based<sup>1</sup>.

Furthermore, it asked for detailed information as to the substitution of the system of "free labour" for the present system of contracts, and as to the measures taken to ensure the efficacy of the inspection of labour conditions.

The Commission noted the shortage of doctors of British nationality in the territory, and asked the mandatory Power whether it would be disposed to consider the advisability of appointing to the service of the territory medical officers of other nationalities or of subsidising the missions in order to enable them to increase their medical staff. Lastly, the Commission asked for information concerning the decrease of the population.

## 3. WESTERN SAMOA.

### *Examination of the Report of the Royal Commission on the Administration of Western Samoa.*

The Commission made a detailed study of the report of the Royal Commission of Enquiry regarding the events which occurred in the Samoan Islands in 1926 and 1927, and of the various documents annexed thereto. It also considered certain petitions addressed to it on the subject of the administration of Western Samoa<sup>2</sup>.

During the numerous meetings which it devoted to this task, the Commission obtained additional information from Sir James Parr, the accredited representative of the mandatory Power, and Major-General Sir George Richardson, former Administrator of Western Samoa.

In its conclusions, the Commission emphasised the fact that it was essential, for the proper understanding of this part of its report in particular, to refer to the Minutes of its discussions.

The Commission considered that none of the charges of any importance against the Administration which had been made in the various petitions had been substantiated, and that none contained any evidence of policy or action contrary to the mandate. On the contrary, it pointed out that the local Administration would appear to have made every effort to improve the conditions of life of the native population, notably in regard to public health and education, as well as in regard to agriculture and commerce.

The Commission thought it necessary to condemn most strongly the attitude of Mr. Nelson and those associated with him, who seemed to have been inspired less by a desire for the public welfare than by personal ambition and interest. By unworthy means, they worked upon the minds of an impressionable people who, prior to their propaganda, had shown no disquieting signs of discontent. It was satisfied that the Administrator had acted with great patience and had treated the population with a forbearance and confidence which were possibly misinterpreted, and which may thus, to a certain extent, have undermined his authority. The regrettable absence of sufficient means to enforce the law, which it was his duty to uphold, placed the Administrator in an extremely difficult situation. This situation was made all the more delicate by the uncertain attitude of the Government.

The Commission appreciated the setting-up of an impartial Commission of Enquiry by the mandatory Power and the communication of its report to the League of Nations. This report, with the evidence on which its conclusions are based, appreciably helped the Permanent Mandates Commission to form its own judgment.

Moreover, as the Commission had been informed that the unrest in Samoa would probably continue until the League of Nations had taken a decision, it desired to point out that it should be clearly understood that the mandatory Power alone was responsible for maintaining law and order in accordance with the mandate. The Commission was assured that Major-General Richardson's successor now had at his disposal all the means required for this essential object.

<sup>1</sup> The Commission made an identical observation in regard to the Island of Nauru.

<sup>2</sup> See page 35.

Finally, the Commission expressed the hope that, when the Samoans realised that they had been misled, they would resume their former attitude of confidence in the Administration and that the mandatory Power would soon be able, by pursuing a firm and liberal policy, to re-establish peace and prosperity in Western Samoa.

---

#### OBSERVATIONS OF THE ACCREDITED REPRESENTATIVES.

The accredited representative of the British Government for Tanganyika made a comment on the observation of the Commission concerning the defence of the territory. He pointed out that, while making the statement of which the Commission took note during the examination of the annual report, he had not spoken on behalf of the mandatory Power but only on behalf of the Government of the territory of Tanganyika. On the other hand, Sir Granville Ryrie, for Nauru and New Guinea, Sir Stewart Symes, for Palestine, and Sir James Parr, for Western Samoa, have stated that they had no observations to make on the report of the Commission.

---

#### OBSERVATIONS OF THE COMMISSION ON PETITIONS.

The Commission considered various petitions relating to Palestine, Syria and the Lebanon, Togoland under French mandate, Tanganyika and Western Samoa. The conclusions adopted by the Commission may be summarised as follows :

##### 1. PALESTINE.

The Commission received a letter from the Zionist Organisation, dated April 30th, 1928, enclosing a memorandum on the development of the Jewish National Home in Palestine in 1927-28, together with the observations of the mandatory Power thereon.

In paragraphs 6 and 7 of the covering letter, the Zionist Organisation makes certain complaints in regard to the system of taxation at present in force and the question of the leasing of Government lands, particularly in the Beisan area. The Commission, while considering that, generally speaking, the observations of the mandatory Power, supplemented by the oral explanations of its accredited representative, were satisfactory, deemed it advisable to express, as it had already done at its ninth session, the hope that every effort would be made to hasten the survey, and that means might soon be found to utilise to the full the possibilities of the land in the Beisan area.

##### 2. SYRIA AND THE LEBANON.

(a) The Lebanese Committee in Paris again sent in a petition regarding the acquisition of nationality by the exercise of option in Syria and the Lebanon. As this question had already been considered by the Commission at its tenth session, the Commission held that it was not necessary to submit to the Council any observations other than those then formulated<sup>1</sup>.

(b) M. Louis Yusuf Ghaleb, of Lebanese origin and domiciled in Serbia for some twenty years, complained that he had suffered war losses in Serbia and the Lebanon for which he had received no compensation.

The Commission, having noted the observations of the French Government on this case, was of opinion that it had no power to consider the claim.

(c) Two petitions from Messrs. Chekib Arslan, Ihsan el Djabri and Riad el Souh, making numerous criticisms of the mandatory Power's administration, were also examined conjointly with the French Government's observations. The Commission considered that the report of the mandatory Power for 1927 constituted a complete reply to these petitions, and it therefore recommended that the Minutes of the session should be communicated to the petitioners, together with its conclusions on the matter.

##### 3. TOGOLAND UNDER FRENCH MANDATE.

The various grievances against the mandatory Power's administration expressed in the petition from the Bund der Deutsch-Togoländer had already been considered by the Commission at its eleventh session<sup>2</sup>.

The Commission had found the allegations of the petitioners to be, in all essentials, without foundation. It had, however, asked the mandatory Power for further particulars. Having considered this information, the Commission confirmed its previous conclusion.

---

<sup>1</sup> See report to the eighth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 54, page 272.

<sup>2</sup> See supplementary report to the eighth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 54, page 334.

#### 4. TANGANYIKA.

The Commission considered a petition from Mr. Thawer, dated February 17th, 1927, relating to losses sustained by the inhabitants of Tanganyika territory on account of the failure to settle claims arising out of the withdrawal of German currency from circulation in the territory. After noting the observations of the mandatory Power, the Commission decided that it must abstain from expressing any opinion whatever on the merits of the case, which was outside its immediate competence, but it expressed the hope that a favourable settlement might be found in the matter of withdrawing former German currency from circulation.

#### 5. WESTERN SAMOA.

The Commission had before it several petitions from different sources, all concerned with the administration of the territory generally. These were borne in mind when the report of the Royal Commission of Enquiry was considered<sup>1</sup>.

As regards, in particular, the petition from Mr. Newton Rowe, dated June 1st, 1927, the Commission was of opinion that none of the allegations made therein was worthy of special consideration, and that the questions as a whole were covered by those which the Commission had considered in its report to the Council on the administration of Samoa. It arrived at the same conclusions in regard to a petition from the Anti-Slavery and Aborigines Protection Society, dated July 19th, 1927. With regard to the petition from certain natives of Western Samoa, dated March 9th, 1928, and the petition from Mr. Olaf Frederick Nelson, dated March 29th, 1928, the Commission considered that none of the charges made in these petitions against the Administration had been substantiated.

---

## II. NEW MEMBER OF THE PERMANENT MANDATES COMMISSION.

At a meeting held on June 9th, 1928, the Council appointed Mlle. Valentine Dannevig a member of the Permanent Mandates Commission.

Mlle. Dannevig, who is a Norwegian and Principal of the Vestheim Ladies' College, Oslo, has thus been selected to replace on the Commission Mme. Wicksell, who died in February 1928.

---

## 9.

### SLAVERY.

---

At its meeting on June 4th, 1928, the Council was informed that, since the last ordinary session of the Assembly, no document had, at that time, been received by the Secretary-General in accordance with Article 7 of the Slavery Convention and the Assembly resolution adopted on September 25th, 1926. Under this resolution, the Assembly requested the Council to communicate to it every year a document mentioning the laws and regulations which the parties to the Convention, in accordance with Article 7, had communicated to the Secretary-General, and to include therein any supplementary information which the Members of the League might be disposed spontaneously to furnish with regard to the measures taken by them to ensure the progressive abolition of slavery and conditions analogous thereto.

The Council authorised the Secretary-General, should such documents be forwarded to him in the interval, to communicate to the Assembly, as well as to the Council, three weeks before the opening of the ninth ordinary session of the Assembly, a list of such laws and regulations as might be forwarded to him in accordance with Article 7 of the Slavery Convention, together with any supplementary information furnished by the different Governments.

Acting in conformity with the above Council resolution, the Secretary-General communicated to the Assembly document A.24.1928.VI<sup>2</sup>, containing:

1. A letter from the Sudan Government, dated May 29th, 1928,
2. A letter from the Italian Government, dated July 9th, 1928,
3. A letter from the British Government, dated July 30th, 1928, transmitting a memorandum with annexes regarding measures taken in Sierra Leone, Jamaica, North Borneo, Northern Rhodesia and the Tanganyika Territory to ensure the effective suppression of slavery in those territories.

---

<sup>1</sup> See page 33.

<sup>2</sup> Since the communication of document A.24.1928.VI, the Secretary-General has received from the India Office a letter dated August 10th, 1928, forwarding a memorandum on measures for the abolition of slavery in Burma. This document has been distributed to the Assembly under No. A.24(a).1928.VI.

10.

WORK OF THE TECHNICAL ORGANISATIONS.

I. ECONOMIC AND FINANCIAL ORGANISATION.

A. Work in the Economic Field.

I. WORK OF THE ECONOMIC CONSULTATIVE COMMITTEE.

The Council, at its meeting on June 9th, 1928, adopted the following resolution concerning the report of the Economic Consultative Committee on the work of its first session, held in May 1928 :

“ The Council :

“ 1. Takes note of the report of the Economic Consultative Committee on the results of its first session ;

“ Notes that, according to the report, the application of the recommendations of the Economic Conference has already made some headway during the past year ;

“ Observes the influence of these recommendations on the independent action of Governments in their commercial policy ;

“ Observes, however, that it is evident from the report that, while the rising movement of tariffs seems to have been checked, the general inverse movement so strongly urged by the Conference has not yet set in ;

“ Accordingly again begs both Governments and countries to give their whole attention and active support to carrying out the recommendations of the Conference, and calls their attention to the Consultative Committee's report ;

“ 2. Approves the report of the Economic Consultative Committee, especially its recommendations and the proposal for entrusting to the Financial and Economic Organisation the carrying out of the new tasks recommended by the Committee ;

“ Refers to the Economic Committee, for gradual study and action, the Consultative Committee's recommendations as to commerce, agriculture and industry, including those relating to the examination of the coal and sugar questions ;

“ Reserves the right, however, to take a decision subsequently on the Committee's recommendations for establishing close relations, the importance of which it realises, between the various organisations that devote themselves to the study of agricultural questions ;

“ Requests the Economic Committee to place these recommendations on the agenda of the session which it is to hold this month, so that it can at once go forward to consider them as far as it may think advisable and practicable ;

“ 3. Instructs the Economic and Financial Committees to undertake, as soon as circumstances allow and on the lines suggested by the Consultative Committee, the study which that Committee demands ‘ of some of the more important principles and tendencies in financial and economic policy and practice which tend to create or to destroy conditions favourable to peace ’. ”

II. WORK OF THE ECONOMIC COMMITTEE.

The Economic Committee held its twenty-fifth session in June 1928, and submitted the following report to the Council on the work accomplished during this session :

1. COMMERCIAL POLICY.

In the interval between the last three sessions of the Committee, several of its members had drawn up a large number of reports on the tariff and contractual problems which form the basis of commercial policy. Its meetings were chiefly devoted to the examination and discussion of these memoranda.

The Committee is now in a position to submit to the Council a provisional report on the results of its work, and on the procedure which it advocates for the future.



For the study of the central problem of commercial policy the Committee has endeavoured to find a method capable of ensuring at one and the same time a detailed study of all the factors involved and their co-ordination in a coherent system. As stated in its report, the various aspects of commercial policy were referred to groups of rapporteurs for examination. A Committee of Rapporteurs was then formed in order to compare and harmonise the conclusions reached, which were subsequently submitted to the whole Economic Committee for approval.

#### A. *Tariff Systems and Contractual Methods.*

The study of existing tariff systems and their respective merits has revealed a uniformity of tendencies within the Committee, which has been obliged to recognise that, for the moment, it is practically impossible to put an end to the disparity of systems prevailing in this matter.

On the one hand, the Committee unanimously recognised that it is no longer possible to proceed to establish or to recast national tariffs without taking account of the repercussions that the rates or conditions of these tariffs may exercise on international trade, and that the various States, however anxious they may be to adapt their tariffs, in an autonomous fashion, to their financial or economic needs, cannot, however, establish them without taking account of the obstacles to trade in general which may result from them. But while some of its members considered that the procedure for this purpose ought to be that of negotiations resulting in an exchange of tariff guarantees, the opposite opinion has been expressed that tariff treaties were incompatible with the ideas and the practice of certain States which claim the right to legislate at their will in these matters, on condition that they apply their tariff laws without discrimination in any way to the detriment of any country.

In short, the Committee, in its study of this question, and other aspects of commercial policy, has found itself faced with the conflict of the two conceptions and the two methods which co-exist in Europe of which the one, that of Central Europe, is that of negotiable tariffs reducible by agreement, and the other, which is that chiefly of the Anglo-Saxon countries, regards tariffs as measures of internal order which are not susceptible of adaptation by agreement.

It is in favour of the first system that the two Rapporteurs on Contractual Methods have deliberately pronounced themselves, in putting on the same footing autonomous tariffs reducible by agreement and double-column tariffs, on condition, however, that their minimum rates are susceptible of contractual adaptation. They declare, moreover, that, as concerted action by States in tariff matters is necessary in order that tariffs may be modified or stabilised by agreement, the system of "intangible" tariffs is contrary to the common action which was recommended by the Economic Conference of 1927.

The two Rapporteurs, having declared themselves in favour of the systems which can alone, in principle, make it possible for States to negotiate regarding the amount of and to seek the reduction and conventional consolidation of Customs duties, proposed in addition :

(a) That States should refrain from putting into force tariffs included in this system before having proceeded to negotiations in virtue of which they might be brought into harmony with the interests of other countries ;

(b) That they undertake to revise their tariff rates on the termination of the negotiations in order to proceed with the modifications necessary to harmonise them with the reductions effected by means of the agreements.

The discussion which has taken place in the Committee has brought out the fact that, although the choice that these two Rapporteurs had made between the tariff methods in force to-day and the guarantees with which they proposed to surround them were in every way consistent with their mandate, there was nevertheless no possibility of getting support for their conclusions from a certain number of countries which practise the doctrine of "intangible" tariffs and which, by this fact, exclude both the reduction and the stabilisation of their rates.

On the whole, the Committee was of the opinion that the doctrine and practice of these countries was not opposed to the resolutions of the Geneva Conference, as long at least as their tariffs were established with the moderation recommended by this Conference and as long as they accordingly offered to other countries advantages which were a matter of congratulation rather than obstacles of which they would have reason to complain.

The Committee was, however, of opinion that the policy of those States which, having established tariffs intolerable for other countries, refuse to contemplate their reduction through negotiations or otherwise, or impose repeated variations of duty in relation to the trade of other countries, is incompatible with the resolutions of the Geneva Conference and with the commercial policy which it has proclaimed.

The Committee was therefore of opinion that it need not consider the case of tariffs so equitable that they do not justify any demand for negotiations, but that some assurances should be sought from the countries which take advantage of their Customs autonomy and of their tariff liberty to raise or modify their tariffs, when international trade is considered to suffer thereby. For this purpose, without wishing to suggest that those countries which practise the doctrine of "intangible" tariffs by means of negotiations

and which are continuously modifiable by means of autonomous measures, should abandon their principles or their procedure, the Committee was nevertheless of opinion :

(1) That they should be ready to examine the representations of States which might consider they were harmed by the measures taken by them ;

(2) That, so far as they find it possible, they should introduce their tariffs for substantial periods since they declare that it is impossible for them to fix their tariffs by agreement.

The Committee next directed its attention to the conditions of application of so-called " tariffs of negotiation ", that is to say, autonomous tariffs reducible by agreement or double-column tariffs which do not exclude conventional adaptation.

In this respect, it was unanimous in recognising :

(1) That the margin for negotiation which, by reason of peculiar post-war conditions and, in consequence, of the necessity in which certain States find themselves of opposing their autonomous tariffs to the general tariffs of certain other States, has remained unduly exaggerated, should be reduced, so far as possible, to a more moderate proportion so that, while leaving to commercial negotiations a necessary freedom of movement, it does not cause them to degenerate into an intolerable bargaining at once dangerous for those who practise it and for those against whom it is directed.

(2) That tariff negotiations should, as a general proposition, precede the application of the tariffs in order that tariffs increased with a view to negotiation may not encumber international trade before having been moderated by the negotiations.

(3) That tariffs should be widely consolidated ; that agreements should be concluded for a sufficiently long term so that those States contracting on the basis of negotiable tariffs do not find themselves suddenly submitted to a regime different from that on which they had concluded their agreements by reason of modifications arising in consequence of the expiration or the denunciation of agreements concluded with third parties.

(4) That the practice of negotiable tariffs should not exclude the adoption of long-period tariffs and that, when a contractual statute has been established on the basis of a tariff submitted to negotiation before being applied, it is necessary to avoid incessant changes being made in this statute by the variation of the tariff on which it is founded.

(5) The proposal of the Rapporteurs, to require from States an undertaking that tariffs modified by negotiations should be in addition submitted to the modifications necessary to render them a co-ordinated and harmonious whole, has not been maintained by the Committee as realisable in practice.

It has seemed in fact that, the requirements of international trade having been satisfied, the States must remain sole judges of measures which should be dictated only by their national economy.

#### B. *Most-Favoured-Nation Treatment.*

It goes without saying that the conclusions reached by the Committee as regards the form, the scope and application of the most-favoured-nation clause, as well as of the *de facto* and *de jure* exceptions to which it might be subject, must be carefully co-ordinated with the system it has adopted regarding tariffs and contractual methods.

1. In fact, different conceptions regarding tariffs and contractual methods appear to be generally associated with different ideas regarding most-favoured-nation treatment. While the States which refuse to negotiate in tariff matters claim most-favoured-nation treatment as a preliminary condition of any treaty and as a right which is beyond discussion, on the other hand, those States which have conceived their tariffs with a view to negotiation and who attach more value to tariff agreements than to the juridical guarantee constituted by the most-favoured-nation clause when it is not accompanied by tariff advantages, consider the grant of the most-favoured-nation clause as subordinate to agreement on tariffs.

The Committee was of opinion that the Economic Conference of 1927 had not embraced the doctrine which considers equality of treatment as a right above question. It has borne in mind that the resolutions of the Conference declare " that each State must judge in what cases and to what extent this fundamental guarantee should be embodied in any particular Treaty ". But it has taken care, on the other hand, not to misunderstand that the doctrine clearly affirmed by the Conference was in favour of the reciprocal grant of most-favoured-nation treatment and in favour of the widest possible extension of its scope and of a liberalism as enlightened as possible in its application.

In this matter, as in that of tariff and contractual systems, the Committee has inclined towards a compromise of fact rather than to a choice between opposing doctrines. It is convinced that, whereas those States which claim most-favoured-nation treatment by right before any negotiation nevertheless reserve the power to revise it if they run against prohibition duties or unjust discrimination, the States which regard most-favoured-nation treatment as the price of a favourable tariff agreement nevertheless admit, in general

theory, that this agreement could not be arrived at without the grant of most-favoured-nation treatment.

The Committee has noted, therefore, that unanimity could undoubtedly be reached on a doctrine which declared that the grant of most-favoured-nation treatment ought to be the normal, and that the refusal of this guarantee or the corresponding establishment of a differential regime ought not to arise unless in the case of States which refuse an equitable tariff policy or have recourse to discriminatory practices.

2. One question to which the 1927 Conference attached particular importance was that of the drafting of the most-favoured-nation clause, the interpretation and application of which frequently gives rise to controversies or disputes. Upon a report submitted by three of its members, the Committee decided on the view it must adopt in regard to the field of application of the most-favoured-nation clause in tariff and commercial matters and requested the same Rapporteurs to prepare, together with a statement of reasons, a model draft of the clause which could be recommended to the various States. It has also requested its Chairman to submit a report on other matters to which the clause is applicable, and to propose an appropriate method for their examination.

3. The second question which has received the attention of the Committee is that of exceptions to the most-favoured-nation clause.

(a) As regards Customs Unions, the Committee has limited itself to declaring that these constitute derogations, admitted by tradition, from the principle of most-favoured-nation treatment without, however, giving any opinion on the more controversial question of their function.

(b) As regards the question of colonial and imperial preference, which is mentioned in several treaties, the Committee abstained from considering it owing to its political aspects.

(c) As regards the regime of preference authorised by custom or the jurisprudence of previous treaties in the case of States between which exist ethnographical, historical or geographical ties, the Committee was of opinion that these exceptions should not be admitted without question and that they should be specifically agreed to and limited in each Treaty.

(d) The Committee was of opinion that the special case of trade between frontier zones constitutes an exception under international law the legitimacy of which cannot be contested.

4. After having examined the special favours which, in derogation from the equality of treatment guaranteed by the most-favoured-nation clause, may be accorded to third States, the Committee considered the question of the penalties which, contrary to this principle of equality, a contracting State sometimes believes itself entitled to apply to another contracting party. The compatibility of such practices with the loyal application of the most-favoured-nation clause will be discussed at the Committee's next session. The Committee decided first of all to study merely the incidence of the penalties against dumping in relation to the most-favoured-nation clause. In this connection it has drawn a necessary distinction between the off-setting of bounties or exemptions granted by a State to its exports, or to certain branches of its export trade, and the penalisation of measures which, by means of artificially lowered prices, are directed by firms or private organisations against the producers of the importing country.

Recognising the difficulty of apportioning in an equitable manner any measures for the repression of an offence against fair competition in relation to the resultant damage, the Committee has provisionally examined the question and considered as preventive measures, on the one hand, an undertaking by States to abstain from the practice of bounties and exemption and, on the other hand, action with a view to organisation and mutual understandings between the competing producers of the different countries, which would result in more healthy competition.

Since the Consultative Committee particularly urged the study of all the various practices covered by the term dumping, the laws enacted for their prevention, as well as the application and effectiveness of these laws, the Economic Committee requested its Chairman to make a preparatory study of this subject, and it does not propose to take up again the examination of the relation between anti-dumping measures and the most-favoured-nation clause until it has acquired more detailed information on the nature and legitimacy of these measures.

5. Finally, in a more discursive fashion, the Committee has begun to study certain practices which derogate from the obligation resulting from the most-favoured-nation clause and which are put into effect by means of export duties, "l'exonération à l'importation compensatoire de certaines exportations, etc."

It decided to consider lastly the discussion of certain exceptions by means of which certain countries tend to abstract from the most-favoured-nation guarantee certain facilities of a commercial order or certain particular questions of a tariff nature such as finishing trade, temporary admission, etc.

These practices, which have been dealt with in a report by three members of the Committee, will be subjected to detailed discussion at the next session.

6. The relation between concessions made by States under the terms of the most-favoured-nation clause in bilateral treaties, and the obligations assumed by them under plurilateral treaties has been referred for examination to three Rapporteurs. The Committee, after having discussed the problem in a circumstantial fashion, has asked

one of the Rapporteurs to draw up a report the discussion of which will be continued at the next session, since this is a particularly important question for the policy of States in regard to plurilateral agreements.

### C. *Collective Action with a View to the Reduction of Tariffs.*

The International Economic Conference's resolutions lay particular stress upon the necessity of achieving a reduction in tariffs, not only by means of bilateral agreements, but also by collective action of all the States. Various systems have been proposed, which would permit of a progressive reduction of all tariffs by a fixed percentage, but upon examination it appeared that the time was not yet ripe for their realisation, and that the most that could be done for the moment was to propose classes of measures arising out of particular situations or particular cases which might form the subject of partial arrangements.

The Committee was of opinion that, without abandoning the study of methods of general tariff reduction, it would be preferable to proceed by way of particular cases and to attempt a series of progressive experiments, in the course of which the value of methods and ideas would be put to the test.

Taking note of the results obtained in the course of the recent Conference on the regime regarding skins and bones, the Committee noted that, for the settlement of certain questions, different methods had been chosen and sometimes combined. It was of opinion that, while the recommendation of the Geneva Conference aiming at concerted action by States with a view to a general and simultaneous reduction of Customs barriers should not be lost sight of, it was indispensable to proceed, in this case, with prudence, so as to obtain by virtue of well-conducted experiments the progressive adhesion of the nations to a generalisation of the system.

The Committee referred the proposed method to the Consultative Committee for discussion, and the latter gave its whole-hearted approval.

During the present session, the Committee decided upon the choice of a certain number of basic products necessary to industry and even certain foodstuffs in respect of which proposals had been submitted by certain members. In respect of these products, the Committee is proceeding, in close touch with the Sub-Committee for Customs Nomenclature, to preliminary enquiries and the study of a concerted reduction of tariffs. These enquiries, which will be carried on with the assistance of the Secretariat, have been entrusted to a special Rapporteur for each product.

The Committee, as regards the whole of the questions concerned in the vast problem of commercial policy, has sought rather to find compromise on which immediate action might be based and subjects of which a precise study might be made than the elements of a definitive doctrine or of a complete system. It considered that it is by way of certain limited experiments which will put methods to the test and by means of certain studies bearing on the cardinal questions of a comprehensive policy that the Economic Committee will be best enabled to carry out the mandate which it has received from the Council in consequence of the resolutions of the International Economic Conference of 1927.

### 2. DIPLOMATIC CONFERENCE ON STATISTICS.

In its last report, the Economic Committee stated that it proposed to consider at its next session the expediency of framing a preliminary draft Convention incorporating in contractual form the questions dealt with in the document that has already been circulated to States in connection with the proposed Conference on Statistics. The draft, which, on the whole, corresponds to the results arrived at by the investigations and discussions of the Joint Committee of the League of Nations and the Hague Institute, was drafted by the Secretariat with the assistance of a Sub-Committee appointed by the Economic Committee, and has had to be examined somewhat hurriedly, but the Committee nevertheless considers that it can be communicated to the Governments in its present form, together with the relevant documents.

The communication of this draft Convention now makes it possible to contemplate the convening of a Diplomatic Conference, for which the Economic Committee would suggest a date towards the end of this year.

The Committee further recommends that the International Institute of Agriculture and the International Chamber of Commerce should be invited to appoint delegations to take part in the Conference in a consultative capacity.

### 3. UNIFICATION OF CUSTOMS NOMENCLATURE.

At its June session, the Sub-Committee of Experts on the Unification of Customs Nomenclature made a careful and detailed examination of the observations which had reached it from qualified persons of different countries whose opinions had been asked on the draft framework for a Customs nomenclature drawn up by the experts.

The Sub-Committee of Experts took into account the suggestions submitted to it, in so far as it considered that the modifications or transfers asked for or proposed might have the

effect of making the nomenclature clearer and more accessible to all those having to consult Customs tariffs.

In the report in which it submitted to the Economic Committee the draft framework in its new form, the Sub-Committee of Experts was careful to point out that, "by endeavouring to accept all the proposals which were not irreconcilable or in direct opposition with the principles laid down at the outset, it had wished to show that it desired the new nomenclature to be the work of the greatest possible number of authorities, and therefore to have a *truly international character*".

The Sub-Committee of Experts is further of the opinion that the new draft framework, which involves somewhat important changes in the original draft, must be regarded as final, and that it would be inexpedient to proceed to further consultations or enquiries in this connection, since any fresh changes would only destroy the harmony of a work in which the experts have endeavoured to reconcile respect for principles with the requirements of practice.

The Economic Committee agrees in principle with the opinion of the experts as stated above, and requests the Council to be good enough to cause the draft framework drawn up by the experts to be sent to the Governments in its new form, with an indication of the principles observed by the experts and a notification to the effect that the Sub-Committee of Experts will now embark on the second stage of the task entrusted to it, namely, the preparation of a draft standard nomenclature.

As regards this second portion of its work, that of drawing up the nomenclature itself on the basis of the final framework, there is no doubt that this is the most difficult part of the work.

The experts have already pointed out to the Economic Committee that, when they undertook the examination of different methods of classification, they were unable to reach entire agreement on one very important point, namely, whether, in the different chapters of the nomenclature, commodities which may be obtained from different raw materials should appear in the nomenclature under each of the materials from which they could be manufactured, or whether they should be combined in a single chapter and under a single item irrespective of the material of which they are made.

The Economic Committee expresses the opinion that the experts should endeavour to adhere, as far as possible, to the principle of classifying commodities or goods under the heading of the raw material of which they are composed.

When, however, the raw material has been converted into a finished product which is closely connected with other finished products used in a particular industry and having the same purpose — provided that the purpose in question is readily recognisable and can be determined by the characteristics of the object — then classification according to the use or purpose of the objects or goods seems more suitable than classification according to the raw materials composing them, particularly from the point of view of the consultation of Customs tariffs and their practical use.

Another problem of no less importance engaged the attention of the Economic Committee. The experts propose to draw up a fairly small basic nomenclature, the items of which would be regarded as an irreducible minimum. They would be supplemented by annexed items, the number of which could not in principle be exceeded, but might, if necessary, be reduced by countries whose stage of industrial development makes so elaborate a nomenclature unnecessary.

The Economic Committee, after an exhaustive discussion on this point, found itself in agreement with the above ideas, except as to whether and how far a supplementary subdivision would be desirable or permissible. In regard to this point, the Committee did not see its way to take a decision until it knew the form in which the nomenclature would be presented by the experts.

#### 4. VETERINARY CONVENTIONS.

At its June session, the Sub-Committee of Experts on Veterinary Questions examined the replies to the questionnaire which had been sent to a large number of countries interested in this matter with a view to collecting information on the organisation of veterinary services and the publication of veterinary health bulletins.

The Sub-Committee of Experts, after examining the information collected, considered that it was in a position to offer conclusive replies on the essential points concerning the organisation of veterinary services and the method of publishing health bulletins.

As regards the first object, the Sub-Committee reaffirmed its view that it is essential that in every country a veterinary service should be organised under the authority of a veterinary expert directly responsible to the competent Minister; it observed that, even in Europe, there are certain countries which have not yet entirely satisfied this necessary condition.

The experts further emphasised the importance they attach to the duties performed by Government veterinary officials and by veterinary surgeons in private practice officially employed as veterinary inspectors, and to their professional training, more especially in connection with the veterinary inspection of live-stock intended for export. In the view of the experts, the performance of health duties in certain cases of special and essential importance should be entrusted solely to veterinary officials.

As regards the second question, relating to the publication of health bulletins and the preparation of a standard model health bulletin, the experts accepted the rules laid down by the International Office for Contagious Diseases in Animals at Paris.

The Sub-Committee of Experts concluded that the first condition requisite for the accomplishment of its task — namely, to discover the most effective means of concerted action against diseases in animals, while at the same time showing due regard to the sovereign rights of States and the interests of international trade — would be that the States concerned should agree to organise their veterinary health services and to arrange for the publication of their health bulletins in conformity with the rules laid down by the experts. The Sub-Committee regards it as not inconceivable that these principles might be taken as the basis of an international convention.

Furthermore, the experts propose to continue their researches. They think it necessary to investigate the measures in force in different countries in regard to the import, transit and export of animals and raw products of animal origin.

An investigation on these lines would provide the experts not only with necessary additional information, in amplification of that already collected on the organisation of health services, but also with a very valuable basis for studying the facilities which might be obtainable in return for adequate guarantees in the sense of their recommendations.

The Sub-Committee was further of the opinion that, if the question of the inspection of meat for export — a question of very special importance — is to be dealt with thoroughly, special information must be obtained from technical specialists in some of the principal meat-exporting countries.

The Economic Committee requests the Council to authorise the Secretary-General to transmit the report of the Sub-Committee of Experts on the work of its second session — a report which, in the unanimous opinion of the Committee, is deserving of the most careful study — to the Governments concerned. The latter should be asked to state their opinions in regard to the principles recommended by the experts concerning the organisation of health services and the publication of bulletins; and they should also be requested to reply to the questionnaire which the experts have drawn up with a view to obtaining additional information regarding special measures in connection with the importation and exportation of cattle and animal products.

With these replies in its possession, the Sub-Committee of Experts would be in a position, at a later session, to continue its work and at the same time to begin studying the question of the inspection of meat intended for export.

In connection with the examination of the latter question, the Economic Committee has decided to invite an Argentine expert to take part in the work of the Sub-Committee

#### 5. BILLS OF EXCHANGE.

The Economic Committee has received from the legal experts on the subject the report with which they brought their work to a close.

The Committee wishes first of all to say how very highly it appreciates the important and practical work accomplished by the experts under the able chairmanship of Professor Perceon.

Acting on the authorisation given by the Council at its session of March 6th, 1928, the Committee requested the Secretary-General to communicate the experts' report to all Governments of Members of the League and non-member States, asking them to formulate, before the end of the year, any observations and proposals which they might desire to make, and at the same time to state whether in their opinion the drafts thus submitted to them could be used as the basis of discussion for a conference.

The Committee proposes to refer the Governments' replies to the experts for subsequent consideration and will thereafter submit proposals to the Council.

#### 6. INTERNATIONAL INSTITUTE OF MINES.

As already stated in the report on its session of December 1927, the Committee was asked by the Committee on Intellectual Co-operation to deal with a proposal from Professor Krahmann for the creation of an International Institute of Mines.

Through the agency of its members, the Committee has obtained qualified opinions, and accordingly feels in a position to state its attitude to this proposal as follows:

So far as the proposal affects problems of an economic nature, the Committee feels that it is neither practical nor possible on international lines, but that those aspects which are more particularly scientific are of considerable importance, even from the economic point of view.

The Committee therefore hopes that the Committee on Intellectual Co-operation will remain in touch with the Economic Committee while it continues its study of the scientific aspects.

The Committee considers, however, that it would be advantageous to defer any more thorough consideration of the proposal until the International Geological Congress to be held at Pretoria in 1929, which will deal with similar problems, has revealed the view taken by those qualified to judge as to the possibility of international co-operation in this field and the results that might be expected.

#### 7. EXPLOITATION OF THE RICHES OF THE SEA.

At the request of the Committee, one of its members attended the annual meeting of the Copenhagen Council, and had various conversations regarding the exploitation

of the riches of the sea, which question has been referred to the Economic Committee by the Council. The Committee is now in possession of the report made by its delegate, and is considering the best method of co-operation with the Copenhagen Council. The Committee will give further consideration to this matter at its next session.

8. NEW DUTIES DEVOLVING UPON THE ECONOMIC COMMITTEE AS THE RESULT OF THE RECOMMENDATIONS OF THE ECONOMIC CONSULTATIVE COMMITTEE.

In its resolution of June 9th, 1928, the Council, acting on the Consultative Committee's report, assigned to the Economic Committee certain new duties, but left it "to the Economic Committee itself to decide in what order each branch of the work should be taken".

The Economic Committee considered at its present session how it could best give effect to the Council's request.

1. *Coal.*

The Committee proposes, at its next session, to consider in all its aspects the question of what action is desirable, in view of the recommendation of the Economic Consultative Committee, with regard to coal, which has been referred to it by the Council. In the meantime, it has asked its members to obtain certain information which will help it in the consideration of this problem, and has asked the Secretariat and the International Labour Office to collect statistics in order to bring their earlier publications on the coal industry up to date.

2. *Sugar.*

The Committee proposes, at its next session, to consider in all its aspects the question of what action is desirable, in view of the recommendation of the Economic Consultative Committee with regard to sugar which has been referred to it by the Council. In the meantime, it has asked its members to obtain certain information and statistics which will help it in the consideration of this problem, while the Secretariat will collect similar information concerning certain countries which have no nationals on the Economic Committee. With the help of all the information thus collected, it will be possible to prepare a memorandum on sugar setting out the main facts concerning production, consumption, trade, and the fiscal regime.

3. *Other Tasks.*

One of the duties referred to above is the compilation and publication at more or less regular intervals of *indices of tariff levels*. The Economic Committee considered that the importance and urgency of the other work already devolving on it did not, for the moment, permit it to devote to tariff indices the time and attention which their preparation would require, and it therefore decided to postpone consideration of this question.

So far as *dumping* is concerned, the Economic Committee, guided by the work of the Economic Conference, considered that its first task must be to give an exact definition of dumping, or at least to draw up a full list of the practices which might be included under this term, and it instructed its Chairman to submit a report on which the Committee would decide whether it was advisable for it to contemplate any further action.

With regard to *administrative protectionism*, the Committee fully realised the importance of this question and, in particular, of the fact that such protectionism develops under very different forms and even, it might be said, on parallel lines with the efforts made to moderate tariff protectionism.

With a view to preparing for the enquiry which is to be undertaken, the Committee instructed its Vice-Chairman to submit a report, at the same time requesting the other members of the Committee to communicate to the Rapporteur any observations suggested to them by the perusal of a recent work on this subject.

In order to give effect to the Economic Conference's resolution concerning *industrial agreements*, to which attention was again drawn in the Council's resolution of June 9th, 1928, the Committee instructed the Secretariat to undertake, with the co-operation of all the members of the Economic Committee, a preliminary investigation on the lines indicated in the Consultative Committee's report. The first need was to establish some kind of systematic classification of different types of industrial agreements in order to form an estimate of their relative importance, and of the operation of the different forms of machinery on which they are based.

With regard to *agricultural problems*, the Committee was informed that the Secretariat had been authorised to enter into negotiations with the International Agricultural Institute at Rome in order to establish a closer co-operation between that organisation and the League of Nations. The Committee, therefore, thought it advisable to adjourn the discussion of this subject until the results of such negotiations should be known.

The Economic Committee postponed to a later date the more detailed consideration of the means to be adopted in order to give effect to the Consultative Committee's

recommendation that a preliminary study should be made of the *tendencies in economic policy which might influence international peace*.<sup>1</sup> It nevertheless requested three of its members to collect certain preliminary data in order that it might subsequently draw up a systematic plan for the study of this question.

### III. SECOND CONFERENCE FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

The second Conference for the Abolition of Import and Export Prohibitions and Restrictions took place from July 3rd to 11th, 1928, under the presidency of M. Colijn, former Prime Minister of the Netherlands, who was invited by the Council to preside also over this Conference.

The object of the Conference, as laid down in Article 17 of the Convention of November 8th, 1927, for the Abolition of Import and Export Prohibitions and Restrictions, was to take a decision as to the claims for exceptions which the States signatory to the Convention of November 8th, 1927, were entitled to put forward in accordance with Article 6 of the Convention, and, secondly, to determine the conditions required for the coming into force of the Convention.

The second Conference included representatives of the twenty-eight States signatories to the Convention, namely, Austria, Belgium, Chile, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, Germany, Great Britain, Hungary, India, Italy, Japan, Latvia, Luxemburg, Netherlands, Norway, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Turkey, United States. The International Chamber of Commerce was represented in an advisory capacity.

Several States had made requests for exceptions from the principle of the general abolition of prohibitions. A certain number of these requests were withdrawn spontaneously or after discussion. Those maintained and authorised by the Conference are embodied in the Supplementary Agreement to the Convention of November 8th, 1927, concluded and signed on July 11th, 1928 (document C.350.M.106.1928.II). This Supplementary Agreement provides that the Convention of November 8th, 1927, in order to be brought into force, must have been ratified by at least eighteen States. Ratifications must be deposited before September 30th, 1929, an exception being made for special reasons as regards the United States. The contracting parties might individually make the entry into force of the Convention dependent upon the ratification of one or more of the following States: Austria, Czechoslovakia, France, Germany, Great Britain, Hungary, Italy, Japan, Poland, Roumania, Kingdom of the Serbs, Croats and Slovenes, Switzerland, Turkey, United States.

The Supplementary Agreement has been signed up to the present by Austria, Belgium, Czechoslovakia, Chile, Denmark, Egypt, Estonia, Finland, France, Germany, Great Britain, Hungary, India; Italy, Japan, Latvia, Luxemburg, Norway, the Netherlands, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Turkey and the United States of America.

If on September 30th, 1929, all the requisite conditions have been fulfilled, the Convention will come into force on January 1st, 1930.

The significance of the conclusion of the Supplementary Agreement was summarised by the President of the Conference in his closing speech as follows:

“The Convention which we are signing to-day is, I think, the first multilateral agreement of importance which *directly* affects the economic relations between nations, and is a definite step towards the greater freedom in the flow of goods which was so strongly recommended by the Economic Conference last year.

“The fact of this Convention having been signed to-day is therefore of some importance; but it is not yet, of course, what we really want, and in this connection I should like to draw your attention to one short sentence from the speech of the Chairman of the Economic Consultative Committee in May of this year: ‘Conventions signed at Geneva are useful only in so far as they are ratified.’”

### IV. SECOND CONFERENCE CONCERNING THE EXPORTATION OF HIDES, SKINS AND BONES.

In conformity with paragraph 3 of the Final Act of the Convention of November 8th, 1927, for the Abolition of Import and Export Prohibitions and Restrictions, the Council convened two diplomatic Conferences, which met at Geneva from March 14th to 16th and on June 29th and 30th, 1928, with a view to inducing the participating countries to consent to a joint renunciation of prohibitions on hides, skins and bones, thus abandoning any reservation they might have made in this connection under Article 6 of the above-mentioned Convention.

<sup>1</sup> See also page 48.



To the second Conference were invited all the countries which had already been represented at the first Conference, and certain other countries signatories to the Convention of November 8th, 1927, and interested in the question of hides, skins and bones.

The agreement desired by the Prohibitions Conference of October-November 1927 and by the Council has been secured, and the abolition of all prohibitions on hides, skins and bones has been jointly decided upon by the following eighteen States : Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Luxemburg, Netherlands, Norway, Poland, Roumania, Kingdom of the Serbs, Croats and Slovenes, Switzerland.

The renunciation by the above States of any reservation they might have made as regards hides, skins and bones under Article 6 of the Convention of November 8th, 1927, was only secured by an agreement concerning the export duties which are or may be applied by some of them. The text of the two international Arrangements on the export of hides, skins and bones (documents C.348.M.104.1928.II and C.349.M.105.1928.II) will give an idea of the proposed conditions of application, which are only agreed to by the signatory States as a whole on the express condition that the Arrangement will be ratified by all, a procedure being nevertheless provided in case this condition should not be fulfilled.

It should, however, be remarked that the Arrangement regarding the export of bones expressly allows Italy to maintain the present regime in this connection until the conclusion of certain negotiations relating to her export duties on bones.

July 1st, 1929, has been fixed as the last date for the deposit of the instruments of ratification of the two Arrangements, so that the States concerned may know the situation in regard to the trade in hides, skins and bones before finally committing themselves as regards the Convention for the Abolition of Prohibitions. It was also agreed that the ratifications of the Convention might be declared void if the Arrangements were not ratified by all the contracting parties, and that in this case each State would once more be free to claim the right to maintain an export prohibition on hides, skins and bones.

## B. Work of the Financial Committee.

### I. BULGARIAN RECONSTRUCTION SCHEME.

It will be recalled that £1,250,000<sup>1</sup> of the proposed reconstruction loan to the Bulgarian Government of £4,500,000 sterling, provided for by the Protocol of March 10th, 1928, was set aside for the improvement of roads and railways, and that M. Regnoul, Chief Engineer of the Paris-Lyons-Mediterranean Railways, was requested, in accordance with Article VII of the Protocol, to make a report on the manner in which this sum should be employed.

At its session of May 30th to June 4th, 1928, the Financial Committee examined M. Regnoul's report (document C.232.1928.II (F.526)). The proposals under examination were as follows :

Railways :	Levas	Levas
Upkeep. . . . .	239,233,000	
Improvements. . . . .	329,255,000	
Construction of new lines	<u>72,312,000</u>	640,800,000
Ports. . . . .		31,500,000
Roads . . . . .		<u>172,700,000</u>
Total. . . . .		845,000,000

For each of these five purposes M. Regnoul proposed a detailed programme of expenditure. These programmes have been approved by the Bulgarian Government.

M. Regnoul's report further pointed out that certain reforms were desirable in order to achieve greater elasticity of railway administration. Among those mentioned were the reorganisation of accounts with a view to including in them all charges properly chargeable to the railways, and the reorganisation of the general administration by the introduction of an administrative council with considerable autonomous powers. The Committee stated that in its opinion there were certain other matters with regard to the financial relations of the railway administration and the Treasury which called for further discussion in detail between the Bulgarian Government and the present League Commissioner in charge of the refugee settlement work (M. René Charron).

<sup>1</sup> £1,250,000 is equivalent to approximately 845 million levas.

Upon the recommendation of the Financial Committee, the Council, on June 8th, gave its general approval to the proposed programme of expenditure on communications and authorised the Commissioner for refugees to liberate moneys for such expenditure in accordance with Article VII of the Protocol, provided that he was satisfied, after consultation (if necessary) with the Financial Committee of the League, that the Bulgarian Government had sufficiently effected the necessary reorganisation of the railway administration.

On June 9th, 1928, the Council passed a resolution authorising the issue of the reconstruction loan under the auspices of the League of Nations as soon as the Chairman of the Financial Committee, after such consultation with his colleagues on the Committee as should be necessary, should be satisfied that the conditions requisite for the issue of the loan were in existence. The resolution further authorised the modification of the Protocol so as to allow an increase in the total of the loan to such an extent and under such conditions, as to control and expenditure, as the Financial Committee should determine. (It was agreed during the Council's discussion that such an increase could be made only in connection with the recent earthquakes.)

## II. GREEK STABILISATION SCHEME.

### (a) *Stabilisation.*

The Financial Committee, at its session of May 30th to June 4th, congratulated the Greek Government on the effective manner in which the drachma had been stabilised, and noted that, since May 14th, 1928, the Greek currency had been stabilised on a gold basis. On this same date, the Committee observed, the new Bank of Issue — the Bank of Greece — began operations, and its obligation to exchange its banknotes against foreign gold exchange, in accordance with its Statutes, came into force. M. Alexander Diomede has been appointed Governor of the Bank of Greece for a period of five years, and M. E. J. Tsouderos, Vice-Governor, in accordance with Article 29 of the Statutes of the Bank of Greece.

In accordance with Article VII of the Protocol, the Chairman of the Financial Committee has allocated £3,000,000 from the loan proceeds for the repayment of the State debts to the Bank. The Committee noted that the Bank of Greece was able to show, on its opening balance-sheet, a gold and foreign exchange reserve of over 53 per cent of its note circulation and other sight liabilities.

### (b) *Issue of Loan.*

Whereas the Protocol provided for a loan of £9,000,000 to the Greek Government — £3,000,000 to be employed in the creation of the new Bank of Issue, and similar sums for liquidating budget arrears and establishing refugees — a loan has in fact been issued for £6,500,000 only. This was due to the fact that the Greek Government had concluded an agreement with the State and Treasury Departments of the United States of America for a loan of \$12,167,000 (approximately £2,500,000), redeemable in twenty years, to be employed exclusively for the settlement of refugees. The United States Congress adjourned in May without having ratified this agreement, and the latter cannot, therefore, now be approved before the next meeting of Congress in December.

As the money at the disposal of the Refugee Settlement Commission— including £500,000 from the new loan — would enable this body to continue its work until September only, a serious obstacle to efficient work in connection with refugees arose.

The Financial Committee suggested and the Council agreed that after September it would be necessary to finance the work provisionally, pending the ratification by the United States of the loan agreement, in the way provided for in Article VII, paragraph 1, of the Protocol.

### (c) *The Budgetary Situation.*

An examination of the quarterly report of the Greek Government on the budgetary situation (document C.239.1928.II (F.230)) convinced the Committee that the financial year 1927-28 had been a most satisfactory one. The Committee noted with pleasure that a surplus of 274 million drachmæ would probably result. As several new

important burdens had been added to the expenditure side, however, and as there appeared to be a prospect of increased debt charges in respect of further loans, the Committee thought that Greek State finances would require exceedingly careful management in the years 1928-29, 1929-30, and in later years.

### III. FINANCIAL RECONSTRUCTION OF PORTUGAL.

On November 24th, 1927, the Finance Minister of the Portuguese Republic informed the Council that the Portuguese Government desired to carry out a scheme of financial reconstruction, currency stabilisation and economic development, and asked that the Financial Committee should examine the question. The Council decided on December 5th, 1927, to request the Financial Committee and the Secretariat to study the financial situation of Portugal.

A delegation accordingly visited Lisbon, and the whole situation was carefully examined both there and at Geneva, with the help of representatives of the Government and the Government Departments, the National Bank and others.

During its session in March 1928, the Financial Committee endeavoured to draw up a reconstruction scheme, in agreement with the Government, and reported as follows :

“ The technical problem presented is in principle similar to that presented by some of the other schemes which have been recently before the Council. The currency of Portugal has seriously depreciated since the war. An effort to arrest depreciation was made, which maintained a *de facto* stability for some years ; but the general financial position has made this stability precarious and prevented a legal stabilisation. In these circumstances, the Portuguese Government, anxious to achieve permanent reform by means of a comprehensive scheme, including an external loan, has applied for the assistance of the League.

“ The first results of the Committee's study involve the establishment of budget equilibrium, the legal stabilisation of the currency, the consolidation of the floating debt and the reduction of the State debt to the Bank of Portugal, and, finally, the issue of an external loan, a portion of which could be devoted to public works which are economically essential. With the aid of these measures, and under the other conditions discussed with the Government, the Committee consider that the finances of Portugal and its currency could be placed on a sound basis.

“ It has not yet been possible to complete the scheme, and the Committee is still in discussion with the Government on some features in it.”

On June 5th, the Portuguese Government sent a letter to the Council containing the following passage :

“ The present Government of the Portuguese Republic, after most carefully examining the clauses relating to League of Nations control, which at that time alone prevented the successful conclusion of the negotiations, is also forced to recognise that these clauses are still unacceptable and compel it, to its great regret, not to take any further steps with regard to the loan, in connection with whose issue they had been proposed.

“ My Government particularly requests me, however, once more to express its most sincere thanks to the Council of the League and to the Financial Committee for the goodwill and sympathetic interest which they have shown to Portugal. The fact that the negotiations initiated by the preceding Government do not, in the opinion of the present Government, appear likely to lead to satisfactory results does not in any way detract from the sentiments of cordial esteem and wholehearted loyalty felt by the Government of the Republic towards the League of Nations, of which sentiments it will always be happy to offer fresh proofs.”

### IV. MIXED GRECO-BULGARIAN EMIGRATION COMMISSION.

The Financial Committee received in June 1928 a further report from the Mixed Greco-Bulgarian Emigration Commission, and was glad to note a considerable improvement in the situation.

Of the compensation owed by the two Governments to the exchanged populations for property left behind, the Committee observed that the 10 per cent cash payments were being made regularly. The December Agreement, which had provided for the payment of 90 per cent in bonds, had been ratified by the Bulgarian Government, the necessary credits had been voted, and all was declared ready for the distribution of the *titres définitifs*.

The position as regards Greece was not so completely satisfactory, the Greek Government not having obtained ratification of the December Agreement. A draft Bill, however, had been deposited with the Chamber and submitted to the competent Parliamentary Committees. The Financial Committee was informed by the Greek representative that the ratification of the Agreement was one of the measures which the Greek Government proposed to ask the Chamber to pass forthwith, and that, in fact, it was expected that the report of the Parliamentary Committees to the Chamber would be presented on June 4th.

The Committee again expressed the hope that the Greek ratification would be procured speedily. It emphasised the importance of this in view of the fact that, without ratification by Greece, the Bulgarian Government could hardly be expected to continue indefinitely to issue bonds for which the ultimate responsibility under the Agreement rested on Greece.

The Council, at its June session, expressed the hope that the Greek ratification would be effected without delay.

#### V. MEETING OF CENTRAL BANK STATISTICIANS.

At the suggestion of the Financial Committee, a meeting of information and statistical officers of twenty-four Banks of Issue was held at the Bank of France from April 11th to April 17th, 1928, with the object of improving monetary statistics. The meeting was arranged by the Economic and Financial Organisation of the League.

Discussions at this meeting were held on the following subjects: the characteristic features of the different money markets, the volume of money and of credit, clearing statistics, the velocity of circulation, indices of economic activity, the definition of the different rates of money and the manner in which these rates are quoted.

The delegates expressed the view that the personal relations which had been initiated would be found to prove of permanent utility and that their future development could not fail to be of advantage for the observation of monetary phenomena.

#### VI. PURCHASING POWER OF GOLD.

The Economic Consultative Committee, which met in May 1928, discussed the question of the purchasing power of gold (for its report on this question see the General Report to the Assembly, document A.6.1928, page 65). The Committee recommended that the question should be examined by the Financial and Economic Organisation of the League.

The Financial Committee, during its June session, also discussed the question and reported to the Council as follows:

“ The attention of the Financial Committee has been called to the recommendation of the Economic Consultative Committee of May 19th last with regard to the detrimental effect upon industry, agriculture and conditions of employment of undue fluctuations in the purchasing power of gold. The Financial Committee recognises the great importance and interest of this subject. The financial resolutions of the Conference of Genoa were referred in 1922 to the Financial Committee by the Council, which invited the Committee to consider the methods best suited to foster monetary stability. These resolutions dealt not only with problems arising from currency fluctuations in relation to gold but also with undue fluctuations in the purchasing power of gold itself. They contemplated, as a first stage, the stabilisation of currencies in relation to gold.

“ Very great progress has been made in this direction in the last few years, some countries stabilising by independent effort, others with the aid of international co-operation, whether through the League or not; and this first stage may now be regarded as nearing its conclusion. This gives special interest to the problems connected with undue fluctuations in the purchasing power of gold, and makes the moment opportune for a study of it. The Committee would be glad, therefore, if the Council so desires, to consider to what extent and in what way the League, whose efforts have necessarily been concentrated hitherto on a contribution to the first stage of the world's post-war monetary problem, could now most usefully assist in the study and solution of the problem in this second stage. ”

The Council on June 8th, 1928, requested the Financial Committee to consider to what extent and in what way the League of Nations could most usefully assist in the study and solution of the problem of undue fluctuations in the purchasing power of gold.

#### VII. ECONOMIC TENDENCIES AFFECTING THE PEACE OF THE WORLD.

The Economic Consultative Committee, at its session held in May 1928, considered this question (for its report, see the General Report to the Assembly, document A.6.1928, page 65).

The Council on June 9th, 1928, decided to refer the matter to the Economic and Financial Committees and adopted the following resolution:

“ The Council instructs the Economic and Financial Committees to undertake, as soon as circumstances allow, and on the lines suggested by the Consultative Committee, the study which that Committee demands ‘of some of the more important principles and tendencies in financial and economic policy and practice which tend to create or to destroy conditions favourable to peace.’ ”

---

## II. ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

The following work has been done since the publication of the General Report to the Ninth Ordinary Session of the Assembly on the Work of the Council and on the Work of the Secretariat.

### 1. ROAD TRAFFIC.

The enquiry with regard to the standardisation of road signals has been continued. The proposals of the Permanent Committee on Road Traffic have met with an extremely favourable reception from almost all Governments. It appears certain that very considerable progress will shortly be made towards standardisation on the basis of the proposals of the Committee on Road Traffic. This Committee will meet later to consider the observations submitted by certain Governments.

### 2. INLAND NAVIGATION.

The session of the Committee for the Unification of Private Law in Inland Navigation, which was announced in the previous report, was held at Vienna from June 8th to 14th last. A preliminary draft Convention, settling a number of the questions raised, including that of registration, was adopted at the first reading. There would seem to be no doubt that it will be possible for the first European Conference for the Unification of Private Law in Inland Navigation to meet in 1929 or 1930.

### 3. MARITIME NAVIGATION.

As a result of the enquiry made by the Rapporteurs to the Committee for the Unification of Buoyage and Lighting of Coasts which was mentioned in the previous report and which was carried out in the United States and Canada with the full co-operation of the authorities of those two countries, fresh proposals have been drawn up which make it possible to contemplate standardisation practically throughout the world. Since the general principles which had previously been established by the Committee on Buoyage and the Lighting of Coasts have been modified as a result of these new proposals, the Committee will be called upon to reconsider the question. It would seem possible for a final report to be submitted to the Committee for Ports and Maritime Navigation and to the Transit Committee in 1929, and the proposed International Conference could be convened should it appear from the further discussions that its success was assured.

### 4. TRANSPORT BY RAIL.

The Permanent Committee for Transport by Rail has several times considered the question of the unification of the nomenclature of railway tariffs, since the lack of such unification makes it difficult to conclude international tariffs and is liable in many cases to hamper international trade. Since the International Railway Union has undertaken an investigation of certain aspects of this question, the Committee for Transport by Rail had waited until it could examine the first results of the enquiry carried out by the Union. Those results have recently been received from the Union. Enquiries are at present in progress which will make it possible for the Committee for Transport by Rail at its next session, which is fixed for the beginning of 1929, to consider what progress might be made immediately in view of the work already done by the International Railway Union.

### 5. GENERAL QUESTIONS CONNECTED WITH VARIOUS MEANS OF TRANSPORT.

#### (a) *Reform of the Calendar.*

As a result of the enquiries made concerning the reform of the calendar, the Advisory and Technical Committee for Communications and Transit, in a report which has been communicated to all Governments, put forward certain recommendations relating to the fixing of Easter and also to the general question of the simplification of the calendar and the adoption of a perpetual calendar better calculated than the present one to meet the requirements of economic life. Having considered the schemes proposed, the Committee divided them into two or three categories and requested that, in most countries, National Committees should be established to consider the reform of the calendar, such Committees to be really representative of the administrations and circles concerned, and to report to the League of Nations on the subject and make it possible once more to consider whether it would be advisable to convene an International Conference. The information received would seem to show that such National Committees are being formed. The National Committee of the United States of America has already been officially established and has begun its work. It includes representatives both of the Ministries concerned and of the competent commercial, statistical, banking, labour and other interests.

(b) *Collection and Exchange of Information on Communications and Transit.*

The Advisory and Technical Committee has already received from a certain number of Governments the publications and information for which it had applied. From an examination of the categories of information which can be supplied, it seems probable that this service can be in full working order in 1929.

6. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIMES OF CRISIS.

(a) *General Measures.*

The only questions still pending are certain problems concerning air navigation which have been examined in collaboration with the International Commission for Air Navigation, namely, the question of the identification of aircraft engaged in transport for the League of Nations and that of facilities for flying over various territories to be granted to such aircraft. The first of these questions is in a fair way to be settled. The second would appear to be somewhat more delicate, but a solution will certainly be found, for it is evident from the resolutions already adopted by the Assembly that the States Members of the League will consider it advisable to take the necessary measures to ensure that aircraft engaged in transport essential to the performance of the League's duties at times of crisis should enjoy all the necessary facilities.

(b) *Landing-Ground for Aircraft.*

New proposals are expected this autumn as a result of additional technical investigations carried out by the Swiss authorities concerned. As soon as the result of these investigations is known, and if they should necessitate solutions other than those which have already been considered by the Committee of Experts, that Committee will again be convened for the purpose of examining them. In all probability, it will be possible to submit a final report on this matter to the Assembly of 1929.

(c) *Wireless Station for the League of Nations.*

The Assembly will have before it not only the general report of the Advisory and Technical Committee (document A.22.1928.VIII) which was announced in the previous report, but also a supplementary report which, in general, confirms the conclusions of the first report regarding the establishment of a wireless station owned by the League of Nations. Furthermore, at the Council's request, the report also deals in detail with another solution, to the effect that the Swiss authorities should establish a wireless station at Geneva, in co-operation with the League, that station to come under the exclusive authority of the League of Nations at times of crisis. It would not seem necessary to summarise here the conclusions which are embodied in a separate document (document A.23.1928.VIII).

7. JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE.

The negotiations relating to the jurisdiction of the European Commission of the Danube made it necessary to hold a further session at Vienna at the end of June. The negotiations are pursuing their normal course and it is intended to hold another session in September. The time-limit for the negotiations has been extended till November 30th, 1928, by unanimous agreement between the Governments represented on the European Commission of the Danube.

---

III. HEALTH ORGANISATION.

The Council of the League of Nations, at its fiftieth session held in June 1928, approved the recommendations adopted by the Health Committee at its twelfth session held at Geneva from April 30th to May 5th, 1928.

The Council, at the same session, accepted with thanks an increase from \$ 50,000 to \$60,335 in the grant of the International Health Division of the Rockefeller Foundation for the Epidemiological Intelligence Service. The object of the increased grant is to ensure the systematic development of the epidemiological and public health intelligence service, particularly as regards documentation.

1. EPIDEMIOLOGICAL INFORMATION.

In accordance with arrangements made between the Office international d'hygiène publique and the Health Organisation of the League of Nations, the Office has, since May 18th, 1928, forwarded each week a summary of the epidemiological information it has

received, for inclusion in the *Weekly Record* of the Health Section. Official notifications, as required by the International Sanitary Convention, have also been received from the Office international d'hygiène publique for publication, and have appeared on the first page of the *Weekly Record*.

An arrangement has been made for telegraphic exchange of information with the Conseil sanitaire maritime et quarantenaire d'Egypte, which is acting as the regional bureau, under the International Sanitary Convention, for the administrations within its sphere of activity.

Detailed telegraphic reports regarding yellow fever in Brazil have been received each week since the reappearance of that disease.

In view of the increased amount of important information now being received in the Secretariat, a daily mimeographed report is being prepared whenever the importance of this information so demands, and is being sent by mail to all European health administrations. From four to five of these daily reports have been issued each week since June 1st, in addition to the *Weekly Record*, which is now published each Thursday.

## 2. LIAISON BETWEEN THE HEALTH SERVICES OF VARIOUS COUNTRIES.

### (a) *Interchange for the Study of Problems of Rural Hygiene.*

An interchange for the study of problems of rural hygiene began on May 28th at Ljubljana and ended with a final Conference at Geneva on July 25th. The participants, numbering twenty from eighteen countries<sup>1</sup>, visited in order rural districts in the Kingdom of the Serbs, Croats and Slovenes, Hungary, Germany, the Netherlands, Belgium and France. Opportunity was given for a detailed comparative study of rural housing, water and milk supplies, sewerage and sewage disposal, public health and medical organisation and the work of existing semi-public and private health agencies. Among the participants were six engineers whose work was connected with rural hygiene, so that engineering as well as technical medical opinion was brought to bear on the health problems of rural districts.

During the final Conference held at Geneva, the participants prepared a series of reports on the subjects included in the study tour, which were summarised in a general report giving the views of the group as a whole in regard to the various methods of solving problems of rural hygiene which they had been privileged to study during the interchange (document C.H./E.P.S./146). The participants noted with satisfaction that the Health Organisation of the League had undertaken the study of certain subjects related to rural hygiene, and agreed that it would be useful for that Organisation to take up the study of certain aspects of housing, the protection of the milk supply and physical education. They also recommended that further interchanges for the study of rural hygiene should be organised, in view of the interest of this subject to nearly all countries.

### (b) *Interchange of Health Officers in Italy.*

An interchange of Health Officers will commence in Italy on September 16th, 1928, and will continue until November 6th, when a final Conference will be held at Geneva. Members of the health administrations of twenty-one countries<sup>2</sup> have been invited to take part in this study tour. The programme has been very carefully drawn up in close co-operation with the Italian authorities, and participants will have an opportunity of studying nearly all aspects of public health enterprise in Italy. Visits will be paid to the following towns: Turin, Genoa, Marina di Massa, Rome, Naples, Florence, Montecatini, Bologna, Ferrara, Venice, Brescia, Parma, Salsomaggiore, Milan and the chief towns of Sicily and Sardinia.

In each of the more important towns visited, special attention will be paid to a particular health activity. In two large urban centres — Turin and Naples — a comprehensive study will be made of municipal and provincial health organisation and administration. In other centres, rural health measures, industrial hygiene and sanitary engineering will receive particular attention. Medical education, the training of health personnel, including sanitary inspectors and visiting nurses, will be studied. In short, a very exhaustive study will be made of all activities directly and indirectly connected

<sup>1</sup> Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Estonia, Germany, Guatemala, Hungary, Irish Free State, Italy, Japan, Lithuania, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Union of Socialist Soviet Republics.

<sup>2</sup> Argentine, Austria, Belgium, Brazil, Canada, Denmark, Egypt, France, Germany, Great Britain, Irish Free State, Japan, Netherlands, Poland, Portugal, Kingdom of the Serbs, Croats and Slovenes, Spain, Sweden, Switzerland, United States of America, Uruguay.

with public health. Résumés of the lectures that will be given, as well as a description of the health organisation and the economic, industrial and agricultural conditions of the districts and towns to be visited, have been printed and sent to participants.

A special feature of this study tour will be the extensive use of the cinematograph. The valued co-operation of the organisation L.U.C.E. will make it possible for cinematograph films to be shown of the various institutions, etc., to be visited. In this way, participants will have their attention directed to the chief features of interest, and relatively short visits of inspection will be made much more profitable.

### 3. WORK OF THE COMMISSIONS.

#### *Malaria Commission.*

In order to review the experience gained by the Malaria Commission and to discuss the principles set out in its second general report (document C.H./Malaria/73), as well as other reports on the various countries visited by its members, a general Conference was held at Geneva from June 25th to 29th, 1928, at which were present the members and corresponding members of the Malaria Commission, together with certain specially invited malariologists from the United States of America and other countries. The Conference discussed the principles and methods of dealing with malaria in the light of present knowledge, with special reference to the conditions, economic and political, obtaining in Europe at the present time.

The Conference emphasised the fact that all campaigns against malaria must be based on a specialised and systematic local study of this disease. For this reason, it was important that each country in which malaria was a serious cause of sickness should have an organisation specially devoted to this work. No anti-malarial measures were of constant and unchanging value; methods must be adapted to the exigencies of the particular region, and emphasis was laid on the value of anti-malarial work as a factor in social progress and general hygiene, more especially in the case of rural populations.

The recommendations adopted by the Conference have been published as a special report (document C.H./Malaria/121).

The Conference enumerated a list of subjects the study of which was considered desirable. Certain of these have been selected as specially suitable for international study. Among these are: (1) housing in relation to malaria, and (2) a systematic and biological study in Europe and in the United States of America of the two species of mosquito which are specially and respectively concerned in the transmission of malaria in these continents. This study is to be entrusted, in the first place, to a group of laboratories in the United States designated by the United States Public Health Services and the International Health Division of the Rockefeller Foundation, and to two laboratories in Europe, one in England and the other in the Netherlands. When sufficient progress has been made, the collaboration of other laboratories will be invited, on the basis of the first provisional report.

The Conference recommended that a study of the value of plasmochin and quiniostovarsol in the treatment of malaria should be carried out in the following countries: Central America, Germany, India, Italy, Madagascar, Netherlands East Indies, Roumania, Spain, United States of America.

Certain other experimental studies designed to increase our knowledge of the treatment of the disease will be entrusted to three groups of laboratories, the first in Germany and Italy, the second in British India and the Federated Malay States and the third in Spain and Algeria. The other studies will be undertaken directly by the Secretariat.

Reference has been made, in previous reports to the Assembly, to the malaria courses organised by the Health Organisation of the League in London, Hamburg and Paris. Still further facilities for the training of experts in anti-malarial work have been provided this year thanks to the co-operation of the Rome School of Malariaology. At this school special courses in anti-malarial work for engineers and surveyors have also been organised.

Arrangements have been made for certain members of the Malaria Commission to visit India in the autumn of 1929.

#### *Commission of Health Experts on Infant Welfare.*

The Commission of Health Experts on Infant Welfare met in London at the Ministry of Health on July 3rd, 4th and 5th, 1928, to consider the results of the completed enquiries of the different countries, the form of the final report, and various proposals as to the possibility of continuing the enquiry along different lines. The Commission agreed that the first examination of the data collected yielded information coinciding with the views expressed at the session held at Vienna (September 1927), when the importance of dead birth, prematurity, respiratory and intestinal infections had been pointed out. Moreover, these causes of infant mortality were of first importance in all the districts of the countries in question, although their relative importance differed. In all countries a number of deaths



occur which cannot be accounted for; these require further investigation with the collaboration of specialists in other fields of medicine. In view of the large number of infants dying at or before birth, the necessity for further investigations was indicated, and the Commission agreed that, for this purpose, the collaboration of obstetrical experts was necessary, all the more so as maternal mortality is closely associated with infant mortality.

The Commission decided on a plan for the preparation of the final report. Each expert was entrusted with the preparation of a report on the enquiries made in his own country, and the Secretariat was asked to prepare a general report on the basis of these. The reports on each country will be prepared in accordance with a uniform plan elaborated by the Commission.

The Commission decided to present at its next session detailed proposals as to further enquiries; a plan for the study of rickets was prepared for submission to the Health Committee in accordance with decisions taken at the Geneva (September 1926) and Vienna (September 1927) sessions of the Commission.

*Commission on Permanent Standardisation of Sera, Serological Reactions and Biological Products.*

A laboratory Conference on the sero-diagnosis of syphilis was held at Copenhagen from May 21st to June 4th, 1928. The Health Organisation of the League of Nations commenced the study of this subject in 1921 with a view to the comparison of the methods and results of the various reactions in use. A first laboratory Conference was held in 1923. The recent Conference was convened by the Health Committee for the purpose of estimating the relative value of various tests recently applied for the diagnosis of syphilis. Thirty-eight experts assembled in the State Serum Institute, Copenhagen, after a period of preliminary study in their own laboratories, for the purpose of comparing their own methods with those used in the laboratories of the other countries represented. A series of resolutions was adopted (see extract from document C.304.M.84.1928.III). The Conference emphasised the importance of assisting the clinician as much as possible and, for this reason, recommended frequent consultation between the serologist and the clinician, and the adoption of a uniform notation of serological results bearing the same clinical interpretations from laboratories of sixteen countries<sup>1</sup>.

The Conference agreed that, as the methods for the sero-diagnosis of syphilis are constantly improving, it would be desirable for the Health Organisation of the League to continue its study and to arrange for further international comparisons, and invited the Danish State Serum Institute, acting as the central laboratory for the Health Organisation, to distribute sera for comparative tests in different national laboratories and to test samples submitted by such laboratories.

*Smallpox and Vaccination Commission.*

The Commission, with its experts, is holding a meeting on August 22nd, 1928, to consider post-vaccinal encephalitis as an international problem, in the light of recent publications, and the possibility of undertaking co-ordinated field enquiries in selected areas of certain countries on the incidence and epidemiology of this disease. The Commission is also considering information collected from numerous health administrations regarding the methods employed in the preparation and preservation of vaccine lymph and the desirability of carrying out co-ordinated international research with diluted and killed vaccine lymph.

*Cancer Commission.*

The Sub-Commission of experts charged with the study of the radiotherapy of cancer met at Geneva on June 18th and 19th, 1928. The main object of the meeting was to study the manner in which information could best be obtained regarding the methods of radiological treatment of certain forms of cancer now being used in various countries and the results obtained by these methods. It was decided to limit the enquiry in the first instance to a few clinics and institutions having an exceptionally large experience of such treatment.

The Sub-Commission considered that the following questions called for further study:

1. Propaganda among doctors and the general public in order to ensure the early discovery and early and correct treatment of cancer of the uterus.

---

<sup>1</sup> Austria, Denmark, Federated Malay States, France, Germany, Great Britain, India, Italy, Japan, Poland, Kingdom of the Serbs, Croats and Slovenes, Sweden, Turkey, Union of Socialist Soviet Republics, United States of America, Uruguay.

2. Increase in the number of consultation centres.
3. Organisation of centres for microscopic analysis in order to ensure early diagnoses.
4. Recommendations for the organisation of efficient treatment of the disease.
5. Recommendations for the radio-therapeutical equipment of clinics.
6. Disadvantages of out-patient treatment.
7. Recommendations for the compilation of reliable statistics.
8. Recommendations for special scientific research.

The Sub-Commission also noted, as subject for enquiry, the available supplies of radium and the need for an authoritative opinion as to the advantages and drawbacks of distributing radium or radium emanations to hospitals and individual practitioners.

#### 4. RECOMMENDATIONS OF THE INTERNATIONAL RABIES CONFERENCE, 1927.

Reference was made in the report to the eighth ordinary session of the Assembly to the resolutions adopted by the Rabies Conference. It will be recalled that the Health Organisation of the League was asked to act as a co-ordinating agent for researches to be carried out in various anti-rabies institutes regarding the relative efficiency of certain modifications of the original Pasteur method of treatment and other scientific problems of practical importance in connection with that disease.

In compliance with that resolution, letters have been addressed to the various institutes represented at the Conference, asking for their observations regarding a scheme of research and whether the Health Organisation could count upon their co-operation in carrying it out.

The Conference further recommended that the Health Organisation should publish statistics of the results of anti-rabies treatment in the different institutes of the world. A schedule was accordingly drawn up and has been sent to all anti-rabies institutes, with the request that the results of the treatment given should be forwarded to the Health Section. The response to this request has been most favourable, and full statistical information regarding results of treatment carried out during 1927 has already been received from institutes in Austria, Ceylon, Finland, Hungary, India, Morocco and the Kingdom of the Serbs, Croats and Slovenes.

---

## 11.

### HUMANITARIAN QUESTIONS.

---

#### I. PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE.

##### A. TRAFFIC IN WOMEN AND CHILDREN.

The report on the work of the seventh session of the Traffic in Women and Children Committee, which met at Geneva from March 12th to March 17th, 1928, was submitted to the Council at its meeting held on June 5th, 1928.

The representative of the British Empire, acting as Rapporteur, proposed that the Council should approve the resolutions adopted by the Committee, and drew attention in particular to the following points :

##### *Report of the Experts on the Traffic in Women and Children.*

The Rapporteur asked the Council to approve the Committee's proposal that Governments and voluntary organisations should be invited to send to the League such additional information as they might have on the subject of the enquiry by the Body of Experts. He thought that the Council would share the Committee's opinion as to the value of the enquiry, which had thrown much light on this terrible social evil, and would wish to have a further report from the Committee on the question of the continuation of the enquiry.

##### *Licensed Houses.*

The Committee examined the desirability of recommending all Governments to abolish the system of licensed houses, and, though some difference of opinion was expressed on the question whether such a policy was immediately practicable, it unanimously passed a resolution favouring investigation of the question as soon as possible, and proposing that, in order to facilitate that investigation, the Secretariat should study the laws and regulations in force in those countries where the system has been abolished.

*Persons living on the Earnings of Prostitution.*

The Committee, in its resolution on this question, proposed that the Secretariat should make a concise study of the laws and penalties relating to the *souteneur*, that is to say, the person who lives wholly or in part upon the immoral earnings of a woman.

*Obscene Publications.*

The Traffic in Women and Children Committee recommended to the Council that the time had not yet come to call a conference for the suppression of the trade in obscene publications. In conformity with Article 16 of the International Convention of 1923, the desirability of such a Conference should be considered at the end of each period of five years dating from the entry into force of the Convention.

\* \* \*

Upon the proposal of the Rapporteur, the Council adopted the following resolution :

“ The Council takes note of the report of the Traffic in Women and Children Committee on the work of its seventh session and approves the resolutions contained therein. ”

**B. CHILD WELFARE.**

The Council of the League of Nations examined during its fiftieth session, held in June 1928, the report presented by the Child Welfare Committee on the work of its fourth session<sup>1</sup>.

The Council approved the report subject to further consideration of the Committee's suggestions regarding the draft Statutes of the International Educational Cinematographic Institute.

The Council requested the Secretary-General to forward the report to the various Governments, calling special attention to the resolutions on the legal age of marriage and on the cinematograph respectively.

**II. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.**

**1. ELEVENTH SESSION OF THE ADVISORY COMMITTEE : MEASURES TAKEN BY THE COUNCIL.**

The report of the Committee on the work of its eleventh session was dealt with by the Council at its June session. The Council instructed the Secretary-General to take the necessary action in order to give effect to the resolutions adopted by the Committee. As the result of a discussion which took place with regard to benzoylmorphine, it was decided, on the suggestion of the representative of Italy, that the Council, in recommending to Governments to place benzoylmorphine, and perhaps other similar substances, under the same control as is exercised over morphine in regard to manufacture, export and import, should draw attention to Article 14 (d) of the Hague Convention of 1912, by which the contracting parties are bound to apply the laws and regulations for the manufacture, import, sale and export of morphine, cocaine and their respective salts to any new derivative of morphine, of cocaine or of their respective salts or to any new alkaloid of opium which may be shown by scientific research, generally recognised, to be liable to similar abuse and productive of like ill-effects.

**2. RATIFICATION OF THE GENEVA CONVENTION : APPOINTMENT OF THE PERMANENT CENTRAL BOARD.**

During the discussion which took place at the June session of the Council with regard to the ratification of the Geneva Opium Convention of February 19th, 1925, further ratifications by Members of the Council were announced, and the British representative observed that, when the pending ratification of Canada was deposited, the Convention would come into force.

The deposit of the Canadian ratification, which took place on June 27th, 1928, was announced by the Secretary-General in a letter dated August 8th, 1928. In this letter, attention was drawn to Article 36 of the Convention, which provides that the Convention shall not come into force until it has been ratified by ten Powers including

<sup>1</sup> See General Report to the Assembly, document A.6.1928, pages 100-102.

seven of the States by which the Central Board is to be appointed, of which at least two must be permanent Members of the Council of the League, and to the fact that seven Members represented on the Council have definitively accepted the obligations of the Convention — Canada, France, Great Britain, the Netherlands, Poland, by ratification, Finland and Roumania having definitely acceded thereto.

The question of the appointment of the Permanent Central Board contemplated by Article 19 of the Geneva Convention of 1925 and that of the consideration of the action to be taken by the Council have been placed on the provisional agenda of the fifty-first session of the Council.

3. GENEVA OPIUM AGREEMENT OF 1925 : CONTROL OF OPIUM-SMOKING  
IN THE FAR EAST.

A proposal by the British Government for the appointment by the Council of a Commission of Enquiry to consider the present situation as regards the control of opium-smoking in the Far East has been placed upon the provisional agenda of the fifty-first session of the Council. In accordance with Article 12 of the Geneva Opium Agreement of 1925, a further Conference of the Powers concerned is to take place not later than 1929. The object of the proposed Commission of Enquiry would be to prepare the way for the Conference by a comprehensive and impartial study of the problems on the spot.

---

12.

ARMENIAN REFUGEE SETTLEMENT SCHEME.

---

Seventeen Governments have replied definitely to the appeal made by the Council and communicated by a letter from the Secretary-General, dated October 31st, 1927. Certain other Governments have informed the Secretary-General that the matter has been referred to the competent authorities of their countries or that they are giving the question sympathetic consideration. The countries which have replied definitely are the following :

Australia	Greece	New Zealand
Austria	Hungary	Norway
Czechoslovakia	India	Roumania
Denmark	Japan	Switzerland
Germany	Luxemburg	Union of South Africa
Great Britain	Netherlands	

The Norwegian Government, in addition to the Governments of Germany, Greece, Roumania and Switzerland, has declared itself willing to contribute to the realisation of the plan and has stated the manner in which it is prepared to do so.

The reply of the Netherlands Government was indicated in the General Report to the Assembly (document A. 6. 1928, page 107). The Government of Luxemburg has declared that it is not in a position to decide how much to contribute, as the documents communicated to it do not indicate the share to be borne by other countries nor the share which the Grand-Duchy would be asked to undertake. The replies of the other Governments mentioned above have been to the effect that they are unable to assist in the furtherance of the scheme.

---

13.

INTERNATIONAL RELIEF UNION.

---

The Permanent Committee of the International Relief Union met on June 11th, 1928, at Cologne, to discuss the measures to be taken to hasten the entry into force of the Geneva Convention of July 12th, 1927.

At this meeting, the Committee took note of the fact that the Convention had been signed by twenty-nine States and adhered to by one, the Sudan. It asked the Secretary-General to make a provisional estimate of the amount of contributions to be paid by signatory States not Members of the League, as provided for in Article 16 of the Convention.

The Committee paid special attention to the preparation of three sets of Regulations necessary for the proper working of the Union. After discussion, a member of the Committee was asked to draw up three drafts: (a) Regulations for the Council; (b) Regulations for the Executive Committee; and (c) Administrative Regulations. These drafts will be communicated to all the members of the Committee.

Finally, the Committee discussed the best method of conducting propaganda on behalf of the International Relief Union, and asked one of its members to prepare a pamphlet on this point.

---

14.

INTELLECTUAL CO-OPERATION.

---

The International Committee on Intellectual Co-operation held its tenth session from July 25th to 31st, 1928, preceded by meetings of its various Sub-Committees on University Relations, Intellectual Rights, Arts and Letters, Science and Bibliography.

At its first meeting the Committee appointed Professor Gilbert Murray Chairman and respectfully associated itself with his warm praise of his predecessor, Professor Lorentz. It appointed as Vice-Chairmen Mme. Curie and M. Jules Destrée.

The Committee welcomed with pleasure as one of its members M. ŠUSTA, formerly Minister of Education of Czechoslovakia, Professor at Prague University.

In the course of their meetings the Committee and its Sub-Committees passed in review all the work done during the year in the sphere of intellectual co-operation, together with the activities of the Paris International Institute of Intellectual Co-operation. The resolutions of the Sub-Committees were generally approved by the full Committee.

Sitting in the capacity of Governing Body of the Institute, under the Chairmanship of M. Paul Painlevé, the Committee also examined the financial and administrative management of the Institute.

I. SUB-COMMITTEE ON UNIVERSITY RELATIONS.

The Sub-Committee on University Relations met from July 9th to 11th. One new member was present, namely, Baron DE KORANYI, Professor at Budapest University.

1. CO-ORDINATION OF ADVANCED INTERNATIONAL STUDIES.

The Sub-Committee examined at length the outcome of the work done by the representatives of scientific institutes of international and political studies during their meeting at Berlin last March, in order to promote an agreement between institutes of this kind. In pursuance of a recommendation of these experts, the Institute of Intellectual Co-operation was directed to undertake certain tasks of documentation which will facilitate the future work of the institutes for advanced international studies. Further, it was decided that the work of the experts on a programme of collaboration should be continued at a meeting which will be held shortly in London.

## 2. NATIONAL UNIVERSITY OFFICES.

The Sub-Committee and the plenary Committee approved the resolutions adopted by the Directors of National University Offices at their annual meeting held in Paris, the objects of these resolutions being, *inter alia*, permission for foreign scientists to have access to museums, libraries and archives and to take part in excavations, etc., and an examination of the question whether it would be possible to set up regular co-operation between centres of information regarding university institutes.

## 3. INTERNATIONAL STUDENT ORGANISATIONS.

A report was presented on the annual meeting of the representatives of international student organisations, the work of which was concerned with the scheme for the establishment of an international university sanatorium at Leysin, the question of an international students' identity card, and that of a travel card for certain classes of intellectual workers.

## 4. INTERCHANGE OF TEACHERS AND STUDENTS.

In this sphere the work of the International Institute was concerned with the preparation and publication of a general register of all organisations which further university interchanges in the various European countries. It has been possible to give effect to this undertaking thanks to a subsidy offered by the American National Council on Education. The publication of a second and more complete edition of this collection is contemplated as a result of the renewal of the subsidy, and also the conclusion of certain international agreements the objects of which would be to encourage interchanges of teachers and to provide for their methodical preparation.

## 5. POST-UNIVERSITY SCHOLARSHIPS.

The International Institute now having copious documentation on this question, the Sub-Committee and the plenary Committee recommended that a special committee of experts should be directed to study the problem of scholarships as a whole, with a view to reaching conclusions that would be applicable not only to scientific laboratories but also to research institutes in the field of the humanities and social sciences.

## 6. HOLIDAY COURSES.

The Sub-Committee and the Plenary Committee examined with interest a list of advanced holiday courses in Europe, published for the first time by the International Institute. This list will henceforth be published regularly each year.

## 7. INTERNATIONAL INTER-SCHOOL CORRESPONDENCE.

It was decided that the Institute would prepare for a meeting of experts to study this question.

## 8. INTERNATIONAL UNIVERSITY YEAR-BOOK.

The Institute has been directed to study, in collaboration with the delegates of the international student organisations and a certain number of specially qualified experts, the scheme for the publication of an international guide for students going to foreign countries. The Institute is to take as its starting-point the national guides at present existing and is to consider whether it would be possible to publish the new guide in several editions adapted to the needs of the different countries or groups of countries.

# II. SUB-COMMITTEE ON INTELLECTUAL RIGHTS.

This Sub-Committee met on July 12th and 13th, M. GALLIÉ, Secretary-General of the International Confederation of Intellectual Workers, being present for the first time in the capacity of assistant member.

## 1. SCIENTIFIC PROPERTY.

A new preliminary draft Convention, the object of which is to assure for scientists pecuniary benefits which are justified by the profitable use of their discoveries, was approved. This preliminary draft, which was drawn up by a special Committee of Experts and is the result of studies which have continued for about six years, takes into account the observations made in this connection by the Economic Committee of the League. The Sub-Committee seeks to solve the problem by means of the intervention of mutual benefit societies or insurance companies, a method which would, it seems, remove the danger of certain economic activities being hindered by the measures taken in favour of scientists whose discoveries have been utilised for industrial purposes. The Sub-Committee considered that this preliminary draft might be submitted to the Governments for their observations.

## 2. AUTHORS' RIGHTS.

It was noted that the recent Rome Conference for the revision of the Berne Convention had adopted several amendments in accordance with the recommendations previously made by the Committee on Intellectual Co-operation, particularly with regard to moral right, *i.e.*, the author's right to prevent his work being altered without his approval.

## 3. LEGAL AND SOCIAL CONDITION OF INTELLECTUAL WORKERS.

The Institute was directed to continue to follow closely, in collaboration with the International Labour Office, and in liaison with the professional organisations concerned, the problems relating to the legal and social condition of intellectual workers, particularly with regard to the needs and interests of the liberal professions.

## 4. LEGAL STATUS OF INTERNATIONAL ASSOCIATIONS AND FOUNDATIONS.

The Institute's enquiries from a certain number of international associations not formed for profit will be continued, in collaboration with the Committee of Experts for the Progressive Codification of International Law. It is intended that an appeal shall be made, when the time comes, for the assistance of the International Institute for the Unification of Private Law.

## 5. INTELLECTUAL STATISTICS.

The International Statistical Conference which was held recently at Cairo passed resolutions drawing attention to the practical utility of co-ordinating intellectual statistics, since this would constitute a basis of reference capable of facilitating international relations and a summary of the intellectual resources of each country. The Council is being requested by the Committee to invite the Governments of the various countries to place their administrations in a position to give effect, as far as possible, to the recommendations made by the International Institute of Statistics at its Cairo session.

## 6. OBSTACLES TO THE INTERNATIONAL DIFFUSION OF BOOKS.

The Sub-Committee expressed the wish that the diffusion of books should no longer be hindered by Customs barriers and postal tariffs. The Institute has been invited to study the possibility of drawing up a scheme for a modification of Customs nomenclatures, under which scientific works would be exempted from Customs duties, and particularly those works which are intended for libraries or scientific institutions.

## III. SUB-COMMITTEE ON ARTS AND LETTERS.

The Sub-Committee on Arts and Letters met from July 16th to 19th. This year it included as new members Mr. Edward J. DENT, Mr. John GALSWORTHY, M. GRAUL, M. KIPPENBERG, M. Salvador DE MADARIAGA, M. Vittorio ROSSI and Sir Cecil Harcourt SMITH.

### 1. INTERNATIONAL MUSEUMS OFFICE.

Certain rules have been fixed for the organisation of this Office until it shall have received a definitive statute.

With regard to the work of the Office, the Sub-Committee and the Committee have stated that they attach particular importance to the publication of the review *Museion* and to the continuation of the efforts thanks to which international exhibitions of engravings were organised this year at Geneva, Brussels, Liège, London, Berlin and Buenos Aires, and which were a sequel to the similar exhibitions organised in the previous year at Madrid, Paris and Rome.

An international agreement, similar to that which has been obtained for engravings, has been concluded between the casting studios, and it is the opinion of the Committee that future international exhibitions of casts might be completed by exhibitions of coins and medals.

Finally, it was decided that the study which is at present being undertaken of the question of the unification of museum catalogues and of that of the educational rôle of museums should be continued by the International Museums Office.

### 2. ORGANISATION OF THE CONGRESS OF POPULAR ART.

From an examination of the preparatory work that has been done for the International Congress of Popular Art, which is to be held at Prague next October, it appears likely that this exhibition will be a successful one.

### 3. CINEMA.

Various reports on the art of the cinema were submitted, and the Institute of Intellectual Co-operation was invited to prepare a "cahier" on the possibilities of the cinema as a special form of art. It was also decided to draw the attention of the Assembly to the dangers of films conceived in a spirit which is antagonistic to that of the League.

### 4. INTERNATIONAL MUSICAL QUESTIONS.

A small committee of experts will be convened to examine the means of assuring the complete maintenance of the pitch recommended by the 1858 Conference, at which period emphasis had already been laid on the difficulties and risks to which performers and the compositions they perform are exposed by variations of pitch. The recommendation was also made that certain information of interest to the musical world should be published periodically.

### 5. TRANSLATION OF LITERARY WORKS.

The Sub-Committee noted that the Federation of P.E.N. Clubs had concluded an agreement with the Institute with the object of facilitating the translation of literary works. Each P.E.N. Club Centre would furnish, for its own country, a list of not more than twenty works published prior to 1900 which it would recommend for translation. The P.E.N. Clubs would undertake to furnish information regarding the translators available, so that good translations would be assured.

Although the plenary Committee thought the offer of the P.E.N. Clubs to be of interest, it took the view that, in order to put this plan into operation, it must pass through the National Committees, who could themselves come to an understanding, often to great advantage, with the P.E.N. Clubs. The proposed plan should make it possible for the Institute to forward the lists of books, of which the translation was recommended, to publishers and to the Press in the various countries. It should be pointed out that, under the auspices and with the assistance of the Institute, French translations were about to appear of a series of Latin-American classics.

## IV. SUB-COMMITTEE ON SCIENCE AND BIBLIOGRAPHY.

This Sub-Committee met from July 20th to 24th, four new members attending — Dr. COWLEY, M. Otto JESPERSEN, M. IONESCU-MIHAESTI and M. THIBAUDET.

### 1. CO-ORDINATION OF LIBRARIES.

It was decided to circulate to Governments the resolution adopted by a Committee of Library Experts which had dealt with the question of the co-ordination of libraries, and which would meet again next year.

This work of co-ordination, which was begun three years ago, and is being carried out by those concerned, namely, the librarians, is making steady progress, as is shown by the report submitted by M. Marcel Godet on behalf of the library experts who met last January. It may be hoped that, henceforth, meetings of the directors of central libraries will be held periodically.

A resolution was adopted for the creation of an international office for the scientific museums, *i.e.*, all museums other than those connected with art and history, with which the Arts Section of the Institute is concerned.

### 2. PRESERVATION OF PRINTED MATTER AND MANUSCRIPTS.

In accordance with the recommendation of a special Committee of Experts, the Committee decided to recommend to the Governments various measures of which the object was to ensure the preservation of the documents necessary to meet the needs of historians and research workers in the future, and of those which are kept in national archives and libraries.

### 3. CO-ORDINATION OF BIBLIOGRAPHIES.

After having examined the present state of the work on the co-ordination of the analytical bibliographies of the various sciences (biological, historical, social, economic and linguistic), the Sub-Committee and the full Committee gave the necessary instructions to enable this work to be continued.

The results, however, of this sphere of the Committee's work have not been so rapidly obtained as was hoped at the outset. The obstacles that confront the work resemble to some extent those encountered by the Sub-Committee on Intellectual Rights, and it is necessary to wait until the ideas have penetrated. Complete agreement has, however, been reached in the sphere of economics. The material means of carrying it out have now to be found.



4. SCIENTIFIC WORKS PUBLISHED IN LITTLE-KNOWN LANGUAGES.

The enquiry undertaken by the Institute into works published or summarised in little-known languages will be continued, but the Sub-Committee was able forthwith to ascertain that in certain countries efforts were being made to ensure the translation of scientific works published in a little-known language. These translations are being made into one or more widely diffused languages in order to make it possible for all the savants concerned to have access to them. Recommendations are now being contemplated with a view to making such methods general.

5. CENTRES OF SCIENTIFIC RESEARCH.

The Institute was instructed to encourage the development or establishment of centres of research in which a savant might take an interest and which would make it possible for him to obtain, by correspondence and as a result of co-operation between libraries and universities, information of a scientific and bibliographical character.

6. METHOD OF EDITING CRITICAL TEXTS.

The Institute was instructed to assist the enquiry undertaken by the International Academic Union into the unification of methods of editing critical texts. The Institute's duty will be to encourage the co-operation of countries not represented on the Academic Union.

7. UNIFICATION OF LINGUISTIC TERMS.

The Institute will continue the enquiry which it has undertaken on this subject. The summoning of a meeting of experts is contemplated in order to solve this problem and put an end to the difficulties arising from the fact that certain grammatical terms bear different meanings in different languages.

8. "INDEX BIBLIOGRAPHICUS".

An exchange of views took place in the Sub-Committee concerning the usefulness of publishing a second edition of the *Index Bibliographicus* (Bibliography of Current Bibliographies). Since the International Academic Union has undertaken similar work, more particularly in regard to the historical and social sciences, the Committee thought that account should be taken of this fact, and instructed the library experts to ascertain whether a second edition of the *Index* was desirable and in what form it should appear.

9. INTERNATIONAL INDEX CARDS FOR THE LINGUISTIC SCIENCES.

In fulfilment of a recommendation adopted by the International Congress of Linguists, which met recently at The Hague, the Institute was instructed to carry out an enquiry among linguists into the question of an international index card for the linguistic sciences. The results of this enquiry would be forwarded to the Standing Committee of the Congress of Linguists.

10. MICROPHOTOGRAPHY OF DOCUMENTS.

The Institute submitted a scheme regarding the issue of microphotographic publications. This scheme was submitted to the library experts for examination.

11. ANNUAL LIST OF REMARKABLE WORKS.

The Sub-Committee and the plenary Committee examined the list of remarkable works published by the Institute in conformity with the decisions of the Committee.

12. INTERNATIONAL INSTITUTE OF MINES.

After having examined the observations of the Economic Committee on the scheme to establish an International Institute of Mines, the Sub-Committee and the plenary Committee were of the opinion that there was no necessity to take any decision on this question before the meeting of the International Geological Congress to be held in Pretoria in 1929.

13. FACILITIES FOR OBTAINING PUBLICATIONS OF THE LEAGUE OF NATIONS.

The Sub-Committee and the plenary Committee took note of the observations made by the heads of various big libraries in regard to means whereby the publications of the League of Nations could be made more easily accessible to the general public.

## V. PLENARY COMMITTEE.

### 1. INSTRUCTION OF YOUTH IN THE AIMS OF THE LEAGUE OF NATIONS.

The Committee examined the work done by the centres of information established in the Secretariat and the Institute in conformity with the recommendations of the Sub-Committee of Experts for the Instruction of Youth in the Aims of the League of Nations. While noting the progress achieved, it expressed the hope that some of the recommendations of the Sub-Committee of Experts would be followed more closely by certain States. It considered a fresh effort necessary in order to ensure the regular transmission of periodical summaries of the work of the League to reviews and scholastic authorities. The Committee also thought it desirable that summaries should be published twice a year containing information regarding the instruction of youth in the aims of the League of Nations. Such summaries would also contain articles on this subject written by persons connected with the world of education.

### 2. INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION.

The plenary Committee examined and discussed a report by M. Luchaire, Director of the International Institute of Intellectual Co-operation, regarding the Institute's activity during the past year. The Committee thought care should be taken to avoid throwing upon the Institute more work than it could accomplish with the resources at its disposal. With this object, it decided that the Institute should prepare for submission at its next session a complete summary of the various resolutions adopted up to the moment by the Committee. This statement would show the state of the work accomplished in connection with each of these resolutions and what still remained to be done. They could then be studied and revised with a view to co-ordinating and concentrating the work of the Institute.

The Sub-Committees and the plenary Committee expressed their general satisfaction with the manner in which the Institute was carrying out its duties and laid down a plan of action for the ensuing statutory year.

The plenary Committee, sitting as the Governing Body of the Institute, examined, under the Chairmanship of its French member, M. Paul Painlevé, the administrative and financial management of this organisation. It noted that, in addition to the large subsidy granted by the French Government, the Institute at the moment received subsidies from the following eleven countries: Austria, Belgium, Czechoslovakia, Ecuador, Hungary, Italy, Luxemburg, Monaco, Poland, Portugal and Switzerland.

The Governing Body's appreciation of the administrative management of the Institute was epitomised in the following terms by Dr. Krüss in the report of the Board of Directors of the Institute to the Governing Body:

"The Institute has made undeniable progress during the past year, not only as regards the attainment of certain of its specific aims but also in the organisation of its working methods and the welding of all its branches into a single harmonious whole. Even if the progress already made is nothing but a promising beginning, it is nevertheless, in view of the magnitude and difficulty of the task imposed on the Institute, a very real achievement, and the very fullest credit is due to the Director and his colleagues."

With regard to the accounts of the Institute for the financial year 1927, these were approved by the auditor, M. Vivaldi. Finally, mention should be made, among other questions of minor importance dealt with by the Governing Body, of the question of an increase in the salaries of the Institute's officials, subject to the financial resources available.

### 3. INTERNATIONAL EDUCATIONAL CINEMATOGRAPHIC INSTITUTE.

In view of the acceptance by the Council and Assembly in September 1927 of the offer made by the Italian Government to establish and maintain at Rome, under the guidance of the Council, an International Educational Cinematographic Institute, the Committee, in accordance with the instructions of the Council, examined the draft statutes for this new organisation. The draft, which had been drawn up by representatives of the Italian Government and of the Secretary-General, assisted by the Director of the Institute of Intellectual Co-operation, was approved with some small amendments. It explained the object of this new Institute, which would be to encourage the production, circulation and exchange between the various countries of films on education, art, industry, agriculture, trade, health, social education, etc.

The draft statutes of the Institute provide that its activity shall be carried on under the guidance of the Council of the League, which would consult the Committee on Intellectual Co-operation. The Governing Body of the Institute will be composed of a Chairman of Italian nationality and of eleven members, to be as far as possible of different nationalities and appointed by the Council.

A permanent Executive Committee, consisting of the Chairman of the Governing Body and of five members belonging to five different nationalities, will preside over the working of the Institute, which will be entrusted to a Director appointed by the Governing Body on the nomination of its Chairman.

The draft statutes also contain an indication of the activity of the Institute and of its financial and administrative working. A report on the activity of the Institute will be forwarded each year to the Council and to the Italian Government. It will be circulated to all the Members of the League of Nations. The activity of the Institute will mainly concern the collection of an international library of films and the preparation of a general catalogue of educational films.

The draft statutes and the suggestions of the Committee on Intellectual Co-operation will be submitted to the Council for approval, together with the reports of the other organisations of the League consulted by the Council on this matter.

#### 4. MEETING OF REPRESENTATIVES OF NATIONAL COMMITTEES.

The Committee decided to summon a meeting in 1929 of representatives of National Committees on Intellectual Co-operation. These Committees exist at the moment in more than thirty-three countries. This meeting will enable the Committees to enter into closer mutual contact and to provide each other with information on their respective organisations and methods of work. They will also be able to make suggestions to the International Committee regarding such problems as might usefully engage its attention.

#### 5. REPORT TO THE COUNCIL.

The Committee appointed M. DE REYNOLD Rapporteur to the Council. In his report, M. de Reynold analyses the results of the work of the last session and lays emphasis on the general revision of its work which the Committee desired to undertake. He states :

“ The plenary Committee considered that the time had come to take stock of its work. It therefore decided to review at its next session all schemes submitted to it and all work in hand. It desires to do only a few things but to do them thoroughly, to avoid the scattering of its energies which sometimes seems to threaten it, and to concentrate effort on essential tasks. The Committee wishes to work — and to have those associated with it and under its direction working — in a truly intellectual spirit, by reducing to a minimum the administrative or even bureaucratic element in the manner of conducting enquiries and proposing solutions.

“ The organism of intellectual co-operation has in fact developed until it has become somewhat complicated and even unwieldy. It must be informed by a single guiding spirit, which will ensure the smooth working of all its parts.”

M. de Reynold also pointed out that the Committee had wished to define its aim itself, and in this connection he expressed himself as follows :

“ Intellectual co-operation has two aspects — a limited one and a broad one. In the limited sense, intellectual co-operation aims at the joint study and practical achievement of means of co-ordinating and promoting intellectual life, as regards alike science, letters and arts. Taken in this sense, intellectual co-operation has as its object the improvement or creation of instruments of work, exactly what the Committee and its different organs have aimed at since 1922. The International Museums Office, the co-ordination of libraries, the agreement reached with regard to the economic sciences, scientific property, and also the various bulletins and annuals are, in fact, merely instruments of work. These demonstrate the value, the necessity, of intellectual co-operation far better than grandiose schemes or high-flown ideologies. But intellectual co-operation has also a wider and more lofty meaning. What is its real purpose ? To inspire writers, artists, scientists and intellectuals of the whole world with the conviction that their interests and duties are everywhere identical, and to inform them with that spirit of universality without which, as history teaches us, there can be no great civilisation. For no reconstruction of an economic, political or social character will be solid or permanent unless it is based on spiritual and intellectual harmony.

“ It is therefore not fair to judge of intellectual co-operation by the practical and tangible results which it has obtained : account must be taken of *imponderabilia*. The most important and the most essential outcome of intellectual co-operation consists in the multitude of relationships that are constantly being established and extended between divers persons, institutions and groups which would otherwise, perhaps, never have had the opportunity of entering into contact, much less of collaborating one with another. If it were in this way only, intellectual co-operation would have justified its existence.”

---

15.

INTERNATIONAL CONFERENCE OF PRESS EXPERTS.

---

ACTION TAKEN IN ACCORDANCE WITH ITS RESOLUTIONS.

As a result of the decisions taken by the Advisory and Technical Committee for Communications and Transit at its session in February and March last, a special Committee of telegraphic experts and Press experts met in Paris from May 22nd to 24th, 1928, under the Chairmanship of M. ITO (Japan), member of the Advisory Committee for Communications and Transit.

High officials from the British, French, German and Italian Telegraphic Administrations, the Director of the International Telegraphic Union at Berne, a representative of the International Cable Companies Association, and the Directors of some of the important Press Agencies took part in this session.

The Committee examined the possibility of carrying out the recommendations of the Press Conference concerning priority for Press telegrams and wireless Press messages, urgent Press telegrams and wireless messages, long-distance telegraphic and wireless communications, regional telegraphic agreements, telephone rates, the authorisation to receive Press messages by wireless, wireless rates, code telegrams, and the improvement of telegraphic and wireless communications between different continents.

The Committee expressed its conclusions in a report which has been forwarded to the Advisory and Technical Committee for Communications and Transit.

At the suggestion of the Advisory Committee, the International Air Traffic Association recently formed a Special Committee, on which representatives of the distributing agencies concerned as well as representatives of the Air Companies, were invited to sit, in order to study the question of the transport of newspapers by air. This Committee held its first session on June 29th and 30th, 1928, when it undertook a preliminary examination of the question.

The report of the Committee was submitted to the plenary meeting of the International Air Traffic Association which was held in London on August 1st and 2nd. It was decided at this meeting that the Special Committee should meet again in Berlin on October 12th, 1928, in order to examine the points of view of the different Companies members of the Association and to resume the discussion of the question with the transport companies concerned and with the competent international organisations.

---

16.

CONSTRUCTION OF AN ASSEMBLY HALL, OF NEW BUILDINGS  
FOR THE SECRETARIAT, AND OF A NEW LIBRARY.

---

At the time of going to press no definite decision has been taken with regard to the difficulties concerning the building site to which reference was made on page 115 of the Report to the Assembly on the Work of the Council and of the Secretariat (document A.6.1928).

A report by the Special Committee appointed to examine the question will be considered by the Council at its fifty-first session, beginning on August 30th, 1928.

---

17.

PRESENT POSITION AS REGARDS INTERNATIONAL ENGAGEMENTS  
DEPOSITED WITH THE SECRETARIAT OR CONNECTED WITH THE  
WORK OF THE LEAGUE OF NATIONS.

---

A complete list of signatures and ratifications of and accessions to international engagements deposited with the Secretariat or connected with the work of the League of Nations has been prepared and will be distributed (see document A.6 (a), 1928, Annex).

---

GENEVA, September 3rd, 1928.

**Annex to the Supplementary Report <sup>1</sup>**  
**ON THE**  
**WORK OF THE COUNCIL AND THE SECRETARIAT**  
**TO THE**  
**Ninth Ordinary Session of the Assembly of the League.**

The aim of this document is to give, in execution of the Council's decision of December 10th, 1923, a general survey as regards the participation of the States in Conventions concluded under the auspices of the League of Nations. The reservations and declarations, etc., made by the Contracting Parties at the moment of signature, ratification or adhesion have not been inserted; they are indicated by footnotes showing the page of the *Treaty Series* volume where they are reproduced.

<sup>1</sup> The Annex to the Supplementary Report to the Fourth Assembly of the League on the Work of the Council and the Secretariat for 1923 (A. 10 (a). 1923. Annex) contains, moreover, complete details concerning:

- (a) **PROTECTION OF RACIAL, RELIGIOUS AND LINGUISTIC MINORITIES:**
1. Treaty of Peace between the Allied Powers and Austria, of September 10th, 1919.
  2. Treaty of Peace between the Allied Powers and Bulgaria, of November 27th, 1919.
  3. Treaty of Peace between the Allied Powers and Hungary, of June 4th, 1920.
  4. Treaty of Peace between the Allied Powers and Turkey, of July 24th, 1923.
  5. Treaty between the Principal Allied and Associated Powers and Poland, of June 28th, 1919.
  6. Treaty between the Principal Allied and Associated Powers and Czechoslovakia, of September 10th, 1919.
  7. Treaty between the Principal Allied and Associated Powers and the Kingdom of the Serbs, Croats and Slovenes, of September 10th, 1919.
  8. Treaty between the Principal Allied and Associated Powers and Roumania, of December 9th, 1919.
  9. Germano-Polish Convention relating to Upper Silesia, of May 15th, 1922.
  10. Declaration by Albania, of October 2nd, 1921.
  11. Declaration by Finland as to the Aaland Islands, of June 27th, 1921.
  12. Declaration by Latvia, of July 7th, 1923.
  13. Convention between Bulgaria and Greece respecting Reciprocal Emigration, Neuilly-sur-Seine, November 27th, 1919.
  14. Convention concerning the Exchange of Greek and Turkish Populations, of January 30th, 1923.
- (b) **TRAFFIC IN LIQUOR:** Convention relating to the Liquor Traffic in Africa, St. Germain-en-Laye, September 10th, 1919.
- (c) **AERIAL NAVIGATION:** Convention relating to the Regulation of Aerial Navigation, Paris, October 13th, 1919.
- (d) **HEALTH:**
1. Sanitary Convention between Poland and Roumania, Warsaw, December 20th, 1922.
  2. Sanitary Convention between Poland and the Federal Soviet Republic of Russia and Soviet Republics of Ukraine and of White Russia, Warsaw, February 17th, 1923.
  3. Sanitary Convention between Germany and Poland, Dresden, December 18th, 1922.
  4. Sanitary Convention between Poland and Czechoslovakia, Warsaw, 1922.
  5. Sanitary Convention between Poland and Latvia, Warsaw, July 7th, 1922.
  6. Sanitary Convention between Estonia and the Federal Soviet Republic of Russia and Soviet Republics of Ukraine and of White Russia, Tartu, June 25th, 1922.
  7. Sanitary Convention between Latvia and the Federal Soviet Republic of Russia and Soviet Republics of Ukraine and of White Russia, Tartu, June 24th, 1922.
  8. Sanitary Convention between Bulgaria and the Kingdom of the Serbs, Croats and Slovenes, April 1923.
- (e) **AALAND ISLANDS:** Convention relating to the Non-Fortification and Neutralisation of the Aaland Islands, Geneva, October 20th, 1921.
- (f) **UPPER SILESIA:** Germano-Polish Convention relating to Upper Silesia, Geneva, May 15th, 1922.
- (g) **FINANCIAL RESTORATION OF AUSTRIA:**
1. Protocol No. I (Declaration), Geneva, October 4th, 1922.
  2. Protocol No. II and Annexes and Explanatory Note, Geneva, October 4th, 1922.
  3. Protocol No. III (Declaration), Geneva, October 4th, 1922.
- (h) **SAAR:** Protocol between the German Government and the Governing Commission of the Territory of the Saar Basin, Berlin, June 3rd, 1921.
- (i) **DANZIG:**
1. Convention between Poland and the Free City of Danzig, Paris, November 9th, 1920.
  2. Treaty between Germany and Poland concerning the Regulation of Option Questions, Danzig, November 8th, 1920.
  3. Treaty between Poland and the Free City of Danzig, Warsaw, October 24th, 1921.

The Annex to the Supplementary Report on the Work of the Council and of the Secretariat to the Fifth Assembly of the League of Nations for the year 1924 (A. 8 (a). 1924. Annex) contains, moreover, complete details concerning:

- (a) **MINORITIES:**
1. Declaration concerning the Protection of Minorities in Lithuania, Geneva, May 12th, 1923.
  2. Convention between Poland and the Free City of Danzig, signed at Paris, November 9th, 1920.
- (b) **TRAFFIC IN ARMS:** Engagement undertaken by Ethiopia on signing the Protocol done at Geneva, September 27th, 1923.
- (c) **REVISION OF BERLIN AND BRUSSELS ACTS RELATING TO AFRICAN TERRITORIES:** Engagement undertaken by Ethiopia on signing the Protocol done at Geneva on September 27th, 1923.

PROGRESS OF CERTAIN INTERNATIONAL CONVENTIONS  
AND ENGAGEMENTS.

- I. International Labour Conventions.
- II. Transit and Communications.
- III. Traffic in Women and Children.
- IV. Obscene Publications.
- V. Traffic in Opium and other Dangerous Drugs.
- VI. Trade in Arms.
- VII. Refugees.
- VIII. Emigration.
- IX. Slavery.
- X. The Permanent Court of International Justice.
- XI. Pacific Settlement of International Disputes.
- XII. Arbitration Clauses in Commercial Matters.
- XIII. Customs Formalities.
- XIV. Abolition of Import and Export Prohibitions and Restrictions.
- XV. Currency and Banking Reform.
- XVI. International Relief Union.
- XVII. Amendments to the Covenant of the League of Nations.
- XVIII. Amendments to the Labour Part of the Treaties of Peace.

I. INTERNATIONAL LABOUR CONVENTIONS. <sup>1</sup>

(a)

1. Convention limiting the hours of work in industrial undertakings, adopted as a Draft Convention by the International Labour Conference at its First Session on November 28th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
AUSTRIA <sup>2</sup> . . . . .	June 12, 1924
BELGIUM . . . . .	September 6, 1926
BULGARIA . . . . .	February 14, 1922
CHILE . . . . .	September 15, 1925
CZECHOSLOVAKIA . . . . .	August 24, 1921
FRANCE <sup>3</sup> . . . . .	June 2, 1927
GREECE . . . . .	November 19, 1920
INDIA . . . . .	July 14, 1921
ITALY <sup>4</sup> . . . . .	October 6, 1924
LATVIA <sup>5</sup> . . . . .	August 15, 1925
LUXEMBURG . . . . .	April 16, 1928
PORTUGAL . . . . .	July 3, 1928
ROUMANIA . . . . .	June 13, 1921

(d) REFUGEES :

1. Arrangement with regard to the issue of Certificates of Identity to Russian Refugees, Geneva, July 5th, 1922.
2. Protocol relating to the Settlement of Refugees in Greece and the creation for this purpose of a Refugees Settlement Commission, signed at Geneva, September 29th, 1923.
3. Declaration relating to the Settlement of Refugees in Greece and the creation for this purpose of a Refugees Settlement Commission, signed at Geneva, September 29th, 1923.

(e) FINANCIAL RECONSTRUCTION OF HUNGARY: Protocol on the Financial Reconstruction of Hungary, March 14th, 1924.

The Annex to the Supplementary Report for the year 1925 (A. 7 (a). 1925. Annex) contains, moreover, complete details concerning :

(a) PROTECTION OF RACIAL, RELIGIOUS AND LINGUISTIC MINORITIES :

1. Proposal relating to the Protection of Greek Minorities in Bulgaria ;
2. Proposal relating to the Protection of Bulgarian Minorities in Greece.

(Geneva, September 29, 1924.)

(Document A. 10 (a). 1923. Annex will be found in Special Supplement 13 to the *Official Journal*, pages 174-189, document A. 8 (a). 1924. Annex in the *Official Journal*, September 1924, pages 1127-1153, and document A. 7 (a). 1925. Annex in the *Official Journal* of November 1925, pages 1553-1584.)

<sup>1</sup> The Annex to the Supplementary Report for 1923 (A. 10 (a). 1923. Annex) contains, moreover, complete details concerning : The Convention on the Prohibition of the Use of White Phosphorus in the Manufacture of Matches, Berne, September 26th, 1906.

<sup>2</sup> " . . . as regards Austria, this Convention will enter into force only when it has been ratified by those European Members of the International Labour Organisation which are of the chief industrial importance (Belgium, France, Germany, Great Britain and Italy) and by all the States, bordering upon Austria, with whom the latter has economic relations (the Kingdom of the Serbs, Croats and Slovenes, Poland, Switzerland, the Czechoslovak Republic and Hungary). . . ."

<sup>3</sup> This ratification is subject to the condition that the obligations it entails for France shall not take effect until the Convention has been ratified by Germany and Great Britain.

<sup>4</sup> Subject to the condition that it shall only come into force when the ratifications, without reservations or other conditions, of the following Members of the International Labour Organisation have been registered with the Secretariat of the League of Nations : Belgium, France, Germany, Great Britain and Switzerland.

<sup>5</sup> " The Convention shall come into force in Latvia, in accordance with the provisions of Article 18 of the Draft Convention, after the ratifications of three of the Powers which are of the chief industrial importance, as laid down in Article 393, paragraphs 5 and 6, of the Treaty of Peace of Versailles, shall have been registered with the Secretariat of the League of Nations. "

2. Convention concerning unemployment, adopted as a Draft Convention by the International Labour Conference at its First Session on November 28th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
UNION OF SOUTH AFRICA . . . . .	February 20, 1924
AUSTRIA . . . . .	June 12, 1924
GREAT BRITAIN . . . . .	July 14, 1921
BULGARIA . . . . .	February 14, 1922
DENMARK . . . . .	October 13, 1921
ESTONIA . . . . .	December 20, 1922
FINLAND . . . . .	October 19, 1921
FRANCE . . . . .	August 25, 1925
GERMANY . . . . .	June 6, 1925
GREECE . . . . .	November 19, 1920
HUNGARY . . . . .	March 1, 1928
INDIA . . . . .	July 14, 1921
IRISH FREE STATE . . . . .	September 4, 1925
ITALY . . . . .	April 10, 1923
JAPAN . . . . .	November 23, 1922
LUXEMBURG . . . . .	April 16, 1928
NORWAY . . . . .	November 23, 1921
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	June 13, 1921
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SPAIN . . . . .	July 4, 1923
SWEDEN . . . . .	September 27, 1921
SWITZERLAND . . . . .	October 9, 1922

3. Convention concerning the employment of women before and after childbirth, adopted as a Draft Convention by the International Labour Conference at its First Session on November 29th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
BULGARIA . . . . .	February 14, 1922
CHILE . . . . .	September 15, 1925
CUBA . . . . .	August 6, 1928
GERMANY . . . . .	October 31, 1927
GREECE . . . . .	November 19, 1920
HUNGARY . . . . .	April 19, 1928
LATVIA . . . . .	June 3, 1926
LUXEMBURG . . . . .	April 16, 1928
ROUMANIA . . . . .	June 13, 1921
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SPAIN . . . . .	July 4, 1923

4. Convention concerning the employment of women during the night, adopted as a Draft Convention by the International Labour Conference at its First Session on November 28th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
UNION OF SOUTH AFRICA . . . . .	November 1, 1921
AUSTRIA . . . . .	June 12, 1924
BELGIUM . . . . .	July 12, 1924
GREAT BRITAIN . . . . .	July 14, 1921
BULGARIA . . . . .	February 14, 1922
CUBA . . . . .	August 6, 1928
CZECHOSLOVAKIA . . . . .	August 24, 1921
ESTONIA . . . . .	December 20, 1922
FRANCE . . . . .	May 14, 1925
GREECE . . . . .	November 19, 1920
HUNGARY . . . . .	April 19, 1928
INDIA . . . . .	July 14, 1921
IRISH FREE STATE . . . . .	September 4, 1925
ITALY . . . . .	April 10, 1923
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	September 4, 1922
ROUMANIA . . . . .	June 13, 1921
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWITZERLAND . . . . .	October 9, 1922

5. Convention fixing the minimum age for admission of children to industrial employment, adopted as a Draft Convention by the International Labour Conference at its First Session on November 28th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM . . . . .	July 12, 1924
GREAT BRITAIN . . . . .	July 14, 1921
BULGARIA . . . . .	February 14, 1922
CHILE . . . . .	September 15, 1925
CUBA . . . . .	August 6, 1928
CZECHOSLOVAKIA . . . . .	August 24, 1921
DENMARK . . . . .	January 4, 1923
ESTONIA . . . . .	December 20, 1922
GREECE . . . . .	November 19, 1920
IRISH FREE STATE . . . . .	September 4, 1925
JAPAN . . . . .	August 7, 1926
LATVIA . . . . .	June 3, 1926
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	July 21, 1928
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	June 13, 1921
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWITZERLAND . . . . .	October 9, 1922

6. Convention concerning the night work of young persons employed in industry, adopted as a Draft Convention by the International Labour Conference at its First Session on November 28th, 1919.

This Convention has been ratified by and is in force between :	Date of Registration :
AUSTRIA . . . . .	June 12, 1924
BELGIUM . . . . .	July 12, 1924
GREAT BRITAIN . . . . .	July 14, 1921
BULGARIA . . . . .	February 14, 1922
CHILE . . . . .	September 15, 1925
CUBA . . . . .	August 6, 1928
DENMARK . . . . .	January 4, 1923
ESTONIA . . . . .	December 20, 1922
FRANCE . . . . .	August 25, 1925
GREECE . . . . .	November 19, 1920
HUNGARY . . . . .	April 19, 1928
INDIA . . . . .	July 14, 1921
IRISH FREE STATE . . . . .	September 4, 1925
ITALY . . . . .	April 10, 1923
LATVIA . . . . .	June 3, 1926
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	March 17, 1924
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	June 13, 1921
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWITZERLAND . . . . .	October 9, 1922

(b)

7. Convention fixing the minimum age for admission of children to employment at sea, adopted as a Draft Convention by the International Labour Conference at its Second Session on July 9th, 1920.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	February 4, 1925
GREAT BRITAIN . . . . .	July 14, 1921
BULGARIA . . . . .	March 16, 1923
CANADA . . . . .	March 31, 1926
CUBA . . . . .	August 6, 1928
DENMARK . . . . .	May 12, 1924
ESTONIA . . . . .	March 3, 1923
FINLAND . . . . .	October 10, 1925
GREECE . . . . .	December 16, 1925
HUNGARY . . . . .	March 1, 1928
IRISH FREE STATE . . . . .	September 4, 1925
JAPAN . . . . .	June 7, 1924
LATVIA . . . . .	June 3, 1926

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.



This Convention has been ratified by and is in force between :

Date of Registration :

LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	March 26, 1925
NORWAY . . . . .	October 7, 1927
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	May 8, 1922
KINGDOM OF THE SERBS, CROATS AND SLOVENES . . . . .	April 1, 1927
SPAIN . . . . .	June 20, 1924
SWEDEN . . . . .	September 27, 1921

**8. Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted as a Draft Convention by the International Labour Conference at its Second Session on July 9th, 1920.**

This Convention has been ratified by and is in force between :

Date of Registration :

BELGIUM <sup>1</sup> . . . . .	February 4, 1925
GREAT BRITAIN . . . . .	March 12, 1926
BULGARIA . . . . .	March 16, 1923
CANADA . . . . .	March 31, 1926
CUBA . . . . .	August 6, 1928
ESTONIA . . . . .	March 3, 1923
GREECE . . . . .	December 16, 1925
ITALY . . . . .	September 8, 1924
LATVIA <sup>2</sup> . . . . .	August 5, 1926
LUXEMBURG . . . . .	April 16, 1928
POLAND . . . . .	June 21, 1924
SPAIN . . . . .	June 20, 1924

**9. Convention for establishing facilities for finding employment for seamen, adopted as a Draft Convention by the International Labour Conference at its Second Session on July 10th, 1920.**

This Convention has been ratified by and is in force between :

Date of Registration :

AUSTRALIA . . . . .	August 3, 1925
BELGIUM <sup>1</sup> . . . . .	February 4, 1925
BULGARIA . . . . .	March 16, 1923
CUBA . . . . .	August 6, 1928
ESTONIA . . . . .	March 3, 1923
FINLAND . . . . .	October 7, 1922
FRANCE . . . . .	January 25, 1928
GERMANY . . . . .	June 6, 1925
GREECE . . . . .	December 16, 1925
ITALY . . . . .	September 8, 1924
JAPAN . . . . .	November 23, 1922
LATVIA . . . . .	June 3, 1926
LUXEMBURG . . . . .	April 16, 1928
NORWAY . . . . .	November 23, 1921
POLAND . . . . .	June 21, 1924
SWEDEN . . . . .	September 27, 1921

(c)

**10. Convention concerning the age for admission of children to employment in agriculture, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 16th, 1921.**

This Convention has been ratified by and is in force between :

Date of Registration :

AUSTRIA . . . . .	June 12, 1924
BELGIUM <sup>1</sup> . . . . .	June 13, 1928
BULGARIA . . . . .	March 6, 1925
CZECHOSLOVAKIA . . . . .	August 31, 1923
ESTONIA . . . . .	September 8, 1922
HUNGARY . . . . .	February 2, 1927
IRISH FREE STATE . . . . .	May 26, 1925
ITALY . . . . .	September 8, 1924
JAPAN . . . . .	December 19, 1923
LUXEMBURG . . . . .	April 16, 1928
POLAND . . . . .	June 21, 1924
SWEDEN . . . . .	November 27, 1923

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.

<sup>2</sup> The Convention shall come into force in Latvia, according to the conditions provided in Article 7 of this Convention, after the Powers chief in importance in maritime commerce shall have registered their ratifications in the Secretariat.

11. Convention concerning the rights of association and combination of agricultural workers, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 12th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
AUSTRIA . . . . .	June 12, 1924
BELGIUM <sup>1</sup> . . . . .	July 19, 1926
GREAT BRITAIN . . . . .	August 6, 1923
BULGARIA . . . . .	March 6, 1925
CHILE . . . . .	September 15, 1925
CZECHOSLOVAKIA . . . . .	August 31, 1923
ESTONIA . . . . .	September 8, 1922
FINLAND . . . . .	June 19, 1923
GERMANY . . . . .	June 6, 1925
INDIA . . . . .	May 11, 1923
IRISH FREE STATE . . . . .	June 17, 1924
ITALY . . . . .	September 8, 1924
LATVIA . . . . .	September 9, 1924
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	August 20, 1926
POLAND . . . . .	June 21, 1924
SWEDEN . . . . .	November 27, 1923

12. Convention concerning workmen's compensation in agriculture, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 12th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
GREAT BRITAIN . . . . .	August 6, 1923
BULGARIA . . . . .	March 6, 1925
CHILE . . . . .	September 15, 1925
DENMARK . . . . .	February 26, 1923
ESTONIA . . . . .	September 8, 1922
FRANCE . . . . .	April 4, 1928
GERMANY . . . . .	June 6, 1925
IRISH FREE STATE . . . . .	June 17, 1924
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	August 20, 1926
POLAND . . . . .	June 21, 1924
SWEDEN . . . . .	November 27, 1923

13. Convention concerning the use of white lead in painting, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 19th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
AUSTRIA . . . . .	June 12, 1924
BELGIUM <sup>1</sup> . . . . .	July 19, 1926
BULGARIA . . . . .	March 6, 1925
CHILE . . . . .	September 15, 1925
CUBA . . . . .	July 7, 1928
CZECHOSLOVAKIA . . . . .	August 31, 1923
ESTONIA . . . . .	September 8, 1922
FRANCE . . . . .	February 19, 1926
GREECE . . . . .	December 22, 1926
HUNGARY <sup>2</sup> . . . . .	January 4, 1928
LATVIA . . . . .	September 9, 1924
LUXEMBURG . . . . .	April 16, 1928
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	December 4, 1925
SPAIN . . . . .	June 20, 1924
SWEDEN . . . . .	November 27, 1923

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.

<sup>2</sup> The Convention Shall not come into force as regards Hungary, until it has been ratified by France, Great Britain and Germany.

14. Convention concerning the application of the weekly rest in industrial undertakings, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 17th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	July 19, 1926
BULGARIA . . . . .	March 6, 1925
CHILE . . . . .	September 15, 1925
CZECHOSLOVAKIA . . . . .	August 31, 1923
ESTONIA . . . . .	November 29, 1923
FINLAND . . . . .	June 19, 1923
FRANCE . . . . .	September 3, 1926
INDIA . . . . .	May 11, 1923
ITALY . . . . .	September 8, 1924
LATVIA . . . . .	September 9, 1924
LUXEMBURG . . . . .	April 16, 1928
POLAND . . . . .	June 21, 1924
PORTUGAL . . . . .	July 3, 1928
ROUMANIA . . . . .	August 18, 1923
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SPAIN . . . . .	June 20, 1924

15. Convention fixing the minimum age for the admission of young persons to employment as trimmers and stokers, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 11th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	July 19, 1926
GREAT BRITAIN . . . . .	March 8, 1926
BULGARIA . . . . .	March 6, 1925
CANADA . . . . .	March 31, 1926
CUBA . . . . .	July 7, 1928
DENMARK . . . . .	May 12, 1924
ESTONIA . . . . .	September 8, 1922
FINLAND . . . . .	October 10, 1925
FRANCE . . . . .	January 16, 1928
HUNGARY . . . . .	March 1, 1928
INDIA . . . . .	November 20, 1922
ITALY . . . . .	September 8, 1924
LATVIA . . . . .	September 9, 1924
LUXEMBURG . . . . .	April 16, 1928
NORWAY . . . . .	October 7, 1927.
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	August 18, 1923
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SPAIN . . . . .	June 20, 1924
SWEDEN . . . . .	July 14, 1925

16. Convention concerning the compulsory medical examination of children and young persons employed at sea, adopted as a Draft Convention by the International Labour Conference at its Third Session on November 11th, 1921.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	July 19, 1926
GREAT BRITAIN . . . . .	March 8, 1926
BULGARIA . . . . .	March 6, 1925
CANADA . . . . .	March 31, 1926
CUBA . . . . .	July 7, 1928
ESTONIA . . . . .	September 8, 1922
FINLAND . . . . .	October 10, 1925
FRANCE . . . . .	March 22, 1928
HUNGARY . . . . .	March 1, 1928
INDIA . . . . .	November 20, 1922
ITALY . . . . .	September 8, 1924
JAPAN . . . . .	June 7, 1924
LATVIA . . . . .	September 9, 1924
LUXEMBURG . . . . .	April 16, 1928

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.

This Convention has been ratified by and is in force between :	Date of Registration :
THE NETHERLANDS . . . . .	March 9, 1928
POLAND . . . . .	June 21, 1924
ROUMANIA . . . . .	August 18, 1923
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SPAIN . . . . .	June 20, 1924
SWEDEN . . . . .	July 14, 1925

(d)

17. Convention concerning workmen's compensation for accidents, adopted as a Draft Convention by the International Labour Conference at its Seventh Session on June 10th, 1925.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	October 3, 1927
CUBA . . . . .	August 6, 1928
HUNGARY . . . . .	April 19, 1928
LATVIA . . . . .	May 29, 1928
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	September 13, 1927
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWEDEN . . . . .	September 8, 1926

18. Convention concerning workmen's compensation for occupational diseases, adopted as a Draft Convention by the International Labour Conference at its Seventh Session on June 10th, 1925.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	October 3, 1927
GREAT BRITAIN . . . . .	October 6, 1926
CUBA . . . . .	August 6, 1928
FINLAND . . . . .	September 17, 1927
HUNGARY . . . . .	April 19, 1928
INDIA <sup>2</sup> . . . . .	September 30, 1927
IRISH FREE STATE . . . . .	November 25, 1927
LUXEMBURG . . . . .	April 16, 1928
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWITZERLAND . . . . .	November 16, 1927

19. Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, adopted as a Draft Convention by the International Labour Conference at its Seventh Session on June 5th, 1925.

This Convention has been ratified by and is in force between :	Date of Registration :
UNION OF SOUTH AFRICA . . . . .	March 30, 1926
BELGIUM <sup>1</sup> . . . . .	October 3, 1927
GREAT BRITAIN . . . . .	October 6, 1926
CUBA . . . . .	August 6, 1928
CZECHOSLOVAKIA . . . . .	February 8, 1927
DENMARK <sup>3</sup> . . . . .	March 31, 1928
FINLAND . . . . .	September 17, 1927
FRANCE . . . . .	April 4, 1928
HUNGARY . . . . .	April 19, 1928
INDIA <sup>2</sup> . . . . .	September 30, 1927
ITALY . . . . .	March 15, 1928
LATVIA . . . . .	May 29, 1928
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	September 13, 1927
POLAND . . . . .	February 28, 1928
KINGDOM OF THE SERBS, CROATS AND SLOVENES	April 1, 1927
SWEDEN . . . . .	September 8, 1926

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.

<sup>2</sup> The ratification by the Indian Government applies only to British India.

<sup>3</sup> This ratification does not include Greenland.

20. Convention concerning night work in bakeries, adopted as a Draft Convention by the International Labour Conference at its Seventh Session on June 8th, 1925.

This Convention has been ratified by and is in force between :	Date of Registration :
CUBA . . . . .	August 6, 1928
FINLAND . . . . .	May 26, 1928
LUXEMBURG . . . . .	April 16, 1928

(e)

21. Convention concerning the simplification of the inspection of emigrants on board ship, adopted as a Draft Convention by the International Labour Conference at its Eighth Session on June 5th, 1926.

This Convention has been ratified by and is in force between :	Date of Registration :
AUSTRIA . . . . .	December 29, 1927
BELGIUM <sup>1</sup> . . . . .	February 15, 1928
GREAT BRITAIN AND NORTHERN IRELAND <sup>2</sup> . . . . .	September 16, 1927
CZECHOSLOVAKIA . . . . .	May 25, 1928,
INDIA . . . . .	January 14, 1928
LUXEMBURG . . . . .	April 16, 1928
THE NETHERLANDS . . . . .	September 13, 1927

(f)

22. Convention concerning seamen's articles of agreement, adopted as a Draft Convention by the International Labour Conference at its Ninth Session on June 24th, 1926.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	October 3, 1927
CUBA . . . . .	July 7, 1928
FRANCE . . . . .	April 4, 1928
LUXEMBURG . . . . .	April 16, 1928

23. Convention concerning the repatriation of seamen, adopted as a Draft Convention by the International Labour Conference at its Ninth Session on June 23rd, 1926.

This Convention has been ratified by and is in force between :	Date of Registration :
BELGIUM <sup>1</sup> . . . . .	October 3, 1927
CUBA . . . . .	July 7, 1928
ESTONIA . . . . .	July 9, 1928
LUXEMBURG . . . . .	April 16, 1928

(g)

24. Convention concerning sickness insurance for workers in industry and commerce and domestic servants, adopted as a Draft Convention by the International Labour Conference at its Tenth Session on June 16, 1927.

This Convention has been ratified by and is in force between :	Date of Registration :
GERMANY . . . . .	January 23, 1928
HUNGARY . . . . .	April 19, 1928
LUXEMBURG . . . . .	April 16, 1928

25. Convention concerning sickness insurance for agricultural workers, adopted as a Draft Convention by the International Labour Conference at its Tenth Session on June 16, 1927.

This Convention has been ratified by and is in force between :	Date of Registration :
GERMANY . . . . .	January 23, 1928
LUXEMBURG . . . . .	April 16, 1928

(h)

26. Convention concerning the creation of minimum-wage-fixing machinery, adopted as a Draft Convention by the International Labour Conference at its Eleventh Session on June 16, 1928.

This Convention has been ratified by and is in force between :	Date of Registration :
--	------------------------

<sup>1</sup> Subject to subsequent decisions regarding the application of the Convention to the Belgian Congo and to the territories under Belgian mandate.

<sup>2</sup> As regards Great Britain and Northern Ireland, this Convention will enter into force only when it has been ratified without reservation by France, Germany, The Netherlands, Italy, Norway and Spain.

II. COMMUNICATIONS AND TRANSIT.

1. CONVENTION AND STATUTE ON FREEDOM OF TRANSIT.<sup>1</sup>  
(Barcelona, April 20, 1921.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
ALBANIA	ALBANIA (October 8, 1921)		
AUSTRIA	AUSTRIA (November 15, 1923)		
BELGIUM	BELGIUM (May 16, 1927)		
BOLIVIA			
BRITISH EMPIRE	BRITISH EMPIRE, including NEWFOUNDLAND (August 2, 1922)		Federated Malay States (States of Perak, Se- langor, Negri Sembil- an and Pahang) (Au- gust 22, 1923). Non- Federated Malay States (States of Bru- nei, Johore, Kedah, Perlis, Kelantan and Trengganu) (August 22, 1923) PALESTINE (British Mandate) (January 28, 1924)
NEW ZEALAND	NEW ZEALAND (August 2, 1922)		
INDIA	INDIA (August 2, 1922)		
BULGARIA	BULGARIA (July 11, 1922)		
CHILE	CHILE (March 19, 1928)		
CHINA			
CZECHOSLOVAKIA	CZECHOSLOVAKIA (October 29, 1923)		
—	—		FREE CITY OF DANZIG (April 3, 1925)
DENMARK	DENMARK (November 13, 1922)		
ESTONIA	ESTONIA (June 6, 1925)		
FINLAND	FINLAND (January 29, 1923)		
FRANCE	FRANCE (September 19, 1924)		GERMANY (April 9, 1924)
—	—		
GREECE	GREECE (February 18, 1924)		
GUATEMALA			HUNGARY (May 18, 1928)
—	—		
ITALY	ITALY (August 5, 1922)		
JAPAN	JAPAN (February 20, 1924)		
LATVIA	LATVIA (September 29, 1923)		
LITHUANIA			
LUXEMBURG			
THE NETHER- LANDS (inclu- ding NETHER- LANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (April 17, 1924) (including NETHERLANDS INDIES, SURINAM and CURAÇAO)		
NORWAY	NORWAY (September 4, 1923)		
PANAMA			
PERSIA			
—	—	PERU (September 15, 1924)	
POLAND	POLAND (October 8, 1924)		
PORTUGAL			
ROUMANIA	ROUMANIA (September 5, 1923)		
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
—	—		SIAM (November 29, 1922)
SPAIN			
SWEDEN	SWEDEN (January 19, 1925)		
SWITZERLAND	SWITZERLAND (July 14, 1924)		
URUGUAY			

<sup>1</sup> This Convention came into force on October 31, 1922, ninety days after it had been ratified by five Powers. See *League of Nations Treaty Series*, Vol. VII, p. 11; Vol. XI, p. 406; Vol. XV, p. 304; Vol. XIX, p. 278; Vol. XXIV, p. 154; Vol. XXXI, p. 244; Vol. XXXV, p. 298; Vol. XXXIX, p. 166; Vol. LIX, p. 344, and Vol. LXIX, p. 70.

2. CONVENTION AND STATUTE ON THE RÉGIME OF NAVIGABLE WATERWAYS OF INTERNATIONAL CONCERN.<sup>1</sup>

(Barcelona, April 20, 1921.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i>
		<i>Final</i>
ALBANIA	ALBANIA (October 8, 1921)	
AUSTRIA	AUSTRIA (November 15, 1923)	
BELGIUM		
BOLIVIA		
BRITISH EMPIRE	BRITISH EMPIRE, including NEWFOUNDLAND (August 2, 1922)	Federated Malay States (States of Perak, Se- langor, Negri Sem- bilan and Pahang) (August 22, 1923). Non-Federated Ma- lay States (States of Brunei, Johore, Ke- dah, Perlis, Kelan- tan and Trengganu) (August 22, 1923) PALESTINE (British Mandate) (January 28, 1924)
NEW ZEALAND	NEW ZEALAND (August 2, 1922)	
INDIA	INDIA (August 2, 1922)	
BULGARIA	BULGARIA (July 11, 1922)	
CHILE	CHILE (March 19, 1928)	
CHINA		
—	—	COLOMBIA (April 7, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (Septem- ber 8, 1924)	
DENMARK	DENMARK (November 13, 1922)	
ESTONIA		
FINLAND	FINLAND (January 29, 1923)	
FRANCE	FRANCE (December 31, 1926)	
GREECE	GREECE (January 3, 1928)	
GUATEMALA		
—	—	HUNGARY (May 18, 1928)
ITALY	ITALY (August 5, 1922)	
LITHUANIA		
LUXEMBURG		
NORWAY	NORWAY (September 4, 1923)	
PANAMA		
—	—	PERU (September 15, 1924)
POLAND		
PORTUGAL		
—	—	ROUMANIA (June 19, 1923)
—	—	ROUMANIA (May 9, 1924)
		SIAM (November 29, 1922)
SPAIN		
SWEDEN	SWEDEN (September 15, 1927)	
URUGUAY		

<sup>1</sup> This Convention came into force on October 31, 1922, ninety days after it had been ratified by five Powers. See League of Nations *Treaty Series*, Vol. VII, p. 35; Vol. XI, p. 406; Vol. XV, p. 306; Vol. XIX, p. 280; Vol. XXIV, p. 156; Vol. I., p. 160; Vol. LIX, p. 344, and Vol. LXIX, p. 71.

**3. ADDITIONAL PROTOCOL TO THE CONVENTION ON THE RÉGIME OF NAVIGABLE WATERWAYS OF INTERNATIONAL CONCERN. <sup>1</sup>**

(Barcelona, April 20, 1921.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i> <i>Final</i>
ALBANIA —	ALBANIA (October 8, 1921) —	AUSTRIA (April 7, 1923)      AUSTRIA (November 15, 1923)
BELGIUM BRITISH EMPIRE	BRITISH EMPIRE, including NEWFOUNDLAND (August 2, 1922)	Nyasaland Protectorate and Tanganyika Territory (August 2, 1922) Bahamas Barbados British Guiana Jamaica (including Turks and Caicos Islands and Cayman Islands) Leeward Islands Trinidad and Tobago Windward Islands (Grenada, St. Lucia and St. Vincent) Gibraltar Malta Cyprus Gambia Colony and Protectorate Sierra Leone Colony and Protectorate Nigeria Colony and Protectorate Gold Coast, Ashanti and Northern Territories of the Gold Coast Kenya Territory and Protectorate Uganda Protectorate Zanzibar St. Helena Ceylon Mauritius Seychelles Hong-Kong Straits Settlements Fiji Gilbert and Ellice Islands Colony British Solomon Islands Tonga Islands (August 2, 1922) Federated Malay States (States of Perak, Selangor, Negri Sembilan and Pahang) (August 22, 1923) Non-Federated Malay States (States of Brunei, Johore, Kedah, Perlis, Kelantan and Trengganu) (August 22, 1923) PALESTINE (British Mandate) (January 28, 1924)

<sup>1</sup> The Convention being in force, this Protocol became operative after it had been ratified by two Powers. See *League of Nations Treaty Series*, Vol. VII, p. 65; Vol. XI, p. 406; Vol. XV, p. 308; Vol. XIX, p. 280; Vol. XXIV, p. 156; Vol. LIX, p. 345, and Vol. LXIX, p. 71.



3. ADDITIONAL PROTOCOL TO THE CONVENTION ON THE RÉGIME OF NAVIGABLE WATERWAYS OF INTERNATIONAL CONCERN (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
BRITISH EMPIRE ( <i>continued</i> )			
NEW ZEALAND	NEW ZEALAND (August 2, 1922)		
INDIA	INDIA (August 2, 1922)		
CHILE	CHILE (March 19, 1928)		
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 8, 1924)		
DENMARK	DENMARK (November 13, 1922)		
FINLAND	FINLAND (January 29, 1923)		
GREECE	GREECE (January 3, 1928)		
—	—		HUNGARY (May 18, 1928)
NORWAY	NORWAY (September 4, 1923)		
—	—	PERU (September 15, 1924)	
PORTUGAL	—		
—	—	ROUMANIA (June 19, 1923)	ROUMANIA (May 9, 1924)
—	—		SIAM (November 29, 1922)
SPAIN			SWEDEN (September 15, 1927)

4. DECLARATION RECOGNISING THE RIGHT TO A FLAG OF STATES HAVING NO SEA-COAST<sup>1</sup>.  
(*Barcelona, April 20, 1921.*)

<i>Signatures</i>	<i>Ratifications</i>	<i>Adhesions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
ALBANIA	ALBANIA (October 8, 1921)		
AUSTRIA	AUSTRIA (July 10, 1924)		
BELGIUM	BELGIUM <sup>2</sup> (May 16, 1927)		
BOLIVIA			
BRITISH EMPIRE	BRITISH EMPIRE, including NEWFOUNDLAND (October 9, 1922)		CANADA (October 31, 1922)
NEW ZEALAND	NEW ZEALAND (October 9, 1922)		AUSTRALIA (October 31, 1922)
INDIA	INDIA (October 9, 1922)		UNION OF SOUTH AFRICA (October 31, 1922)
BULGARIA	BULGARIA (July 11, 1922)		
CHILE	CHILE (March 19, 1928)		
CHINA			
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 8, 1924)		
DENMARK	DENMARK (November 13, 1922)		
ESTONIA	—		FINLAND (September 22, 1922)
FRANCE <sup>3</sup>			
GREECE	GREECE (January 3, 1928)		
GUATEMALA	—		HUNGARY (May 18, 1928)
ITALY <sup>3</sup>			
JAPAN	JAPAN (February 20, 1924)		
LATVIA	LATVIA (February 12, 1924)		
LITHUANIA			
NETHERLANDS <sup>3</sup> (including NETHERLANDS INDIES, SURINAM and CURAÇAO)			

<sup>1</sup> See League of Nations *Treaty Series*, Vol. VII, p. 73 ; Vol. XI, p. 410 ; Vol. XV, p. 308 ; Vol. XIX, p. 280 ; Vol. XXIV, p. 158 ; Vol. XXXI, p. 244 ; Vol. LIX, p. 345 and Vol. LXIX, p. 72.

<sup>2</sup> The ratification does not include the Belgian Congo or the Territory of Ruanda-Urundi under Belgian Mandate.

<sup>3</sup> Accepts Declaration as binding without ratification.

4. DECLARATION RECOGNISING THE RIGHT TO A FLAG OF STATES HAVING NO SEA-COAST  
(continued).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
NORWAY	NORWAY (September 4, 1923)		
PANAMA			
PERSIA	—	PERU (September 15, 1924)	
—			
POLAND	POLAND (December 20, 1924)		
PORTUGAL	—		ROUMANIA (February 22, 1923)
—			
KINGDOM OF THE SERBS, CROATS AND SLOVENES	—		SIAM (November 29, 1922)
—			
SPAIN			
SWEDEN	SWEDEN (January 19, 1925)		
SWITZERLAND <sup>1</sup>			
URUGUAY			

5. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF RAILWAYS  
AND PROTOCOL OF SIGNATURE<sup>2</sup>.

(Geneva, December 9, 1923.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA	AUSTRIA (January 20, 1927)		
BELGIUM	BELGIUM <sup>3</sup> (May 16, 1927)		
BRAZIL			
BRITISH EMPIRE	BRITISH EMPIRE (August 29, 1924)		SOUTHERN RHODESIA (April 23, 1925) NEWFOUNDLAND (April 23, 1925) Following BRITISH CO- LONIES, PROTECTO- RATES AND MANDA- TED TERRITORIES (September 22, 1925): British Guiana British Honduras Brunei Federated Malay States : Perak Selangor Negri Sembilan Pahang Gambia Gold Coast Hong-Kong Malay States (Unfed- erated) : Johore Kedah Perlis Kelantan Trengganu Nigeria Northern Rhodesia Nyasaland Palestine Sierra Leone

<sup>1</sup> Accepts Declaration as binding without ratification.

<sup>2</sup> The Convention and the Protocol came into force (Article 6) on March 23rd, 1926. See League of Nations Treaty Series, Vol. XLVII, p. 55 ; Vol. L, p. 180 ; Vol. LIX, p. 383 ; Vol. LXIII, p. 417 and Vol. LXIX, p. 92.

<sup>3</sup> The ratification does not include the Belgian Congo or the Territory of Ruanda-Urundi under Belgian Mandate.

5. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF RAILWAYS AND PROTOCOL OF SIGNATURE (continued).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i> Straits Settlements Tanganyika Territory
BRITISH EMPIRE, (continued)			
NEW ZEALAND	NEW ZEALAND (April 1, 1925)		
INDIA	INDIA (April 1, 1925)		
BULGARIA			
CHILE			
—	—	CHINA <sup>1</sup> (January 21, 1925)	
—	—	COLOMBIA (December 3, 1927)	
CZECHOSLOVAKIA			
FREE CITY OF DANZIG			
DENMARK	DENMARK (April 27, 1926)		
ESTONIA			
FINLAND			
FRANCE			
GERMANY	GERMANY (December 5, 1927)		
GREECE			
HUNGARY			
ITALY			
JAPAN	JAPAN (September 30, 1926)		
LATVIA			
LITHUANIA			
THE NETHERLANDS (for the Kingdom in Europe)	THE NETHERLANDS (February 22, 1928)		
NORWAY	NORWAY (February 24, 1926)		
—	—	PANAMA (July 31, 1925)	
POLAND	POLAND AND FREE CITY OF DANZIG (January 7, 1928)		
PORTUGAL			
ROUMANIA	ROUMANIA (December 23, 1925)		
SALVADOR			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM	SIAM (January 9, 1925)		
SPAIN			
SWEDEN	SWEDEN (September 15, 1927)		
SWITZERLAND	SWITZERLAND (October 23, 1926)		
URUGUAY			

6. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF MARITIME PORTS AND PROTOCOL OF SIGNATURE<sup>2</sup>.

(Geneva, December 9, 1923.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
BELGIUM	BELGIUM <sup>3</sup> (May 16, 1927)		AUSTRIA (January 20, 1927)
BRAZIL			
BRITISH EMPIRE	BRITISH EMPIRE (August 29, 1924)		SOUTHERN RHODESIA (April 23, 1925) NEWFOUNDLAND (April 23, 1925) AUSTRALIA (June 29, 1925)

<sup>1</sup> This adhesion is given for the Convention only.

<sup>2</sup> The Convention and the Protocol came into force on July 26, 1926. See League of Nations *Treaty Series* Vol. LVIII, p. 285. and Vol. LXIX, p. 102.

6. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF MARITIME PORTS AND  
PROTOCOL OF SIGNATURE (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
<b>BRITISH EMPIRE (<i>continued</i>)</b>			Following BRITISH COLONIES, PROTECTORATES AND MANDATED TERRITORIES (September 22, 1925): Bahamas Barbados Bermuda British Guiana British Honduras British Solomon Islands Protectorate Brunei Ceylon Cyprus Falkland Islands Federated Malay States : Perak Selangor Negri Sembilan Pahang Fiji Gambia Gibraltar Gilbert and Ellice Islands Gold Coast Grenada Hong-Kong Jamaica (excluding Turks and Caicos Islands and Cayman Islands) Kenya Leeward Island : Antigua Dominica Montserrat St. Christopher Nevis Virgin Islands Malay States (Unfederated) Johore Kedah Perlis Kelantan Trengganu Mauritius Nigeria Palestine St. Helena St. Lucia St. Vincent Seychelles Sierra Leone Somaliland Straits Settlements Tanganyika Territory Tonga, Trinidad and Tobago Zanzibar Malta (November 7, 1925)
<b>NEW ZEALAND</b>	<b>NEW ZEALAND (April 1, 1925)</b>		
<b>INDIA</b>	<b>INDIA (April 1, 1925)</b>		

6. CONVENTION AND STATUTE ON THE INTERNATIONAL RÉGIME OF MARITIME PORTS AND PROTOCOL OF SIGNATURE (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
BULGARIA			
CHILE			
CZECHOSLOVAKIA			
DENMARK	DENMARK (April 27, 1926) (excluding Greenland)		
ESTONIA	—	FRANCE (December 1, 1924)	
GERMANY	GERMANY (May 1, 1928)		
GREECE	GREECE (January 24, 1927)		
HUNGARY			
ITALY			
JAPAN	JAPAN (September 30, 1926)		
LITHUANIA			
THE NETHERLANDS (for the Kingdom in Europe)	THE NETHERLANDS (February 22, 1928)		NETHERLANDS INDIES, SURINAM AND CURA- ÇAO <sup>1</sup> (February 22, 1928)
NORWAY	NORWAY (June 21, 1928)	PANAMA (July 31, 1925)	
SALVADOR			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM	SIAM (January 9, 1925)		
SPAIN			
SWEDEN	SWEDEN (September 15, 1927)		
SWITZERLAND	SWITZERLAND (October 23, 1927)		
URUGUAY			

7. CONVENTION RELATING TO THE TRANSMISSION IN TRANSIT OF ELECTRIC POWER AND PROTOCOL OF SIGNATURE<sup>1</sup>.

(*Geneva, December 9, 1923.*)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA	AUSTRIA (January 20, 1927)		
BELGIUM			
BRITISH EMPIRE	BRITISH EMPIRE (April 1, 1925)		SOUTHERN RHODESIA (April 23, 1925) NEWFOUNDLAND (April 23, 1925) Following BRITISH COLONIES, PROTEC- TORATES AND MAN- DATED TERRITORIES: (September 22, 1925) British Guiana British Honduras Brunei Federated Malay States : Perak Selangor Negri Sembilan Pahang Gambia Gold Coast Hong-Kong Kenya

<sup>1</sup> The Convention and Protocol came into force on July 28, 1926. See *League of Nations Treaty Series*, Vol. LVIII, p. 315.

7. CONVENTION RELATING TO THE TRANSMISSION IN TRANSIT OF ELECTRIC POWER AND  
 PROTOCOL OF SIGNATURE (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i>
		<i>Final</i>
BRITISH EMPIRE ( <i>continued</i> )		Malay States (Unfederated): Johore Kedah Perlis Kelantan Trengganu Nigeria Northern Rhodesia Nyasaland Palestine Sierra Leone Straits Settlements Tanganyika Territory Uganda Protectorate (January 12, 1927)
NEW ZEALAND	NEW ZEALAND (April 1, 1925)	
BULGARIA		
CHILE		
CZECHOSLOVAKIA	CZECHOSLOVAKIA (November 30, 1926)	
FREE CITY OF DANZIG		
DENMARK	DENMARK (April 27, 1926)	
FRANCE		
GREECE		
HUNGARY		
ITALY		
LITHUANIA		
POLAND		
KINGDOM OF THE SERBS, CROATS AND SLOVENES		
SPAIN		
URUGUAY		

8. CONVENTION RELATING TO THE DEVELOPMENT OF HYDRAULIC POWER AFFECTING MORE THAN ONE STATE, AND PROTOCOL OF SIGNATURE <sup>1</sup>.

(Geneva, December 9, 1923.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i>
		<i>Final</i>
AUSTRIA	AUSTRIA (January 20, 1927)	
BELGIUM		
BRITISH EMPIRE	BRITISH EMPIRE (April 1, 1925)	SOUTHERN RHODESIA (April 23, 1925) NEWFOUNDLAND (April 23, 1925) Following BRITISH COLONIES, PROTECTORATES AND MANDATED TERRITORIES. (September 22, 1925) British Guiana British Honduras Brunei Federated Malay States: Perak Selangor Negri Sembilan Pahang

<sup>1</sup>The Convention and the Protocol came into force on June 30, 1925. See League of Nations *Treaty Series*, Vol. XXXVI, p. 75, Vol. XLV, p. 170 and Vol. L, p. 166.

**8. CONVENTION RELATING TO THE DEVELOPMENT OF HYDRAULIC POWER AFFECTING MORE THAN ONE STATE, AND PROTOCOL OF SIGNATURE *(continued)*.**

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
BRITISH EMPIRE <i>(continued)</i>			Gambia Gold Coast Hong-Kong Kenya Malay States (Unfederated): Johore Kedah Perlis Kelantan Trengganu Nigeria Northern Rhodesia Nyasaland Palestine Sierra Leone Straits Settlements Tanganyika Territory Uganda Protectorate (January 12, 1927)
NEW ZEALAND	NEW ZEALAND (April 1, 1925)		
BULGARIA CHILE FREE CITY OF DANZIG DENMARK FRANCE GREECE HUNGARY ITALY LITHUANIA POLAND KINGDOM OF THE SERBS, CROATS AND SLOVENES SIAM URUGUAY	DENMARK (April 27, 1926)          SIAM (January 9, 1925)		

**9. CONVENTION REGARDING THE MEASUREMENT OF VESSELS EMPLOYED IN INLAND NAVIGATION <sup>1</sup>.**

*(Paris, November 27, 1925.)*

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA BELGIUM BRITISH EMPIRE	AUSTRIA (July 4, 1927) BELGIUM (July 2, 1927) BRITISH EMPIRE (for GREAT BRITAIN and NORTHERN IRELAND) (June 14, 1927)		
BULGARIA CZECHOSLOVAKIA FINLAND FRANCE GERMANY GREECE HUNGARY ITALY	BULGARIA (July 2, 1927)   FRANCE (July 2, 1927) GERMANY (July 2, 1927)  HUNGARY (January 3, 1928)		

<sup>1</sup> The Convention came into force on October 1st, 1927, in conformity with Article 12. See League of Nations *Treaty Series*, Vol. LXVII, p. 63.

9. CONVENTION REGARDING THE MEASUREMENT OF VESSELS EMPLOYED  
IN INLAND NAVIGATION (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
THE NETHERLANDS (for the Kingdom in Europe)	THE NETHERLANDS (July 2, 1927)		
POLAND			
ROUMANIA	ROUMANIA (May 18, 1928)		
UNION OF SOCIALIST SOVIET REPUB- BLICS			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SPAIN	SPAIN (July 11, 1927)		
SWITZERLAND	SWITZERLAND (July 2, 1927)		

PROTOCOL OF SIGNATURE.

(Paris, November 27, 1925.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
AUSTRIA	AUSTRIA (July 4, 1927)		
BELGIUM	BELGIUM (July 2, 1927)		
BRITISH EMPIRE	BRITISH EMPIRE (for GREAT BRITAIN AND NORTHERN IRELAND) (June 14, 1927)		
BULGARIA	BULGARIA (July 2, 1927)		
CZECHOSLOVAKIA			
FINLAND			
FRANCE	FRANCE (July 2, 1927)		
GERMANY	GERMANY (July 2, 1927)		
GREECE			
HUNGARY	HUNGARY (January 3, 1928)		
ITALY			
THE NETHERLANDS (for the Kingdom in Europe)	THE NETHERLANDS (July 2, 1927)		
POLAND			
ROUMANIA	ROUMANIA (May 18, 1928)		
UNION OF SOCIALIST SOVIET REPUB- BLICS			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SPAIN	SPAIN (July 11, 1927)		
SWITZERLAND	SWITZERLAND (July 2, 1927)		



III. TRAFFIC IN WOMEN AND CHILDREN<sup>1</sup>.

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN<sup>2</sup>.  
(Geneva, September 30, 1921.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
ALBANIA	ALBANIA (October 13, 1924)		
AUSTRIA	AUSTRIA (August 9, 1922)		
BELGIUM	BELGIUM (June 15, 1922)		
BRAZIL			
BRITISH EMPIRE	BRITISH EMPIRE (June 28, 1922)		Bahamas, Trinidad, Kenya, Nyasaland, Ceylon, Hong-Kong, Straits Settlements, Gibraltar, Malta, Cyprus, Southern Rhodesia, Barbados, Grenada, St. Lucia, St. Vincent, Seychelles, Northern Rhodesia, British Honduras (September 18, 1922) British Guiana, Fiji (October 24, 1922) Leeward Islands, Jamaica, Mauritius (March 7, 1924) Falkland Islands (May 8, 1924) Gold Coast Colony (July 3, 1924) Iraq (May 15, 1925) Sierra Leone <sup>3</sup> (November 16, 1927)
CANADA	CANADA (June 28, 1922)		
AUSTRALIA	AUSTRALIA (June 28, 1922)		
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (June 28, 1922)		
NEW ZEALAND	NEW ZEALAND (June 28, 1922)		
INDIA	INDIA (June 28, 1922)		
—	—		BULGARIA (April 29, 1925)
CHILE			
CHINA	CHINA (February 24, 1926)		
COLOMBIA			
COSTA RICA			
CUBA	CUBA (May 7, 1923)		
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 29, 1923)		
—	—	DENMARK (March 12, 1923)	
ESTONIA	—		FINLAND (August 16, 1926)
—	—	FRANCE (January 19, 1926) (This adhesion does not include the French Colonies and Protectorates, or the Mandated Territories.)	FRANCE (March 1, 1926)
GERMANY	GERMANY (July 8, 1924)		
GREECE	GREECE (April 9, 1923)		
HUNGARY	HUNGARY (April 25, 1925)		
ITALY	ITALY (June 30, 1924)		Italian Colonies (July 27, 1922)

<sup>1</sup> The Annex to the Supplementary Report for 1923 (A. 10 (a), Annex, 1923) contains, moreover, complete details concerning:

1. The Agreement for the Suppression of the White Slave Traffic, Paris, May 18th, 1904.  
2. The Convention for the Suppression of the White Slave Traffic, Paris, May 4th, 1910.

<sup>2</sup> "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 11). See *Treaty Series of the League of Nations*: Vol. IX, p. 415; Vol. XV, p. 310; Vol. XIX, p. 282; Vol. XXIV, p. 162; Vol. XXVII, p. 418; Vol. XXXV, p. 298; Vol. XXXIX, p. 167; Vol. XLV, p. 99; Vol. L, p. 160; Vol. LIV, p. 388, and Vol. LXIII, p. 378.

<sup>3</sup> This accession applies only to the Colony of Sierra Leone and not to the Protectorate as well.

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN  
(continued).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
JAPAN <sup>1</sup>	JAPAN (December 15, 1925)		
LATVIA	LATVIA (February 12, 1924)		
LITHUANIA			
THE NETHERLANDS (including NETHERLANDS IN- DIES, SURINAM and CURAÇAO)	THE NETHERLANDS (Sep- tember 19, 1923) (includ- ing NETHERLANDS IN- DIES, SURINAM and CURAÇAO)		
NORWAY	NORWAY (August 16, 1922)		
—	—	PANAMA (September 6, 1922)	
PERSIA	—		
—	—	PERU (September 15, 1924)	
POLAND AND FREE CITY OF DANZIG	POLAND AND FREE CITY OF DANZIG (October 8, 1924)		
PORTUGAL	PORTUGAL (December 1, 1923)		
ROUMANIA	ROUMANIA (September 5, 1923)		
SIAM	SIAM (July 13, 1922)		
—	—		SPAIN (May 12, 1924). (This adhesion does not include the Spa- nish possessions in Africa or the territo- ries of the Spanish Protectorate in Mo- rocco.)
SWEDEN	SWEDEN (June 9, 1925)		
SWITZERLAND	SWITZERLAND (January 20, 1926)		
—	—		URUGUAY (October 21, 1924)

IV. OBSCENE PUBLICATIONS.

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC  
IN OBSCENE PUBLICATIONS <sup>2</sup>.

(Geneva, September 12, 1923.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
ALBANIA	ALBANIA (October 13, 1924)		
AUSTRIA	AUSTRIA (January 12, 1925)		
BELGIUM	BELGIUM (July 31, 1926)		
BRAZIL			
BRITISH EMPIRE	GREAT BRITAIN and NOR- THERN IRELAND (Decem- ber 11, 1925)		CANADA (May 23, 1924)
UNION OF SOUTH AFRICA, in- cluding South- West Africa (Mandate)	UNION OF SOUTH AFRICA, including South-West Africa (Mandate) (De- cember 11, 1925)		SOUTHERN RHODESIA (December 31, 1925)
NEW ZEALAND (including the mandated territory of Western Samoa)	NEW ZEALAND, including the mandated territory of Western Samoa (Decem- ber 11, 1925)		NEWFOUNDLAND (De- cember 31, 1925)

<sup>1</sup> The signature by Japan does not include Chosen, Taiwan and the Leased Territory of Kwantung.

<sup>2</sup> The present Convention came into force on August 7th, 1924, viz., on the thirtieth day following the one on which the deposit of the second ratification took place (Article 11). See *Treaty Series of the League of Nations*, Vol. XXVII, p. 213; Vol. XXXI, p. 280; Vol. XXXV, p. 314; Vol. XXXIX, p. 190; Vol. XLV, p. 122; Vol. LIV, p. 391, and Vol. LIX, p. 257.

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION  
OF AND TRAFFIC IN OBSCENE PUBLICATIONS (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i>
		<i>Final</i>
INDIA IRISH FREE STATE	INDIA (December 11, 1925)	Nigeria Seychelles British Honduras Ceylon Kenya Mauritius British Solomon Islands Protectorate Gilbert and Ellice Islands Colony Fiji Uganda Trinidad Zanzibar Tanganyika Territory Leeward Islands Windward Islands Gambia Nyasaland Straits Settlements Non-Federated Malay States : Brunei Johore Kedah Kelantan Trengganu Sierra Leone Northern Rhodesia Barbados Gold Coast Cyprus Gibraltar Malta Somaliland Basutoland Bechuanaland Swaziland Hong-Kong (November 3, 1926) Bermuda Bahamas Falkland Islands St. Helena Palestine Trans-Jordan Jamaica (August 22, 1927)
BULGARIA CHINA COLOMBIA COSTA RICA CUBA CZECHOSLOVAKIA FREE CITY OF DANZIG DENMARK	BULGARIA (July 1, 1924) CHINA (February 24, 1926)  CZECHOSLOVAKIA (April 11, 1927) FREE CITY OF DANZIG (March 31, 1926) —	
FINLAND FRANCE GERMANY	FINLAND (June 29, 1925) GERMANY (May 11, 1925)	EGYPT (October 29, 1924)

May 23, 1927

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION  
OF AND TRAFFIC IN OBSCENE PUBLICATIONS (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
GREECE			
HAITI			
HONDURAS			
HUNGARY			
ITALY	ITALY (July 8, 1924)		
JAPAN			
LATVIA	LATVIA (October 7, 1925)		
LITHUANIA			
LUXEMBURG	LUXEMBURG <sup>1</sup> (August 10, 1927)		
—	—		SAN MARINO (April 21, 1926)
MONACO	MONACO (May 11, 1925)		
THE NETHERLANDS (including NETHERLANDS INDIES, SURI- NAM and CURA- CAO)	THE NETHERLANDS (includ- ing NETHERLANDS INDIES, SURINAM and CURAÇAO) (September 13, 1927)		
PANAMA			
PERSIA			
—	—		PERU (September 15, 1924)
POLAND	POLAND (March 8, 1927)		
PORTUGAL	PORTUGAL (October 4, 1927)		
ROUMANIA	ROUMANIA (June 7, 1926)		
SALVADOR			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM	SIAM (July 28, 1924)		
SPAIN	SPAIN (December 19, 1924)		
SWITZERLAND	SWITZERLAND (January 20, 1926)		
TURKEY			
URUGUAY			

V. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

INTERNATIONAL OPIUM CONVENTION OF JANUARY 23, 1912<sup>1</sup>.

*Schedule containing the signatures of the Convention, the signatures of the Protocol of Signature of the Powers not represented at the First Opium Conference, provided for in the penultimate paragraph of Article 22 of the Convention, the ratifications of the Convention, and the signatures of the Protocol respecting the putting into force of the Convention provided under "B" of the Final Protocol of the Third International Opium Conference.*

(The ratifications and signatures in accordance with Article 295 of the Peace Treaty of Versailles or in accordance with a similar article of other treaties of peace are marked \*.)

States	Signatures of the Convention	Signatures of the Protocol of the Powers not represented at the Opium Conference	Ratifications of the Convention	Signatures of the Protocol relative to the bringing into force of the Convention (dates of the entry into force)
ALBANIA . . . . .	—	Feb. 3, 1925	Feb. 3, 1925	Feb. 3, 1925
UNITED STATES OF AMERICA . . . . .	Jan. 23, 1912	—	Dec. 15, 1913	Feb. 11, 1915
ARGENTINE . . . . .	—	Oct. 17, 1912	—	—
AUSTRIA . . . . .	—	—	July 16, 1920*	July 16, 1920*
BELGIUM <sup>2</sup> . . . . .	—	June 18, 1912	June 16, 1914	May 14, 1919
BOLIVIA . . . . .	—	June 4, 1913	Jan. 10, 1920*	Jan. 10, 1920*
BRAZIL . . . . .	—	Oct. 16, 1912	Dec. 23, 1914	Jan. 10, 1920*
BULGARIA . . . . .	—	March 2, 1914	Aug. 9, 1920*	Aug. 9, 1920*
CHILE . . . . .	—	July 2, 1913	Jan. 16, 1923	May 18, 1923
CHINA . . . . .	Jan. 23, 1912	—	Feb. 9, 1914	Feb. 11, 1915
COLOMBIA <sup>3</sup> . . . . .	—	Jan. 15, 1913	June 26, 1924	June 30, 1924
COSTA RICA . . . . .	—	April 25, 1912	August 1, 1924	July 29, 1925
CUBA . . . . .	—	May 8, 1913	March 8, 1920*	March 8, 1920*
CZECHOSLOVAKIA . . . . .	—	—	Jan. 10, 1920*	Jan. 10, 1920*
FREE CITY OF DANZIG . . . . .	—	Nov. 8, 1921	April 18, 1922	—
DENMARK <sup>4</sup> . . . . .	—	Dec. 17, 1912	July 10, 1913	Oct. 21, 1921
DOMINICAN REPUBLIC . . . . .	—	Nov. 12, 1912	June 7, 1923	—
ECUADOR . . . . .	—	July 2, 1912	Feb. 25, 1915	August 23, 1923
ESTONIA . . . . .	—	Jan. 9, 1923	April 20, 1923	—
FINLAND . . . . .	—	April 24, 1922	May 16, 1922	Dec. 1, 1922
FRANCE <sup>5</sup> . . . . .	Jan. 23, 1912	—	Jan. 10, 1920*	Jan. 10, 1920*
GERMANY . . . . .	Jan. 23, 1912	—	Jan. 10, 1920*	Jan. 10, 1920*
GREAT BRITAIN <sup>6</sup> . . . . .	Jan. 23, 1912	—	July 15, 1914	Jan. 10, 1920*
GREECE . . . . .	—	—	March 30, 1920*	March 30, 1920*
GUATEMALA . . . . .	—	June 17, 1912	Aug. 27, 1913	Jan. 10, 1920*
HAITI . . . . .	—	Aug. 21, 1912	June 30, 1920*	June 30, 1920*
HONDURAS . . . . .	—	July 5, 1912	Aug. 29, 1913	April 3, 1915
HUNGARY . . . . .	—	—	July 26, 1921*	July 26, 1921*
ITALY . . . . .	Jan. 23, 1912	—	June 28, 1914	Jan. 10, 1920*
JAPAN . . . . .	Jan. 23, 1912	—	Jan. 10, 1920*	Jan. 10, 1920*
LATVIA . . . . .	—	Feb. 6, 1922	March 25, 1924	—
LIBERIA . . . . .	—	—	June 30, 1920*	June 30, 1920*

<sup>1</sup> See *Treaty Series of the League of Nations*: Vol. VIII, p. 187; Vol. XI, p. 414; Vol. XV, p. 310; Vol. XIX, p. 282; Vol. XXIV, p. 162; Vol. XXXI, p. 244; Vol. XXXV, p. 298; Vol. XXXIX, p. 167, and Vol. LIX, p. 346.

<sup>2</sup> Subject to adherence or denunciation as regards Belgian Congo.

<sup>3</sup> Subject to the approval of the Colombian Parliament.

<sup>4</sup> The signature of the Protocol of Signature of the Powers not represented at the Conference as well as its ratification were given by Denmark for Iceland and the Danish Antilles; the signature of the Protocol respecting the putting into force of the Convention was given separately by Denmark and Iceland.

<sup>5</sup> With the reservation that a separate and special ratification or denunciation may subsequently be obtained for the French Protectorates. France and Great Britain signed the Convention for the New Hebrides, August 21, 1924.

<sup>6</sup> In accordance with the following reservation:

The articles of the present Convention, if ratified by His Britannic Majesty's Government, shall apply to the Government of British India, Ceylon, the Straits Settlements, Hong-Kong, and Wei-hai-Wei in every respect in the same way as they shall apply to the United Kingdom of Great Britain and Ireland; but His Britannic Majesty's Government reserve the right of signing or denouncing separately the said Convention in the name of any Dominion, Colony, Dependency, or Protectorate of His Majesty other than those which have been specified.

In virtue of the above-mentioned reservation, Great Britain signed the Convention for the following Dominions, Colonies, Dependencies, and Protectorates:

On December 17th, 1912, for Canada, Newfoundland, New Zealand, Brunei, Cyprus, the East Africa Protectorate, Falkland Islands, Malay Protectorates, Gambia, Gibraltar, Gold Coast, Jamaica, Johore, Kedah, Kelantan, Perlis, Trengganu, Malta, Northern Nigeria, Northern Borneo, Nyasaland, St. Helena, Sarawak, Seychelles, Somaliland, Southern Nigeria, Trinidad, Uganda; on February 27th, 1913, for the Colony of Fiji; on April 22nd, 1913, for the Colony of Sierra Leone, the Gilbert and Ellice Islands Protectorate and the Solomon Islands Protectorate; on June 25th, 1913, for the Government of the Commonwealth of Australia; on November 14th, 1913, for the Bahamas Islands and for the three Colonies of the Windward Islands, that is to say, Grenada, St. Lucia and St. Vincent; on January 30th, 1914, for the Leeward Islands; on February 11th, 1914, for British Guiana as well as for British Honduras; on March 11th, 1914, for the Government of the Union of South Africa; on March 28th, 1914, for Zanzibar, Southern and Northern Rhodesia, Basutoland, the Bechuanaland Protectorate and Swaziland; on April 4th, 1914, for the Colony of Barbados; on April 8th, 1914, for Mauritius and its dependencies; on July 11th, 1914, for the Bermuda Islands; on August 21st, 1924, for Palestine and together with France for the New Hebrides; on October 20th, 1924, for Iraq.

States	Signatures of the Convention	Signatures of the Protocol of the Powers not represented at the Opium Conference	Ratifications of the Convention	Signatures of the Protocol relative to the bringing into force of the Convention (dates of the entry into force)
LITHUANIA . . . . .	—	April 7, 1922	—	—
LUXEMBURG . . . . .	—	June 18, 1912	Aug. 21, 1922	Aug. 21, 1922
MEXICO . . . . .	—	May 15, 1912	April 2, 1925	May 8, 1925
MONACO . . . . .	—	May 1, 1923	Feb. 20, 1925	May 26, 1925
THE NETHERLANDS . . . . .	Jan. 23, 1912	—	July 28, 1914	Feb. 11, 1915
NICARAGUA . . . . .	—	July 18, 1913	Nov. 10, 1914	Nov. 3, 1920
NORWAY . . . . .	—	Sept. 2, 1913	Nov. 12, 1914	Sept. 20, 1915
PANAMA . . . . .	—	June 19, 1912	Nov. 25, 1920*	Nov. 25, 1920*
PARAGUAY . . . . .	—	Dec. 14, 1912	—	—
PERU . . . . .	—	July 24, 1913	Jan. 10, 1920*	Jan. 10, 1920*
PERSIA <sup>1</sup> . . . . .	Jan. 23, 1912	—	—	—
POLAND . . . . .	—	—	Jan. 10, 1920*	Jan. 10, 1920*
PORTUGAL . . . . .	Jan. 23, 1912	—	Dec. 15, 1913	April 8, 1920*
ROUMANIA . . . . .	—	Dec. 27, 1913	Sept. 14, 1920*	Sept. 14, 1920*
RUSSIA . . . . .	Jan. 23, 1912	—	—	—
SALVADOR . . . . .	—	July 30, 1912	Sept. 19, 1922	—
SERBS, CROATS AND SLOVENES, (KINGDOM OF THE). . . . .	—	—	Feb. 10, 1920*	Feb. 10, 1920*
SIAM <sup>2</sup> . . . . .	Jan. 23, 1912	—	July 10, 1913	Jan. 10, 1920*
SPAIN . . . . .	—	Oct. 23, 1912	Jan. 25, 1919	Feb. 11, 1921
SWEDEN <sup>3</sup> . . . . .	—	Aug. 27, 1913	April 17, 1914	Jan. 13, 1921
SWITZERLAND <sup>4</sup> . . . . .	—	Dec. 29, 1913	Jan. 15, 1925	Jan. 15, 1925
URUGUAY . . . . .	—	March 9, 1914	April 3, 1916	Jan. 10, 1920*
VENEZUELA . . . . .	—	Sept. 10, 1912	Oct. 28, 1913	July 12, 1927

FIRST OPIUM CONFERENCE OF THE LEAGUE OF NATIONS.

AGREEMENT, PROTOCOL AND FINAL ACT <sup>5</sup>.  
(Signed at Geneva, February 11, 1925.)

Signatures	Ratifications	Signatures	Ratifications
BRITISH EMPIRE	BRITISH EMPIRE (Feb. 17, 1926)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO) (March 1, 1927)
INDIA	INDIA (Feb. 17, 1926)		
FRANCE	FRANCE (April 29, 1926)		
JAPAN	JAPAN	PORTUGAL	PORTUGAL (September 13, 1926)
		SIAM	SIAM (May 6, 1927)

SECOND OPIUM CONFERENCE OF THE LEAGUE OF NATIONS.

CONVENTION <sup>6</sup>.  
(Geneva, February 19, 1925.)

Signatures	Ratifications	Accessions	
		Subject to ratification	Final
ALBANIA			
AUSTRIA	AUSTRIA (November 25, 1927)		
BELGIUM .	BELGIUM <sup>7</sup> (August 24, 1927)		
—	—	BOLIVIA (January 19, 1927)	
BRAZIL			
BRITISH EMPIRE	BRITISH EMPIRE (February 17, 1926)		STATE OF SARAWAK (March 11, 1926)
CANADA	CANADA (June 27, 1928)		
AUSTRALIA	AUSTRALIA (February 17, 1926)		BAHAMAS (October 22, 1926)

<sup>1</sup> With the reservation of Articles 15, 16, 17, 18 and 19 (Persia having no treaty with China) and paragraph (a) of Article 3.

<sup>2</sup> With the reservation of Articles 15, 16, 17, 18 and 19 (Siam having no treaty with China).

<sup>3</sup> Subject to the following declaration: "Opium not being manufactured in Sweden, the Swedish Government will for the moment confine themselves to prohibiting the importation of prepared opium, but they declare at the same time that they are ready to take the measures indicated in Article 8 of the Convention if experience proves their expediency."

<sup>4</sup> Subject to ratification and with the declaration that the Swiss Government will be unable to issue the necessary legal enactments within the terms fixed by the Convention.

<sup>5</sup> The Agreement and the Protocol came into force on July 28, 1926. See League of Nations *Treaty Series*, Vol. LI, p. 337.

<sup>6</sup> "The present Convention shall not come into force until it has been ratified by ten Powers, including seven of the States by which the Central Board is to be appointed in pursuance of Article 19, of which at least two must be permanent Members of the Council of the League. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of the necessary ratifications." (Article 36.)

<sup>7</sup> This ratification does not include the Belgian Congo or the Territory of Ruanda-Urundi placed under Belgian Mandate.

SECOND OPIUM CONFERENCE OF THE LEAGUE OF NATIONS  
CONVENTION (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
<b>BRITISH EMPIRE (<i>continued</i>)</b>			
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 17, 1926)		
NEW ZEALAND	NEW ZEALAND (February 17, 1926)		
INDIA	INDIA (February 17, 1926)		
IRISH FREE STATE			
BULGARIA	BULGARIA (March 9, 1927)		
CHILE			
CUBA			
CZECHOSLOVAKIA	CZECHOSLOVAKIA (April 11, 1927)		
—	—	—	FREE CITY OF DANZIG (August 7, 1926)
DENMARK			
—	—	DOMINICAN REPUBLIC (October 16, 1926)	DOMINICAN REPUBLIC (July 19, 1928)
—	—		EGYPT (March 16, 1926)
—	—	—	FINLAND (December 5, 1927)
FRANCE	FRANCE (July 2, 1927)		
GERMANY			
GREECE			
HUNGARY			
JAPAN	JAPAN		
LATVIA			
LUXEMBURG	LUXEMBURG (March 27, 1928)		
—	—		SAN MARINO (April 21, 1926)
THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM AND CURAÇAO) (June 4, 1928)		
—	—		MONACO (February 9, 1927)
—	—		NEW HEBRIDES (December 27, 1927)
NICARAGUA			
PERSIA			
POLAND	POLAND AND FREE CITY OF DANZIG (June 16, 1927)		
PORTUGAL	PORTUGAL (September 13, 1926)		
—	—	ROUMANIA (March 26, 1926)	ROUMANIA (May 18, 1928)
—	—	SALVADOR (March 11, 1926)	SALVADOR (December 2, 1926)
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM			
SPAIN	SPAIN <sup>1</sup> (June 22, 1928)		
SUDAN	SUDAN (February 20, 1926)		
SWITZERLAND			
URUGUAY			
—	—	VENEZUELA (June 25, 1927)	

<sup>1</sup>This ratification includes also the Spanish Colonies with the exception of the Spanish Protectorate of Morocco.

PROTOCOL.  
(Geneva, February 19, 1925.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
ALBANIA —	—	BOLIVIA (January 19, 1927)	
BRITISH EMPIRE	BRITISH EMPIRE (February 17, 1926)		STATE OF SARAWAK (March 11, 1926)
CANADA	CANADA (June 27, 1928)		BAHAMAS (October 22, 1926)
AUSTRALIA	AUSTRALIA (February 17, 1926)		
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 17, 1926)		
NEW ZEALAND	NEW ZEALAND (February 17, 1926)		
INDIA	INDIA (February 17, 1926)		
BULGARIA	BULGARIA (March 9, 1927)		
CHILE			
CUBA			
CZECHOSLOVAKIA	CZECHOSLOVAKIA (April 11, 1927)		
—	—		EGYPT (March 16, 1926)
—	—		FINLAND (December 5, 1927)
GERMANY			
GREECE			
JAPAN	JAPAN		
LATVIA			
LUXEMBURG	LUXEMBURG (March 27, 1928)		
THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO) (June 4, 1928)		
NICARAGUA			
PERSIA			
PORTUGAL	PORTUGAL (September 13, 1926)		
—	—	ROUMANIA (March 26, 1926)	ROUMANIA (May 18, 1928)
—	—	SALVADOR (March 11, 1926)	SALVADOR (December 2, 1926)
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM			
SUDAN	SUDAN (February 20, 1926)		
—	—	VENEZUELA (June 25, 1927)	



VI. SUPERVISION OF THE INTERNATIONAL TRADE IN ARMS AND  
AMMUNITION AND IN IMPLEMENTS OF WAR.

CONVENTION FOR THE SUPERVISION OF THE INTERNATIONAL TRADE IN ARMS AND AMMUNITION  
AND IN IMPLEMENTS OF WAR<sup>1</sup>.

(Geneva, June 17, 1925.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
ABYSSINIA			
UNITED STATES OF AMERICA			
AUSTRIA			
BELGIUM			
BRAZIL			
—			
BRITISH EMPIRE			
CANADA			
INDIA			
BULGARIA			
CHILE			
CHINA	CHINA		
CZECHOSLOVAKIA			
DENMARK			
EGYPT			
ESTONIA			
FINLAND			
FRANCE	FRANCE		
GERMANY			
HUNGARY			
—			
ITALY			
JAPAN			
LATVIA			
—			
—			
—			
LUXEMBURG			
THE NETHERLANDS (including NE- THERLANDS IN- DIES, SURINAM and CURAÇAO)			
NORWAY			
POLAND			
—			
ROUMANIA			
SALVADOR			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM			
SPAIN			
SWEDEN			
SWITZERLAND			
URUGUAY			
VENEZUELA	VENEZUELA		
			LIBERIA

<sup>1</sup> " A first procès-verbal of the deposit of ratifications will be drawn up by the Government of the French Republic as soon as the present Convention shall have been ratified by fourteen Powers.

" The Convention shall come into force four months after the date of the notification of this procès-verbal by the Government of the French Republic to all signatory Powers " (Article 41).

PROTOCOL OF SIGNATURE.

(Geneva, June 17, 1925.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
ABYSSINIA			
UNITED STATES OF AMERICA			
AUSTRIA			
BELGIUM			
BRAZIL			
BRITISH EMPIRE			
CANADA			
INDIA			
BULGARIA			
CHILE			
—			
CZECHOSLOVAKIA			
DENMARK			
—			
ESTONIA			
FINLAND			
FRANCE	FRANCE		
GERMANY			
GREECE			
HUNGARY			
—			
ITALY			
JAPAN			
LATVIA			
—			
LUXEMBURG			LIBERIA
—			
THE NETHERLANDS (including NE- THERLANDS IN- DIES, SURINAM and CURAÇAO)			
NICARAGUA			
POLAND			
—			
PORTUGAL			
ROUMANIA			
SALVADOR			
—			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SPAIN			
—			
SWITZERLAND			
TURKEY			
URUGUAY			
VENEZUELA	VENEZUELA		

DECLARATION REGARDING THE TERRITORY OF IFNI.

(Geneva, June 17, 1925.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
—			
—			
—			
ABYSSINIA			
AUSTRIA			
BELGIUM			
BRAZIL			
—			
BRITISH EMPIRE			
CANADA			
INDIA			

DECLARATION REGARDING THE TERRITORY OF IFNI (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
BULGARIA			
CHILE			
CZECHOSLOVAKIA			
DENMARK			
EGYPT			
ESTONIA			
—			
FINLAND			
FRANCE	FRANCE		
—			
ITALY			
JAPAN			
LATVIA			
—	—		
LUXEMBURG			LIBERIA (April 2, 1927)
THE NETHERLANDS (including NETHERLANDS IN- DIES, SURINAM and CURAÇAO)			
POLAND			
—			
ROUMANIA			
SALVADOR			
—			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SPAIN			
SWITZERLAND			
VENEZUELA	VENEZUELA		

PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS  
OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE <sup>1</sup>.

*(Geneva, June 17, 1925.)*

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
ABYSSINIA			
UNITED STATES OF AMERICA			
AUSTRIA	AUSTRIA (May 9, 1928)		
BELGIUM			
BRAZIL			
—			
BRITISH EMPIRE			
CANADA			
INDIA			
BULGARIA			
CHILE			
—			
CZECHOSLOVAKIA			
—			
DENMARK			
EGYPT			
ESTONIA			
—			
FINLAND			
FRANCE	FRANCE (May 9, 1926)		
GERMANY			
—			
GREECE			
—			
ITALY	ITALY (April 3, 1928)		
—			

<sup>1</sup> The present Protocol will come into force for each signatory Power as from the date of deposit of its ratification and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications.

PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
JAPAN			
LATVIA			
—	—	—	LIBERIA (April 2, 1927)
LITHUANIA			
LUXEMBURG			
THE NETHERLANDS (including NETHERLANDS IN- DIES, SURINAM and CURAÇAO)			
—			
—			
NICARAGUA			
NORWAY			
POLAND			
PORTUGAL			
ROUMANIA			
SALVADOR			
—			
—			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM			
SPAIN			
SWEDEN			
SWITZERLAND			
—			
TURKEY			
—	—	UNION OF SOCIALIST SOVIET REPUBLICS	UNION OF SOCIALIST SOVIET REPUBLICS (April 5, 1928)
URUGUAY			
VENEZUELA	VENEZUELA (Febru- ary 8, 1928)		

VII. REFUGEES <sup>1</sup>.

- I. ADDITIONAL ACT TO THE PROTOCOL OF SEPTEMBER 29, 1923, RELATING TO THE SETTLEMENT OF GREEK REFUGEES, SIGNED AT GENEVA, SEPTEMBER 19, 1924 <sup>2</sup>.  
Signed by GREECE and ratified December 4, 1924.
- II. DECLARATION RELATING TO THE MODIFICATIONS MADE TO THE PROTOCOL OF SEPTEMBER 29, 1923, WITH REGARD TO THE SETTLEMENT OF REFUGEES IN GREECE, BY THE ADDITIONAL ACT OF SEPTEMBER 19, 1924. GENEVA, SEPTEMBER 25, 1924 <sup>3</sup>.  
Signed by GREAT BRITAIN, FRANCE and ITALY.
- III. PROTOCOL <sup>4</sup> CONCERNING THE SETTLEMENT OF REFUGEES IN BULGARIA, SIGNED AT GENEVA, SEPTEMBER 8, 1926.  
Ratified by BULGARIA November 23, 1926.
- IV. PROTOCOL <sup>5</sup> FOR THE STABILISATION OF THE CURRENCY AND LIQUIDATING THE BUDGET ARREARS OF THE HELLENIC STATE AND FOR FURTHER SETTLEMENT OF GREEK REFUGEES, SIGNED AT GENEVA, SEPTEMBER 15, 1927.  
Ratified by GREECE January 12, 1928.

<sup>1</sup> The Annex to the Supplementary Report for 1924 (A. 8 (a). 1924. Annex) contains, moreover, complete details concerning :

(1) Arrangement with regard to the Issue of Certificates of Identity to Russian Refugees ;  
(2) Protocol relating to the Settlement of Refugees in Greece and the Creation for this purpose of a Refugee Settlement Commission, signed at Geneva, September 29, 1923 ;  
(3) Declaration relating to the Settlement of Refugees in Greece and the Creation for this purpose of a Refugee Settlement Commission, signed at Geneva, September 29, 1923.

<sup>2</sup> See League of Nations *Treaty Series*, Vol. XXX, p. 413.

<sup>3</sup> See League of Nations *Treaty Series*, Vol. XXX, p. 421.

<sup>4</sup> Came into force November 23, 1926, according to its Article X, paragraph 3.

<sup>5</sup> See League of Nations *Treaty Series*, Vol. LXX.

DECLARATION<sup>1</sup> CONCERNING THE ABOVE PROTOCOL ON BEHALF OF FRANCE, GREAT BRITAIN AND ITALY, SIGNED AT GENEVA, DECEMBER 8, 1927.

*Signatures*  
GREAT BRITAIN  
FRANCE  
ITALY

VIII. EMIGRATION.

GRECO-BULGARIAN AGREEMENT, SIGNED AT GENEVA, DECEMBER 9, 1927.

(*Greco-Bulgarian Emigration.*)

<i>Signatures</i>	<i>Ratifications</i>
BULGARIA	—
GREECE	—

IX. SLAVERY.

SLAVERY CONVENTION<sup>2</sup>.

(*Geneva, September 25, 1926.*)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
ABYSSINIA			
ALBANIA			
AUSTRIA	AUSTRIA (August 19, 1927)		
BELGIUM	BELGIUM (September 23, 1927)		
BRITISH EMPIRE	BRITISH EMPIRE (June 18, 1927)		
CANADA	CANADA (August 6, 1928)		
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (June 18, 1927)		
AUSTRALIA	AUSTRALIA (June 18, 1927)		
NEW ZEALAND	NEW ZEALAND (June 18, 1927)		
INDIA	INDIA (June 18, 1927)		
BULGARIA	BULGARIA (March 9, 1927)		
CHINA			
COLOMBIA			
CUBA			
CZECHOSLOVAKIA			
DENMARK	DENMARK (May 17, 1927)		
—	—	DOMINICAN REPUBLIC (July 16, 1928)	
—	—		ECUADOR (March 26, 1928)
—	—		EGYPT (January 25, 1928)
ESTONIA			
FINLAND	FINLAND (September 29, 1927)		
FRANCE			
GERMANY			
GREECE			
			HAITI (September 3, 1927)
			HUNGARY <sup>3</sup> (April 16, 1927)
ITALY	ITALY (August 25, 1928)		
LATVIA	LATVIA (July 9, 1927)		
LIBERIA			
LITHUANIA			

<sup>1</sup> See League of Nations *Treaty Series*, Vol. LXX.

<sup>2</sup> This Convention came into force March 9, 1927, according to its Article 12. See League of Nations *Treaty Series* Vol. LX, p. 253, and LXIX, p. 114.

<sup>3</sup> "The Royal Hungarian Government expresses, with respect to point (2) of paragraph 2 of Article 5, the opinion that the application of measures of coercion by public authorities against persons who without legal justification refuse to fulfil undertakings (duties as domestic servants, agricultural labourers, or harvest labourers), entered into by them freely under the civil law, cannot be considered as a measure conducing to conditions analogous to slavery which is prohibited by the present Convention, since in such cases the sole object is to ensure the proper observance of the period of notice which the law requires to be given to the employer or to secure the completion of a task of short duration freely accepted by the workman."

SLAVERY CONVENTION (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>
		<i>Subject to ratification</i> <i>Final</i>
—	—	—
		MONACO (January 17, 1928)
THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO) (January 7, 1928)	—
—	—	NICARAGUA (October 3, 1927)
NORWAY	NORWAY (September 10, 1927)	
PANAMA		
PERSIA		
POLAND		
PORTUGAL	PORTUGAL (October 4, 1927)	
ROUMANIA		
KINGDOM OF THE SERBS, CROATS AND SLOVENES		
SPAIN	SPAIN (September 12, 1927)	
—	—	SUDAN (September 15, 1927)
SWEDEN	SWEDEN (December 17, 1927)	
URUGUAY		

X. PERMANENT COURT OF INTERNATIONAL JUSTICE<sup>1</sup>.

1. PROTOCOL OF SIGNATURE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE, DATED DECEMBER 16, 1920.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
ABYSSINIA	ABYSSINIA (July 16, 1926)	INDIA	INDIA (August 4, 1921)
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 4, 1921)	IRISH FREE STATE	IRISH FREE STATE
ALBANIA	ALBANIA (July 13, 1921)	ITALY	ITALY (June 20, 1921)
AUSTRALIA	AUSTRALIA (August 4, 1921)	JAPAN	JAPAN (November 16, 1921)
AUSTRIA	AUSTRIA (July 23, 1921)	LATVIA	LATVIA (February 12, 1924)
BELGIUM	BELGIUM (August 29, 1921)	LIBERIA	—
BOLIVIA	—	LITHUANIA	LITHUANIA (May 16, 1922)
BRAZIL	BRAZIL (November 1, 1921)	LUXEMBURG	—
BRITISH EMPIRE	BRITISH EMPIRE (August 4, 1921)	THE NETHERLANDS	THE NETHERLANDS (August 6, 1921)
BULGARIA	BULGARIA (August 12, 1921)	NEW ZEALAND	NEW ZEALAND (August 4, 1921)
CANADA	CANADA (August 4, 1921)	NORWAY	NORWAY (August 20, 1921)
CHILE	CHILE (July 20, 1928)	PANAMA	—
CHINA	CHINA (May 13, 1922)	PARAGUAY	—
COLOMBIA	—	PERSIA	—
COSTA RICA	—	POLAND	POLAND (August 26, 1921)
CUBA	CUBA (January 12, 1922)	PORTUGAL	PORTUGAL (October 8, 1921)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 2, 1921)	ROUMANIA	ROUMANIA (August 8, 1921)
DENMARK	DENMARK (June 13, 1921)	SALVADOR	—
DOMINICAN REPUBLIC	—	KINGDOM OF THE SERBS, CROATS AND SLOVENES	KINGDOM OF THE SERBS, CROATS AND SLOVENES (August 12, 1921)
ESTONIA	ESTONIA (May 2, 1923)	SIAM	SIAM (February 27, 1922)
FINLAND	FINLAND (April 6, 1922)	SPAIN	SPAIN (August 30, 1921)
FRANCE	FRANCE (August 7, 1921)	SWEDEN	SWEDEN (February 21, 1921)
GERMANY	GERMANY (March 11, 1927)	SWITZERLAND	SWITZERLAND (July 25, 1921)
GREECE	GREECE (October 3, 1921)	URUGUAY	URUGUAY (September 27, 1921)
GUATEMALA	—	VENEZUELA	VENEZUELA (December 2, 1921)
HAITI	HAITI (September 7, 1921)		
HUNGARY	HUNGARY (November 20, 1925)		

<sup>1</sup> See *Treaty Series of the League of Nations*, Vol. VI, p. 379; Vol. XI, p. 404; Vol. XV, p. 304; Vol. XXIV, p. 152; Vol. XXVII, p. 416; Vol. XXXIX, p. 165; Vol. XLV, p. 98; Vol. L, p. 159; Vol. LIV, p. 387; and Vol. LXIX, p. 70.

2. OPTIONAL CLAUSE RECOGNISING THE COURT'S JURISDICTION AS DESCRIBED  
IN ARTICLE 36 OF THE STATUTE.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
ABYSSINIA	ABYSSINIA (July 16, 1926, for 5 years)	GUATEMALA <sup>2</sup> *	—
AUSTRIA	AUSTRIA (March 14, 1922, for 5 years; renewed for 10 years from March 13, 1927)	HAITI <sup>2</sup> †	—
BELGIUM	BELGIUM (March 10, 1926, for 15 years)	LATVIA * (for 5 years)	—
BRAZIL	BRAZIL <sup>1</sup> (November 1, 1921, for 5 years)	LIBERIA <sup>2</sup> *	—
BULGARIA <sup>2</sup>	BULGARIA (August 12, 1921)	LITHUANIA	LITHUANIA (May 16, 1922, for 5 years)
CHINA	CHINA (May 13, 1922, for 5 years)	LUXEMBURG * (for 5 years)	—
COSTA RICA <sup>2</sup> *	—	NETHERLANDS <sup>3</sup>	NETHERLANDS (August 6, 1921, for 5 years)
DENMARK	DENMARK (June 13, 1921, for 5 years; renewed for 10 years from June 13, 1926)	NORWAY <sup>3</sup> (from October 3, 1926, for 10 years)	NORWAY (October 3, 1921, for 5 years)
DOMINICAN REPUBLIC <sup>2</sup> *	—	PANAMA <sup>2</sup> *	—
—	ESTONIA (May 2, 1923, for 5 years, renewed for 10 years as from May 2, 1928)	PORTUGAL <sup>2</sup>	PORTUGAL (October 8, 1921)
FINLAND <sup>3</sup> (from April 6, 1927, for 10 years)	FINLAND (April 6, 1922, for 5 years)	SALVADOR <sup>2</sup> *	—
FRANCE * for 15 years)	—	SWEDEN <sup>3</sup> (August 16, 1921, for 5 years and March 18, 1926, for 10 years)	—
GERMANY for 5 years)	GERMANY (February 29, 1928)	SWITZERLAND	SWITZERLAND (July 26, 1921, for 5 years; renewed for 10 years from July 24, 1926)
		URUGUAY <sup>2</sup>	URUGUAY (September 27, 1921)

CONFERENCE OF STATES SIGNATORIES OF THE PROTOCOL OF SIGNATURE  
OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

FINAL ACT OF THE CONFERENCE.

(Geneva, September 23, 1926.)

*Signatures*

UNION OF SOUTH AFRICA  
ALBANIA  
AUSTRALIA  
AUSTRIA  
BELGIUM  
BRITISH EMPIRE  
BULGARIA  
CANADA  
CZECHOSLOVAKIA  
DENMARK  
DOMINICAN REPUBLIC  
ESTONIA  
FINLAND  
FRANCE  
GREECE  
HUNGARY  
INDIA  
IRISH FREE STATE  
ITALY  
JAPAN  
LITHUANIA

<sup>1</sup> Subject to acceptance also by at least two of the Powers permanently represented on the Council.

<sup>2</sup> Without limitation as to the length of validity.

<sup>3</sup> Declaration not subject to ratification.

\* Subject to the ratification of the Declaration or of the Protocol

FINAL ACT OF THE CONFERENCE (*continued*).

*Signatures*

LUXEMBURG  
THE NETHERLANDS  
NEW ZEALAND  
NORWAY  
PANAMA  
PERSIA  
POLAND  
PORTUGAL  
ROUMANIA  
KINGDOM OF THE SERBS,  
CROATS AND SLOVENES  
SIAM  
SPAIN  
SWEDEN  
SWITZERLAND  
VENEZUELA

XI. PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

PROTOCOL FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES<sup>1</sup>,  
annexed to the Resolution adopted by the Fifth Assembly of the League of Nations  
on October 2, 1924.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
ALBANIA		HAITI	
—		—	
BELGIUM		LATVIA	
—		LIBERIA	
BRAZIL		PARAGUAY	
BULGARIA		—	
—		POLAND	
CHILE		PORTUGAL	
—		—	
CZECHOSLOVAKIA		KINGDOM OF THE	
ESTONIA		SERBS, CROATS	
—		AND SLOVENES	
FINLAND		—	
FRANCE		SPAIN	
GREECE		URUGUAY	

XII. ARBITRATION CLAUSES IN COMMERCIAL MATTERS.

1. PROTOCOL ON ARBITRATION CLAUSES<sup>2</sup>.

(*Geneva, September 24, 1923.*)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
—	ALBANIA (August 29, 1924)		
AUSTRIA	AUSTRIA (January 25, 1928)		
BELGIUM	BELGIUM (September 23, 1924)		
BRAZIL			

<sup>1</sup> "So soon as the majority of the permanent Members of the Council and ten other Members of the League have deposited or 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." (Article 21).

<sup>2</sup> The present Protocol came into force on July 28, 1924, date of the second deposit of ratification (Article 6). See *Treaty Series of the League of Nations*: Vol. XXVII, p. 157; Vol. XXXI, p. 260; Vol. XXXV, p. 314; Vol. XXXIX, p. 190; Vol. XLV, p. 116; Vol. L, p. 161; Vol. LIV, p. 355; and Vol. LXIX, p. 79.



1. PROTOCOL ON ARBITRATION CLAUSES (*continued*).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
BRITISH EMPIRE	BRITISH EMPIRE (September 27, 1924)		Southern Rhodesia (December 18, 1924) Newfoundland (June 22, 1925) British Guiana British Honduras Jamaica Leeward Islands Grenada St. Lucia St. Vincent Gambia Gold Coast Kenya Zanzibar Northern Rhodesia Ceylon Mauritius Gibraltar Malta Falkland Islands IRAQ and PALESTINE Tanganyika (June 17, 1926) St. Helena (July 29, 1926)
CHILE			} (March 12, 1926)
FREE CITY OF DANZIG			
DENMARK	DENMARK (April 6, 1925)		
ESTONIA			
FINLAND	FINLAND (July 10, 1924)		
FRANCE	FRANCE (June 7, 1928)		
GERMANY	GERMANY (November 5, 1924)		
GREECE	GREECE (May 26, 1926)		
ITALY	ITALY (July 28, 1924)		
JAPAN	JAPAN (June 4, 1928)		
LATVIA			
LITHUANIA			
MONACO	MONACO (February 8, 1927)		
THE NETHERLANDS (including NE- THERLANDS IN- DIES, SURINAM and CURAÇAO)	THE NETHERLANDS (includ- ing NETHERLANDS INDIES, SURINAM and CURAÇAO) (August 6, 1925)		
NEW ZEALAND	NEW ZEALAND (June 9, 1926)		
NICARAGUA			
NORWAY	NORWAY (September 2, 1927)		
PANAMA			
PARAGUAY			
POLAND			
ROUMANIA	ROUMANIA (March 12, 1925)		
SALVADOR			
SIAM			
SPAIN	SPAIN (July 29, 1926)		
SWITZERLAND	SWITZERLAND (May 14, 1928)		
URUGUAY			

2. CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS.  
(Geneva, September 26, 1927.)

*Signatures*  
AUSTRIA  
BELGIUM  
GREAT BRITAIN  
AND NORTHERN  
IRELAND  
DENMARK  
ESTONIA :  
FRANCE :  
GERMANY  
ITALY  
THE NETHERLANDS  
NICARAGUA

*Ratifications*

XIII. CUSTOMS FORMALITIES.

INTERNATIONAL CONVENTION RELATING TO THE SIMPLIFICATION OF CUSTOMS FORMALITIES  
AND PROTOCOL RELATING THERETO <sup>1</sup>.

(Geneva, November 3, 1923.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
AUSTRIA	AUSTRIA (September 11, 1924)		
BELGIUM	BELGIUM (October 4, 1924)		
BRAZIL			
BRITISH EMPIRE	BRITISH EMPIRE (August 29, 1924)		
AUSTRALIA	AUSTRALIA (March 13, 1925)		
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 29, 1924)		
NEW ZEALAND	NEW ZEALAND (August 29, 1924)		
INDIA	INDIA (March 13, 1925)		
BULGARIA	BULGARIA (December 10, 1926)		
CHILE			
CHINA	CHINA (February 23, 1926)		
CZECHOSLOVAKIA	CZECHOSLOVAKIA (February 10, 1927)		
DENMARK	DENMARK (May 17, 1924)		
EGYPT	EGYPT (March 23, 1925)		
FINLAND	FINLAND (May 23, 1928)		
FRANCE	FRANCE <sup>2</sup> (September 13, 1926)		
GERMANY	GERMANY (August 1, 1925)		
GREECE	GREECE (July 6, 1927)		
HUNGARY	HUNGARY (February 23, 1926)		
ITALY	ITALY (June 13, 1924)		
JAPAN			
LITHUANIA			
LUXEMBURG	LUXEMBURG (June 10, 1927)		
FRENCH PROTECTORATE OF MOROCCO	FRENCH PROTECTORATE OF MOROCCO (November 8, 1926)		
THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO)	THE NETHERLANDS (including NETHERLANDS INDIES, SURINAM and CURAÇAO) (May 30, 1925)		
NORWAY	NORWAY (September 7, 1926)		
PARAGUAY			
POLAND			
PORTUGAL			PERSIA (May 8, 1925)

<sup>1</sup> The present Convention came into force on November 27, 1924, ninety days after the deposit of the fifth ratification (Article 26). The Protocol came into force on the same conditions as the Convention to which it relates. See *Treaty Series of the League of Nations*, Vol. XXX, p. 371; Vol. XXXV, p. 324; Vol. XXXIX, p. 208; Vol. XLV, p. 140; Vol. L, p. 161; Vol. LIV, p. 398; Vol. LIX, p. 365; and Vol. LXIX, p. 79.

<sup>2</sup> The French Government has specified in its Bill approving the above Convention that, in accordance with Article 29, the provisions contained in this Act should not apply to the Colonies under its sovereignty.

INTERNATIONAL CONVENTION RELATING TO THE SIMPLIFICATION OF CUSTOMS FORMALITIES  
AND PROTOCOL RELATING THERETO (continued).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
ROUMANIA	ROUMANIA (December 23, 1925)	<i>Subject to ratification</i>	
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM	SIAM (May 19, 1925)		
SPAIN			
SWEDEN	SWEDEN (February 12, 1926)		
SWITZERLAND	SWITZERLAND (January 3, 1927)		
REGENCE OF TU- NIS (FRENCH PROTECTO- RATE)	REGENCE OF TUNIS (FRENCH PROTECTORATE) (Novem- ber 8, 1926)		
URUGUAY			

XIV. ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND  
RESTRICTIONS. \*

1. INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS.

(Geneva, November 8, 1927.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
UNITED STATES OF AMERICA <sup>1</sup>		<i>Subject to ratification</i>	
AUSTRIA			
BELGIUM			
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>2</sup>			
INDIA <sup>3</sup>			
BULGARIA			
CHILE			
CZECHOSLOVAKIA			
DENMARK <sup>4</sup>			
EGYPT			
ESTONIA			
FINLAND			
FRANCE <sup>5</sup>			
GERMANY			
HUNGARY			
ITALY			
JAPAN			
LATVIA			
LUXEMBURG			
THE NETHER- LANDS			
NORWAY			
POLAND			

\* In order to be brought into force, the Convention must have secured either ratification as provided for in Article 15 or accession as provided for in Article 16 of the Convention on behalf of at least eighteen Members of the League of Nations or non-Member States.

<sup>1</sup> The United States, in accordance with Article 10 of the Convention, does not assume any obligation in respect of the Philippine Islands.

<sup>2</sup> The signature by Great Britain does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>3</sup> Under the terms of Article 10, this signature does not include the Territories in India of any Prince or Chief under the suzerainty of His Majesty.

<sup>4</sup> Excluding Greenland.

<sup>5</sup> The signature by France does not include its colonies, protectorates or territories under its suzerainty or mandate.

1. INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS (continued).

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
PORTUGAL ROUMANIA KINGDOM OF THE SERBS, CROATS AND SLOVENES SIAM SWEDEN SWITZERLAND TURKEY			

PROTOCOL TO THE INTERNATIONAL CONVENTION.

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
UNITED STATES AMERICA <sup>1</sup> AUSTRIA BELGIUM GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EM- PIRE which are not separate Members of the League of Nations. <sup>2</sup> INDIA <sup>3</sup> BULGARIA CHILE CZECHOSLOVAKIA DENMARK <sup>4</sup> EGYPT ESTONIA FINLAND FRANCE <sup>5</sup> GERMANY HUNGARY ITALY JAPAN LATVIA LUXEMBURG THE NETHER- LANDS NORWAY POLAND PORTUGAL ROUMANIA KINGDOM OF THE SERBS, CROATS AND SLOVENES SIAM SWEDEN SWITZERLAND TURKEY			

<sup>1</sup> The United States, in accordance with Article 10 of the Convention, does not assume any obligation in respect of the Philippine Islands.

<sup>2</sup> The signature by Great Britain does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>3</sup> Under the terms of Article 10, this signature does not include the Territories in India of any Prince or Chief under the suzerainty of His Majesty.

<sup>4</sup> Excluding Greenland.

<sup>5</sup> The signature by France does not include its colonies, protectorates or territories under its suzerainty or mandate.

ANNEXED DECLARATION.

*Signatures*

CHILE  
FRANCE  
GREECE  
HUNGARY  
ITALY  
PORTUGAL  
KINGDOM OF THE  
SERBS, CROATS  
AND SLOVENES  
SWITZERLAND

2. SUPPLEMENTARY AGREEMENT TO THE CONVENTION OF NOVEMBER 8, 1927, FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

(Geneva, July 11, 1928.)

*Signatures*

*Ratifications*

*Accessions*

*Subject to ratification*

*Final*

UNITED STATES  
OF AMERICA  
AUSTRIA  
BELGIUM  
GREAT BRITAIN  
AND NORTHERN  
IRELAND and  
those parts of  
the BRITISH  
EMPIRE which  
are not sepa-  
rate Members  
of the League  
of Nations <sup>1</sup>  
INDIA  
BULGARIA  
CHILE  
CZECHOSLOVAKIA  
DENMARK  
EGYPT  
ESTONIA  
FINLAND  
FRANCE <sup>2</sup>  
GERMANY  
HUNGARY  
ITALY  
JAPAN  
LATVIA  
LUXEMBURG  
THE NETHER-  
LANDS  
POLAND  
PORTUGAL  
ROUMANIA  
KINGDOM OF THE  
SERBS, CROATS  
AND SLOVENES  
SIAM  
SWEDEN  
SWITZERLAND  
TURKEY <sup>3</sup>

<sup>1</sup> This signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>2</sup> By its acceptance it does not intend to assume any obligation in regard to any of its colonies, protectorates and territories under its suzerainty or mandate.

<sup>3</sup> Subject to reservation as regards Article B.

PROTOCOL.

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
UNITED STATES OF AMERICA			
AUSTRIA			
BELGIUM			
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>1</sup>			
INDIA			
BULGARIA			
CHILE			
CZECHOSLOVAKIA			
DENMARK			
EGYPT			
ESTONIA			
FINLAND			
FRANCE <sup>2</sup>			
GERMANY			
HUNGARY			
ITALY			
JAPAN			
LATVIA			
LUXEMBURG			
THE NETHER- LANDS			
POLAND			
PORTUGAL			
ROUMANIA			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SIAM			
SWEDEN			
SWITZERLAND			
TURKEY <sup>3</sup>			

ANNEXED DECLARATION.

AUSTRIA  
CZECHOSLOVAKIA  
GERMANY  
HUNGARY

3. INTERNATIONAL AGREEMENT RELATING TO THE EXPORTATION OF HIDES AND SKINS.

(Geneva, July 11, 1928.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i> <i>Subject to ratification</i>	<i>Final</i>
AUSTRIA			
BELGIUM			
CZECHOSLOVAKIA			

<sup>1</sup> This signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>2</sup> Subject to the reservations made on signing the Supplementary Agreement.

<sup>3</sup> Subject to reservation as regards Article B.

3. INTERNATIONAL AGREEMENT RELATING TO THE EXPORTATION OF HIDES AND SKINS  
(continued).

<i>Signatures</i>	<i>Ratification</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>1</sup>			
DENMARK			
FINLAND			
FRANCE <sup>2</sup>			
GERMANY			
HUNGARY			
ITALY			
LUXEMBURG			
THE NETHERLANDS			
POLAND			
ROUMANIA			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SWITZERLAND			

PROTOCOL.

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA			
BELGIUM			
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>1</sup>			
CZECHOSLOVAKIA			
DENMARK			
FINLAND			
FRANCE <sup>2</sup>			
GERMANY			
HUNGARY			
ITALY			
LUXEMBURG			
THE NETHERLANDS			
POLAND			
ROUMANIA			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SWITZERLAND			

<sup>1</sup> This signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>2</sup> On signing the present Agreement, France declares that by its acceptance it does not intend to assume any obligation in regard to any of its colonies, protectorates and territories under its suzerainty or mandate.

<sup>3</sup> Subject to the reservations made on signing the Agreement.

INTERNATIONAL AGREEMENT RELATING TO THE EXPORTATION OF BONES.

(Geneva, July 11, 1928.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA			
BELGIUM			
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>1</sup>			
CZECHOSLOVAKIA			
DENMARK			
FINLAND			
FRANCE <sup>2</sup>			
GERMANY			
HUNGARY			
ITALY			
LUXEMBURG			
THE NETHERLANDS			
POLAND			
ROUMANIA			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SWITZERLAND			

PROTOCOL.

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	
		<i>Subject to ratification</i>	<i>Final</i>
AUSTRIA			
BELGIUM			
GREAT BRITAIN AND NORTHERN IRELAND and those parts of the BRITISH EMPIRE which are not sepa- rate Members of the League of Nations <sup>1</sup>			
CZECHOSLOVAKIA			
DENMARK			
FINLAND			
FRANCE <sup>2</sup>			
GERMANY			
HUNGARY			
ITALY			
LUXEMBURG			
THE NETHERLANDS			
POLAND			
ROUMANIA			
KINGDOM OF THE SERBS, CROATS AND SLOVENES			
SWITZERLAND			

<sup>1</sup> This signature does not include any of His Britannic Majesty's colonies, protectorates or territories under suzerainty or mandate.

<sup>2</sup> On signing the present Agreement, France declares that by its acceptance it does not intend to assume any obligation in regard to any of its colonies, protectorates and territories under its suzerainty or mandate.

<sup>3</sup> Subject to the reservations made on signing the Agreement.



XV. CURRENCY AND BANKING REFORM.

PROTOCOL <sup>1</sup> REGARDING CURRENCY AND BANKING REFORM IN ESTONIA, SIGNED AT GENEVA, DECEMBER 10, 1926.

1. Ratified by ESTONIA May 10, 1927.

2. PROTOCOL REGARDING THE BULGARIAN STABILISATION LOAN, SIGNED AT GENEVA, MARCH 10, 1928.

Signed by BULGARIA March 10, 1928. Ratified June 4, 1928.

XVI. INTERNATIONAL RELIEF UNION.

CONVENTION AND STATUTE ESTABLISHING AN INTERNATIONAL RELIEF UNION, SIGNED AT GENEVA, JULY 12, 1927 <sup>2</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Accessions</i>	<i>Final</i>
		<i>Subject to ratification</i>	
ALBANIA			
BELGIUM			
BRAZIL			
BULGARIA			
COLOMBIA			
CUBA			
CZECHOSLOVAKIA			
FREE CITY OF DANZIG			
ECUADOR	ECUADOR (July 30, 1928)		
EGYPT	EGYPT (August 7, 1928)		
FINLAND			
FRANCE			
GERMANY			
GREECE			
GUATEMALA			
HUNGARY			
INDIA			
ITALY	ITALY (August 2, 1928) <sup>3</sup>		
LATVIA			
MONACO			
NICARAGUA			
PERU			
POLAND			
PORTUGAL			
ROUMANIA			
SAN MARINO			
SPAIN			
—	--		
TURKEY			SUDAN (May 11, 1928)
URUGUAY			
VENEZUELA			

<sup>1</sup> Came into force May 10, 1927, according to its final provisions. See League of Nations *Treaty Series*: Vol. LXII, p. 277.

<sup>2</sup> The present Convention shall not come into force until ratifications or accessions shall have been deposited in the name of at least twelve Members of the League of Nations or non-Member States of which the combined contributions amount to six hundred shares. The date of its entry into force will be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of such ratifications or accessions.

<sup>3</sup> This ratification applies also to the Italian Colonies.

XVII. AMENDMENTS TO THE COVENANT OF THE LEAGUE <sup>1</sup>.

(Geneva, October 5, 1921.)

1. PROTOCOL OF AN AMENDMENT TO ARTICLE 4 <sup>2</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	LATVIA	LATVIA (February 12, 1924)
ALBANIA	ALBANIA (January 3, 1924)	LIBERIA	LIBERIA (May 1, 1924)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	LITHUANIA	LITHUANIA (March 13, 1925)
—	BELGIUM (Sept. 28, 1923)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BOLIVIA	—	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
—	BRAZIL (July 7, 1923)	NORWAY	NORWAY (March 29, 1922)
BRITISH EMPIRE	BRITISH EMPIRE (February 3, 1923)	PANAMA	—
BULGARIA	BULGARIA (October 4, 1922)	PARAGUAY	—
CANADA	CANADA (February 3, 1923)	PERSIA	—
CHILE	CHILE (August 1, 1928)	POLAND	POLAND (December 15, 1922)
CHINA	CHINA (July 4, 1923)	—	PORTUGAL (October 5, 1923)
COLOMBIA	—	ROUMANIA	ROUMANIA (September 5, 1923)
COSTA RICA	—	—	SALVADOR (September 3, 1924)
CUBA	CUBA (May 7, 1923)	SIAM	SIAM (December 4, 1922)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	—	SPAIN (July 29, 1926)
DENMARK	DENMARK (August 11, 1922)	SWEDEN	SWEDEN (August 24, 1922)
ESTONIA	ESTONIA (Sept. 7, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FINLAND	FINLAND (June 25, 1923)	—	URUGUAY (January 12, 1924)
FRANCE	FRANCE (May 19, 1926)	VENEZUELA	VENEZUELA (March 24, 1925)
GREECE	GREECE (April 9, 1923)	—	—
HAITI	HAITI (November 2, 1925)	—	—
HUNGARY	HUNGARY (June 22, 1923)	—	—
INDIA	INDIA (February 3, 1923)	—	—
ITALY	ITALY (August 5, 1922)	—	—
JAPAN	JAPAN (June 13, 1923)	—	—

2. PROTOCOL OF AN AMENDMENT TO ARTICLE 6 (*addition to the Annex to the Covenant*) <sup>3</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	—	ITALY	—
AUSTRALIA	—	JAPAN	—
—	BELGIUM (Sept. 28, 1923)	LATVIA	—
BOLIVIA	—	LIBERIA	—
—	BRAZIL (August 13, 1924)	NEW ZEALAND	—
BRITISH EMPIRE	—	NORWAY	NORWAY (March 29, 1922)
BULGARIA	BULGARIA (October 4, 1922)	PANAMA	—
CANADA	—	PARAGUAY	—
CHINA	—	—	POLAND (December 15, 1922)
COLOMBIA	—	—	PORTUGAL (October 5, 1923)
COSTA RICA	—	SIAM	SIAM (December 4, 1922)
CZECHOSLOVAKIA	—	SWEDEN	SWEDEN (August 24, 1922)
DENMARK	DENMARK (August 11, 1922)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FINLAND	FINLAND (June 25, 1923)	—	—
FRANCE	—	VENEZUELA	VENEZUELA (March 24, 1925)
GREECE	—	—	—
HAITI	HAITI (November 2, 1925)	—	—

<sup>1</sup> Article 26 of the Covenant provides: "Amendments to this Covenant will take effect when ratified by the Members of the League whose representatives compose the Council and by a majority of the Members of the League whose representatives compose the Assembly." See League of Nations *Treaty Series*: Vol. LI, p. 361, and Vol. LIX, p. 401.

<sup>2</sup> This amendment came into force on July 29, 1926, according to Article 26 of the Covenant.

<sup>3</sup> At the request of the Third Assembly, the Council has notified the Members of the League that it is no longer necessary to ratify this amendment.

3. PROTOCOL OF AN AMENDMENT TO ARTICLE 6 (*last paragraph*)<sup>1</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (November 23, 1922)	LATVIA	LATVIA (September 29, 1923)
ALBANIA	ALBANIA (January 3, 1924)	LIBERIA	LIBERIA (May 1, 1924)
AUSTRALIA	AUSTRALIA (November 23, 1922)	LITHUANIA	LITHUANIA (March 13, 1925)
—	BELGIUM (Sept. 28, 1923)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BOLIVIA	—	NEW ZEALAND	NEW ZEALAND (November 23, 1922)
—	BRAZIL (August 13, 1924)	NORWAY	NORWAY (March 29, 1922)
BRITISH EMPIRE	BRITISH EMPIRE (November 23, 1922)	PANAMA	—
BULGARIA	BULGARIA (October 4, 1922)	PARAGUAY	—
CANADA	CANADA (Nov. 23, 1922)	PERSIA	—
CHILE	CHILE (August 1, 1928)	POLAND	POLAND (December 15, 1922)
CHINA	CHINA (July 4, 1923)	—	PORTUGAL (October 5, 1923)
COLOMBIA	—	ROUMANIA	ROUMANIA (September 5, 1923)
COSTA RICA	—	—	SALVADOR (September 3, 1924)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	SIAM	SIAM (September 12, 1922)
DENMARK	DENMARK (August 11, 1922)	SPAIN	SPAIN (January 31, 1924)
ESTONIA	ESTONIA (Sept. 7, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FINLAND	FINLAND (June 25, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FRANCE	FRANCE (August 2, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (April 9, 1923)	VENEZUELA	VENEZUELA (March 24, 1925)
HAITI	HAITI (November 2, 1925)	—	—
HUNGARY	HUNGARY (June 22, 1923)	—	—
INDIA	INDIA (November 23, 1922)	—	—
ITALY	ITALY (June 13, 1924)	—	—
JAPAN	JAPAN (June 13, 1923)	—	—

4. PROTOCOL OF AN AMENDMENT TO ARTICLE 6 (*adding a new paragraph*)<sup>2</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
ALBANIA	—	ITALY	—
AUSTRALIA	—	JAPAN	—
—	BELGIUM (September 28, 1923)	LATVIA	—
BOLIVIA	—	LIBERIA	—
—	BRAZIL (July 7, 1923)	LITHUANIA	—
BRITISH EMPIRE	—	THE NETHERLANDS	—
BULGARIA	BULGARIA (October 4, 1922)	NEW ZEALAND	—
CANADA	—	NORWAY	NORWAY (March 29, 1922)
CHINA	—	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	PERSIA	—
CZECHOSLOVAKIA	—	POLAND	POLAND (December 15, 1922)
DENMARK	DENMARK (August 11, 1922)	—	PORTUGAL (October 5, 1923)
ESTONIA	—	SIAM	SIAM (December 4, 1922)
FINLAND	FINLAND (June 25, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FRANCE	—	SWITZERLAND	SWITZERLAND (March 29, 1923)
GREECE	—	—	—
HAITI	HAITI (November 2, 1925)	VENEZUELA	—

<sup>1</sup> This amendment came into force August 13, 1924, in accordance with Article 26 of the Covenant. See League of Nations *Treaty Series*: Vol. XXVII, p. 349; Vol. XXXI, p. 260; Vol. XXXIX, p. 191, and Vol. LIX, p. 358.

<sup>2</sup> At the request of the Third Assembly, the Council has notified the Members of the League that it is no longer necessary to ratify this amendment.

5. PROTOCOL OF AN AMENDMENT TO ARTICLE 12<sup>1</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (July 5, 1923)	INDIA	INDIA (July 5, 1923)
AUSTRALIA	AUSTRALIA (July 5, 1923)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (Sept. 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	LATVIA (February 12, 1924)
BRITISH EMPIRE	BRITISH EMPIRE (July 5, 1923)	LIBERIA	—
—	BRAZIL (July 7, 1923)	—	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	—	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (July 5, 1923)	NEW ZEALAND	NEW ZEALAND (July 5, 1923)
CHILE	CHILE (August 1, 1923)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	—	POLAND (December 15, 1922)
CUBA	CUBA (May 7, 1923)	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 11, 1922)	SIAM	SIAM (September 12, 1922)
—	ESTONIA (Sept. 7, 1923)	SPAIN	SPAIN (September 26, 1924)
FINLAND	FINLAND (June 25, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FRANCE	FRANCE (August 2, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
GREECE	GREECE (August 20, 1923)	—	URUGUAY (January 12, 1924)
HAITI	HAITI (November 2, 1925)	VENEZUELA	VENEZUELA (March 24, 1925)
HUNGARY	HUNGARY (June 22, 1923)		

6. PROTOCOL OF AN AMENDMENT TO ARTICLE 13<sup>2</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	HUNGARY	HUNGARY (June 22, 1923)
ALBANIA	—	INDIA	INDIA (February 3, 1923)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (September 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	LATVIA (February 12, 1924)
—	BRAZIL (July 7, 1923)	LIBERIA	—
BRITISH EMPIRE	BRITISH EMPIRE (Feb. 3, 1923)	LITHUANIA	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (February 3, 1923)	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
CHILE	CHILE (August 1, 1923)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	PERSIA	—
CUBA	CUBA (May 7, 1923)	POLAND	POLAND (December 15, 1922)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	—	PORTUGAL (October 5, 1923)
DENMARK	DENMARK (August 11, 1922)	ROUMANIA	ROUMANIA (September 5, 1923)
ESTONIA	ESTONIA (September 7, 1923)	SIAM	SIAM (September 12, 1922)
FINLAND	FINLAND (June 25, 1923)	SPAIN	SPAIN (September 26, 1924)
FRANCE	FRANCE (August 2, 1923)	SWEDEN	SWEDEN (August 24, 1922)
GREECE	GREECE (August 20, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
HAITI	HAITI (November 2, 1925)	—	URUGUAY (January 12, 1924)
		VENEZUELA	VENEZUELA (March 24, 1925)

<sup>1</sup> This amendment came into force September 26, 1924, in accordance with Article 26 of the Covenant. See *League of Nations Treaty Series*: Vol. XXIX, pp. 67; Vol. XXXI, p. 262; Vol. XXXIX, p. 199, and Vol. LIX, p. 360.

<sup>2</sup> This amendment came into force September 26, 1924, in accordance with Article 26 of the Covenant. See *League of Nations Treaty Series*: Vol. XXIX, p. 73; Vol. XXXI, p. 262; Vol. XXXIX, p. 199; and Vol. LIX, p. 361.

7. PROTOCOL OF AN AMENDMENT TO ARTICLE 15<sup>1</sup>.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	INDIA	INDIA (February 3, 1923)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (Sept. 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	LATVIA (February 12, 1924)
—	BRAZIL (July 7, 1923)	LIBERIA	—
BRITISH EMPIRE	BRITISH EMPIRE (February 3, 1923)	—	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	—	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (February 3, 1923)	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
CHILE	CHILE (August 1, 1928)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	—	POLAND (December 15, 1922)
CUBA	CUBA (May 7, 1923)	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 11, 1922)	SIAM	SIAM (September 12, 1922)
ESTONIA	ESTONIA (Sept. 7, 1923)	SPAIN	SPAIN (September 26, 1924)
FINLAND	FINLAND (June 25, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FRANCE	FRANCE (August 2, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
GREECE	GREECE (August 20, 1923)	—	URUGUAY (January 12, 1924)
HAITI	HAITI (November 2, 1925)	VENEZUELA	VENEZUELA (March 24, 1925)
HUNGARY	HUNGARY (June 22, 1923)		

8. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

*(Sentence to be substituted for the latter part of the first paragraph of Article 16 of the Covenant.)*

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 12, 1924)	ITALY	ITALY (August 5, 1922)
ALBANIA	—	JAPAN	JAPAN (June 13, 1923)
AUSTRALIA	AUSTRALIA (August 12, 1924)	LATVIA	—
—	BELGIUM (Sept. 28, 1923)	LIBERIA	—
BOLIVIA	—	LITHUANIA	LITHUANIA (March 13, 1925)
—	BRAZIL (August 13, 1924)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BRITISH EMPIRE	BRITISH EMPIRE (August 12, 1924)	NEW ZEALAND	NEW ZEALAND (August 12, 1924)
BULGARIA	BULGARIA (October 4, 1922)	NORWAY	NORWAY (March 29, 1922)
CANADA	CANADA (August 12, 1924)	PANAMA	—
CHINA	CHINA (July 4, 1923)	PARAGUAY	—
COLOMBIA	—	PERSIA	—
COSTA RICA	—	POLAND	—
CUBA	—	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 11, 1922)	SIAM	SIAM (December 4, 1922)
ESTONIA	ESTONIA (Sept. 7, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FINLAND	FINLAND (June 25, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
GREECE	—	—	URUGUAY (January 12, 1924)
HAITI	—	VENEZUELA	—
HUNGARY	HUNGARY (June 22, 1923)		
INDIA	INDIA (August 12, 1924)		

<sup>1</sup> This amendment came into force September 26, 1924, in accordance with Article 26 of the Covenant. See *League of Nations Treaty Series* : Vol. XXIX, p. 79 ; Vol. XXXI, p. 262 ; Vol. XXXIX, p. 199 ; and Vol. LIX, p. 360.

9. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

(First paragraph to be inserted after the first amended paragraph of Article 16.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 12, 1924)	HUNGARY	HUNGARY (June 22, 1923)
AUSTRALIA	AUSTRALIA (August 12, 1924)	INDIA	INDIA (August 12, 1924)
—	AUSTRIA (August 29, 1927)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (Sept. 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	LATVIA (February 12, 1924)
—	BRAZIL (August 13, 1924)	LIBERIA	—
BRITISH EMPIRE	BRITISH EMPIRE (August 12, 1924)	—	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	—	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (August 12, 1924)	NEW ZEALAND	NEW ZEALAND (August 12, 1924)
CHILE	CHILE (August 1, 1928)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	—	PORTUGAL (October 5, 1923)
CUBA	—	ROUMANIA	ROUMANIA (September 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	SIAM	SIAM (September 12, 1922)
DENMARK	DENMARK (August 11, 1922)	SWEDEN	SWEDEN (August 24, 1922)
—	ESTONIA (Sept. 7, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FINLAND	FINLAND (June 25, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (January 20, 1925)	—	—
HAITI	—	VENEZUELA	—

10. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

(Second paragraph to be inserted after the first amended paragraph of Article 16.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 12, 1924)	HUNGARY	HUNGARY (June 22, 1923)
AUSTRALIA	AUSTRALIA (August 12, 1924)	INDIA	INDIA (August 12, 1924)
—	AUSTRIA (August 29, 1927)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (Sept. 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	LATVIA (February 12, 1924)
—	BRAZIL (August 13, 1924)	LIBERIA	—
BRITISH EMPIRE	BRITISH EMPIRE (August 12, 1924)	—	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	—	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (August 12, 1924)	NEW ZEALAND	NEW ZEALAND (August 12, 1924)
CHILE	CHILE (August 1, 1928)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	—	PORTUGAL (October 5, 1923)
CUBA	—	ROUMANIA	ROUMANIA (September 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	SIAM	SIAM (September 12, 1922)
DENMARK	DENMARK (August 11, 1922)	SWEDEN	SWEDEN (August 24, 1922)
—	ESTONIA (Sept. 7, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FINLAND	FINLAND (June 25, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (January 20, 1925)	—	—
HAITI	—	VENEZUELA	—

11. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

(Paragraph to be inserted between the new third paragraph and the original second paragraph of Article 16.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (August 12, 1924)	HAITI	—
ALBANIA	—	HUNGARY	HUNGARY (June 22, 1923)
AUSTRALIA	AUSTRALIA (August 12, 1924)	INDIA	INDIA (August 12, 1924)
—	AUSTRIA (August 29, 1927)	ITALY	ITALY (August 5, 1922)
—	BELGIUM (Sept. 28, 1923)	JAPAN	JAPAN (June 13, 1923)
BOLIVIA	—	LATVIA	—
—	BRAZIL (July 7, 1923)	LIBERIA	—
BRITISH EMPIRE	BRITISH EMPIRE (August 12, 1924)	—	LITHUANIA (March 13, 1925)
BULGARIA	BULGARIA (October 4, 1922)	NEW ZEALAND	THE NETHERLANDS (April 4, 1923)
CANADA	CANADA (August 12, 1924)	—	NEW ZEALAND (August 12, 1924)
CHILE	CHILE (August 1, 1928)	NORWAY	NORWAY (March 29, 1922)
CHINA	CHINA (July 4, 1923)	PANAMA	—
COLOMBIA	—	PARAGUAY	—
COSTA RICA	—	—	PORTUGAL (October 5, 1923)
CUBA	—	ROUMANIA	ROUMANIA (September 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	SIAM	SIAM (September 12, 1922)
DENMARK	DENMARK (August 11, 1922)	SWEDEN	SWEDEN (August 24, 1922)
—	ESTONIA (Sept. 7, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FINLAND	FINLAND (June 25, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (January 20, 1925)	VENEZUELA	—

12. PROTOCOL OF AN AMENDMENT TO ARTICLE 26.

(First paragraph.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	HUNGARY	HUNGARY (June 22, 1923)
ALBANIA	—	INDIA	INDIA (February 3, 1923)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	ITALY	ITALY (August 5, 1922)
—	AUSTRIA (August 29, 1927)	JAPAN	JAPAN (June 13, 1923)
—	BELGIUM (Sept. 28, 1923)	LATVIA	LATVIA (December 10, 1923)
BOLIVIA	—	LIBERIA	—
—	BRAZIL (August 13, 1924)	LITHUANIA	LITHUANIA (March 13, 1925)
BRITISH EMPIRE	BRITISH EMPIRE (February 3, 1923)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BULGARIA	BULGARIA (October 4, 1922)	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
CANADA	CANADA (February 3, 1923)	NORWAY	NORWAY (March 29, 1922)
CHILE	CHILE (August 1, 1928)	PANAMA	—
CHINA	CHINA (July 4, 1923)	PARAGUAY	—
COLOMBIA	—	PERSIA	—
COSTA RICA	—	POLAND	POLAND (December 15, 1922)
CUBA	CUBA (May 7, 1923)	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 11, 1922)	SIAM	SIAM (September 12, 1922)
ESTONIA	ESTONIA (September 7, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FINLAND	FINLAND (June 25, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FRANCE	FRANCE (August 2, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (August 20, 1923)	VENEZUELA	VENEZUELA (March 24, 1925)
HAITI	HAITI (November 2, 1925)		

13. PROTOCOL OF AN AMENDMENT TO ARTICLE 26.

(Adding a new paragraph after the first paragraph.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	INDIA	INDIA (February 3, 1923)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	ITALY	ITALY (August 5, 1922)
—	AUSTRIA (August 29, 1927)	JAPAN	JAPAN (June 13, 1923)
—	BELGIUM (Sept. 28, 1923)	LATVIA	LATVIA (December 10, 1923)
BOLIVIA	—	LIBERIA	—
—	BRAZIL (August 13, 1924)	LITHUANIA	LITHUANIA (March 13, 1925)
BRITISH EMPIRE	BRITISH EMPIRE (February 3, 1923)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BULGARIA	BULGARIA (October 4, 1922)	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
CANADA	CANADA (February 3, 1923)	NORWAY	NORWAY (March 29, 1922)
CHILE	CHILE (August 1, 1928)	PANAMA	—
CHINA	CHINA (July 4, 1923)	PARAGUAY	—
COLOMBIA	—	PERSIA	—
COSTA RICA	—	POLAND	POLAND (December 15, 1922)
CUBA	CUBA (May 7, 1923)	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 11, 1922)	SIAM	SIAM (September 12, 1922)
ESTONIA	ESTONIA (Sept. 7, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FINLAND	FINLAND (June 25, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FRANCE	FRANCE (August 2, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (August 20, 1923)	VENEZUELA	VENEZUELA (March 24, 1925)
HAITI	HAITI (November 2, 1925)		
HUNGARY	HUNGARY (June 22, 1923)		

14. PROTOCOL OF AN AMENDMENT TO ARTICLE 26.

(Second paragraph.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (February 3, 1923)	INDIA	INDIA (February 3, 1923)
AUSTRALIA	AUSTRALIA (Feb. 3, 1923)	ITALY	ITALY (August 5, 1922)
—	AUSTRIA (August 29, 1927)	JAPAN	JAPAN (June 13, 1923)
—	BELGIUM (Sept. 28, 1923)	LATVIA	LATVIA (December 10, 1923)
BOLIVIA	—	LIBERIA	—
—	BRAZIL (July 7, 1923)	LITHUANIA	LITHUANIA (March 13, 1925)
BRITISH EMPIRE	BRITISH EMPIRE (February 3, 1923)	THE NETHERLANDS	THE NETHERLANDS (April 4, 1923)
BULGARIA	BULGARIA (October 4, 1922)	NEW ZEALAND	NEW ZEALAND (February 3, 1923)
CANADA	CANADA (February 3, 1923)	NORWAY	NORWAY (March 29, 1922)
CHILE	CHILE (August 1, 1928)	PANAMA	—
CHINA	CHINA (July 4, 1923)	PARAGUAY	—
COLOMBIA	—	PERSIA	—
COSTA RICA	—	—	POLAND (December 15, 1922)
CUBA	CUBA (May 7, 1923)	—	PORTUGAL (October 5, 1923)
CZECHOSLOVAKIA	CZECHOSLOVAKIA (September 1, 1923)	ROUMANIA	ROUMANIA (September 5, 1923)
DENMARK	DENMARK (August 31, 1922)	SIAM	SIAM (September 12, 1922)
ESTONIA	ESTONIA (Sept. 7, 1923)	SWEDEN	SWEDEN (August 24, 1922)
FINLAND	FINLAND (June 25, 1923)	SWITZERLAND	SWITZERLAND (March 29, 1923)
FRANCE	FRANCE (August 2, 1923)	—	URUGUAY (January 12, 1924)
GREECE	GREECE (August 20, 1923)	VENEZUELA	VENEZUELA (March 24, 1925)
HAITI	HAITI (November 2, 1925)		
HUNGARY	HUNGARY (June 22, 1923)		



15. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

(Latter part of first paragraph of Article 16.)

(Geneva, September 27, 1924.)

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	—	GREECE	—
ALBANIA	—	THE NETHERLANDS	THE NETHERLANDS (February 8, 1926)
BRAZIL	—	NEW ZEALAND	—
BULGARIA	—	—	ROUMANIA (March 12, 1925)
CANADA	—	POLAND	—
CHILE	—	SALVADOR	SALVADOR (June 4, 1925)
CUBA	—	SIAM	SIAM (September 30, 1925)
ESTONIA	ESTONIA (September 18, 1926)	URUGUAY	—

16. PROTOCOL OF AN AMENDMENT TO ARTICLE 16.

(Second paragraph of the original text.)

(Geneva, September 21, 1925.)

<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	
ALBANIA	
BRAZIL	
BULGARIA	
CANADA	
CHILE	CHILE (August 1, 1928)
DENMARK	DENMARK (March 28, 1926)
DOMINICAN REPUBLIC	
ESTONIA	ESTONIA (September 18, 1926)
JAPAN	
THE NETHERLANDS	THE NETHERLANDS (August 20, 1926)
NEW ZEALAND	
NORWAY	
PORTUGAL	
SALVADOR	
SIAM	
URUGUAY	

XVIII. AMENDMENTS TO THE LABOUR PART OF THE TREATIES OF PEACE.

(a) AMENDMENT TO ARTICLE 393 OF THE TREATY OF VERSAILLES AND TO THE CORRESPONDING ARTICLES OF THE OTHER TREATIES OF PEACE.

(Adopted at the Fourth Session of the International Labour Conference, Geneva, November 2, 1922.<sup>1</sup>)

<i>Has been ratified by :</i>	<i>Has been ratified by :</i>
ALBANIA (November 26, 1924)	LATVIA (March 16, 1925)
AUSTRIA (October 9, 1924)	LITHUANIA (May 25, 1928)
BELGIUM (October 29, 1924)	LUXEMBURG (April 5, 1928)
BULGARIA (March 6, 1925)	THE NETHERLANDS (August 14, 1924)
CHILE (August 23, 1928)	
CZECHOSLOVAKIA (September 30, 1924)	PERSIA (August 14, 1928)
DENMARK (June 20, 1924)	PORTUGAL (September 13, 1926)
ESTONIA (April 12, 1926)	ROUMANIA (July 19, 1923)
FINLAND (March 25, 1924)	SALVADOR (May 4, 1928)
GERMANY (June 6, 1925)	SPAIN (July 5, 1924)
HAITI (November 2, 1925)	SWEDEN (May 15, 1924)
HUNGARY (May 14, 1925)	SWITZERLAND (November 1, 1924)
IRISH FREE STATE (June 26, 1925)	URUGUAY (April 28, 1928)

<sup>1</sup> The amendment shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-quarters of the Members (Article 422 of the Treaty of Versailles).

(b) PROTOCOL RELATIVE TO THIS AMENDMENT OPENED FOR SIGNATURE AT GENEVA ON JUNE 14, 1923.

<i>Signatures</i>	<i>Ratifications</i>	<i>Signatures</i>	<i>Ratifications</i>
UNION OF SOUTH AFRICA	UNION OF SOUTH AFRICA (October 20, 1923)	JAPAN	JAPAN (May 11, 1925)
AUSTRALIA	AUSTRALIA (October 20, 1923)	NEW ZEALAND	NEW ZEALAND (October 20, 1923)
BRITISH EMPIRE	BRITISH EMPIRE (October 20, 1923)	NORWAY	NORWAY (April 8, 1924)
CANADA	CANADA (October 20, 1923)	PARAGUAY	—
CHINA	CHINA (June 3, 1926)	POLAND	POLAND (February 10, 1925)
CUBA	CUBA (September 7, 1925)	KINGDOM OF THE SERBS, CROATS AND SLOVENES	KINGDOM OF THE SERBS, CROATS AND SLOVENES (March 11, 1927).
FRANCE	FRANCE (June 2, 1925)	SIAM	SIAM (March 18, 1924)
GREECE	GREECE (June 8, 1927)		
INDIA	INDIA (October 20, 1923)		

[Communiqué au Conseil et  
aux Membres de la Société.]

C. 615. M. 192. 1928. X.

Genève, le 1<sup>er</sup> janvier 1929.

Société des Nations.

---

## RÈGLEMENT INTÉRIEUR DE L'ASSEMBLÉE

Edition publiée en janvier 1929, contenant les amendements adoptés aux  
deuxième, troisième, quatrième et neuvième sessions ordinaires de l'Assemblée.

---

### ANNEXES.

- I. Recommandations relatives aux débats de l'Assemblée sur le rapport annuel du Conseil.
- II. Procédure relative au vote du budget en séances plénières de l'Assemblée.
- III. Extrait du Règlement financier de la Société des Nations.
- IV. Règles d'élection des neuf Membres non permanents du Conseil.

---

League of Nations.

---

## RULES OF PROCEDURE OF THE ASSEMBLY

Edition published in January 1929, containing the Amendments adopted at the  
Second, Third, Fourth and Ninth Ordinary Sessions of the Assembly.

---

### ANNEXES.

- I. Recommendations as to the Arrangements for the Debates in the Assembly on the  
Annual Report by the Council.
- II. Procedure of Adoption of the Budget at Plenary Meetings of the Assembly.
- III. Extract from the Regulations for the Financial Administration of the League of Nations.
- IV. Rules dealing with the Election of the Nine Non-Permanent Members of the Council.

Publications de la Société des Nations
QUESTIONS GÉNÉRALES
1928. 6.

# SOCIÉTÉ DES NATIONS

## RÈGLEMENT INTÉRIEUR DE L'ASSEMBLÉE

### ARTICLE 1.

1. L'Assemblée se réunit chaque année de plein droit, au Siège de la Société des Nations, le premier lundi de septembre.

2. Elle se réunit également aux dates fixées par l'Assemblée au cours d'une session antérieure ou par le Conseil, votant à la majorité des voix.

3. Si un ou plusieurs Membres de la Société estiment une réunion opportune, ils en informent le Secrétaire général, qui demande leur avis aux autres Membres de la Société. Si le projet de réunion est accepté par la majorité des Membres dans le délai d'un mois, à partir de la date de cette communication, l'Assemblée est convoquée en séance extraordinaire.

### ARTICLE 2.

L'Assemblée se réunit au Siège de la Société ou, en cas de circonstances exceptionnelles, en tout autre lieu désigné par l'Assemblée ou par le Conseil, votant à la majorité, ou approuvé par la majorité des Membres de la Société.

### ARTICLE 3.

1. Les réunions de l'Assemblée auront lieu sur convocation du président du Conseil par les soins du Secrétaire général.

2. Les convocations sont adressées aux Membres de la Société quatre mois avant la date fixée pour l'ouverture de la session ; ce délai peut, toutefois, dans les circonstances exceptionnelles, être réduit par une décision du Conseil prise à la majorité des voix.

3. Les dispositions du paragraphe précédent n'affectent en rien les stipulations concernant les cas spéciaux prévus au Pacte.

### ARTICLE 4.

1. L'ordre du jour de la session est établi par le Secrétaire général de la Société, avec l'approbation du président du Conseil, et communiqué en entier aux Membres, autant que possible quatre mois avant la date de la première séance.

2. L'ordre du jour de chaque session annuelle comprendra :

a) Un rapport sur l'œuvre du Conseil accomplie depuis la dernière session de l'Assemblée, sur le travail du Secrétariat et sur les mesures prises pour exécuter les décisions de l'Assemblée ;

b) Toutes les questions dont la mise à l'ordre du jour aura été décidée par l'Assemblée au cours d'une session antérieure ;

c) Les questions proposées par le Conseil ;

d) Les questions proposées par un Membre de la Société ;

e) Le projet de budget pour l'exercice financier suivant et le rapport sur les comptes de l'exercice précédent.

3. Tout Membre de la Société peut, un mois avant la date fixée pour la séance d'ouverture, demander l'inscription de nouvelles questions à l'ordre du jour. Ces questions figureront sur une liste supplémentaire, qui sera communiquée aux Membres de la Société des Nations trois semaines au moins avant la date fixée pour la séance d'ouverture. L'Assemblée décidera si les questions figurant sur la liste supplémentaire feront partie de l'ordre du jour de la session.

4. L'Assemblée peut, dans des circonstances exceptionnelles, inscrire de nouvelles questions à son ordre du jour, mais elle ne peut en aborder l'étude que quatre jours après leur inscription et après rapport d'une commission, à moins que l'Assemblée n'en décide autrement à la majorité des deux tiers.

5. Aucune proposition tendant à modifier la méthode de répartition des dépenses en vigueur ne sera inscrite à l'ordre du jour, si elle n'a été communiquée aux Membres de la Société quatre mois au moins avant la date fixée pour l'ouverture de la session.

# LEAGUE OF NATIONS

## 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 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 paragraph 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 of the Assembly, 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.

#### ARTICLE 5.

1. Chaque Membre communique au Secrétaire général, autant que possible avant l'ouverture de la session, le nom de ses représentants, dont le nombre ne doit pas excéder trois. Il peut y ajouter les noms des représentants suppléants.

2. Chaque représentant remet, aussitôt que possible et de préférence avant l'ouverture de la session, ses lettres de créance au Secrétaire général.

3. Une commission de vérification de pouvoirs, composée de huit membres, est élue au scrutin secret par l'Assemblée. Elle fait immédiatement son rapport.

4. Tout représentant dont l'admission soulève de l'opposition siège provisoirement avec les mêmes droits que les autres représentants, à moins que l'Assemblée n'en décide autrement.

#### ARTICLE 6.

1. Outre les représentants suppléants mentionnés au § 1 de l'article 5, les représentants d'un Membre de la Société présents à l'Assemblée peuvent collectivement désigner des suppléants. La nomination des suppléants doit être communiquée par écrit au président.

2. Si un représentant suppléant a été nommé par un Membre de la Société, il peut remplacer un représentant sans être désigné par les représentants titulaires.

3. Le titulaire étant présent, le suppléant ne peut que l'assister ; si le titulaire est absent ou s'il se trouve momentanément empêché de prendre part aux délibérations de l'Assemblée, le suppléant peut siéger à sa place.

4. Les délégations peuvent, dans les commissions, désigner des remplaçants autres que ceux indiqués dans le présent article, ainsi que des experts techniques ; mais remplaçants et experts ne peuvent être nommés ni présidents ni rapporteurs et ne peuvent pas siéger à l'Assemblée.

#### ARTICLE 7.

1. Le Bureau de l'Assemblée est composé d'un président et de six vice-présidents, ainsi que des présidents des Commissions générales, qui sont, de plein droit, vice-présidents de l'Assemblée.

2. Le président est élu au début de chaque session.

3. Le président du Conseil de la Société assume provisoirement la présidence de l'Assemblée, jusqu'à l'élection du président définitif.

4. L'élection des vice-présidents aura lieu à l'une des premières séances de la session.

#### ARTICLE 8.

1. Le président ouvre, suspend et lève les séances et dirige le travail de l'Assemblée ; il assure l'observation du règlement, donne la parole, déclare les discussions closes, met les questions aux voix et proclame les résultats du scrutin.

2. Le président est assisté des membres du Bureau pour diriger d'une façon générale le travail de l'Assemblée, pour constituer les commissions que l'Assemblée peut décider de créer, pour arrêter les communications à lui faire et pour fixer l'ordre du jour de chaque séance, ainsi que l'ordre dans lequel les différentes questions devront être examinées.

#### ARTICLE 9.

1. Le Secrétaire général est chargé de l'organisation du Secrétariat de l'Assemblée, ainsi que des secrétaires des commissions constituées par l'Assemblée.

2. Le Secrétaire général peut être assisté ou remplacé, au cours des séances de l'Assemblée, par un ou plusieurs délégués. Le Secrétaire général ou ses délégués peuvent à tout moment, sur l'invitation du président, soumettre à l'Assemblée des rapports sur toute question que l'Assemblée est en train d'examiner. Ils peuvent être invités par le président à faire des communications verbales au sujet de toute question à l'examen.

#### ARTICLE 10.

1. Le Secrétariat est chargé notamment de recevoir, imprimer, communiquer et traduire les documents, rapports ou résolutions, de traduire les discours faits au cours des séances, de rédiger, imprimer et communiquer les procès-verbaux des réunions, de conserver les documents de l'Assemblée dans les archives de la Société, de publier les rapports des séances et, en général, d'assumer toutes les tâches que l'Assemblée juge bon de lui confier.

2. Tous les documents émanant de l'Assemblée sont communiqués aux gouvernements des Membres de la Société.

**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 paragraph 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 meeting ; 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.

**ARTICLE 11.**

1. Le public est admis aux séances plénières de l'Assemblée sur cartes distribuées par le Secrétaire général.
2. L'Assemblée peut décider que certaines séances déterminées ne seront pas publiques.
3. Les décisions prises dans des séances non publiques sur les questions à l'ordre du jour seront communiquées par l'Assemblée au cours d'une séance publique.

**ARTICLE 12.**

Le Secrétariat tiendra une liste des Membres présents à chaque séance.

**ARTICLE 13.**

Au début de chaque séance, le président soumet à l'Assemblée toutes les communications adressées à l'Assemblée ou à la Société des Nations, dont l'importance lui paraît justifiée.

**ARTICLE 14.**

1. L'Assemblée décidera la création de commissions pour l'étude des questions figurant à l'ordre du jour. Les questions de même ordre seront renvoyées à la même commission.
2. L'Assemblée ne statue sur les questions à l'ordre du jour en séance plénière qu'après dépôt et distribution d'un rapport d'une commission, à moins que, votant à la majorité des deux tiers, elle n'en juge autrement.  
Les décisions entraînant des dépenses sont soumises aux dispositions du Règlement concernant la gestion des finances de la Société des Nations.  
Les rapports établis par une commission et prévoyant les dépenses doivent indiquer si ces dépenses rentreront dans les dépenses générales de la Société ou si elles seront recouvrées sur les Membres de la Société qui y sont particulièrement intéressés.  
Aucune résolution entraînant des dépenses ne pourra, en aucun cas, être votée par l'Assemblée avant que la Commission des finances n'ait, en tenant compte des dispositions budgétaires générales, donné son avis sur l'opportunité des dépenses proposées.
3. Chaque délégation peut désigner un délégué et des conseillers techniques pour chaque commission.
4. Les commissions nomment elles-mêmes leurs présidents et leurs rapporteurs.
5. Chaque commission a la faculté de se diviser en sous-commissions qui constitueront elles-mêmes leur bureau.
6. Sauf décision contraire, le public ne sera pas admis aux séances des commissions. Les commissions tiendront un registre de leurs délibérations et un procès-verbal qui seront publiés aussitôt que possible et qui pourront toujours être consultés par les Membres de l'Assemblée. Ces documents ne seront publiés qu'après approbation par la commission.
7. Tout représentant a le droit de faire à une commission toute communication qu'il jugera utile, mais il ne pourra y prendre la parole que s'il en est membre, à moins d'autorisation spéciale du président de la commission.
8. Le Secrétaire général ou ses délégués pourront également faire aux commissions et aux sous-commissions tous les rapports ou toutes les communications verbales qu'ils jugeront utiles.

**ARTICLE 15.**

1. Aucun représentant ne peut prendre la parole à l'Assemblée sans avoir, au préalable, obtenu l'autorisation du président.
2. Les orateurs parleront à tour de rôle, dans l'ordre où ils auront demandé la parole. Le président et le rapporteur d'une commission pourront parler avant leur tour pour défendre ou expliquer les conclusions auxquelles est arrivée leur commission.  
Le même principe s'applique aux Membres du Conseil.
3. Le président peut rappeler à l'ordre l'orateur dont les remarques n'ont pas trait au sujet en discussion ; il peut au besoin lui retirer la parole.
4. Au cours de la discussion d'une question, un représentant peut soulever une motion d'ordre et le président doit prendre une décision immédiate, conformément au règlement.
5. L'Assemblée peut limiter la durée des discours à prononcer par chaque orateur.



**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.

Decisions involving expenditure shall be subject to the rules laid down in the Regulations for the Financial Administration of the League of Nations.

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.

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.

ARTICLE 16.

1. Les discours en français sont résumés en anglais, et *vice versa*, par un interprète appartenant au Secrétariat.
2. Tout représentant parlant dans une autre langue doit assurer lui-même la traduction de son discours en français ou en anglais.
3. Tous les documents, résolutions et rapports communiqués par le président ou par le Secrétariat doivent être rédigés à la fois en français et en anglais.
4. Tout représentant peut faire distribuer des documents écrits dans une langue autre que le français ou l'anglais, mais le Secrétariat n'est pas tenu de pourvoir à leur traduction ou à leur impression.
5. Tout Membre de la Société ou tout groupe de Membres peut demander que régulièrement tous les documents et publications de la Société soient traduits, imprimés et distribués dans une langue autre que le français ou l'anglais, à la condition d'y pourvoir lui-même.

ARTICLE 17.

1. Les projets de résolutions, amendements et motions doivent être communiqués par écrit au président, qui en fera distribuer des exemplaires aux représentants.
2. En règle générale, nul projet n'est discuté ou mis aux voix, si des exemplaires n'en ont pas été communiqués aux représentants, au plus tard la veille de la séance.
3. Le président peut, cependant, autoriser la discussion ou l'examen d'amendements ou de motions d'ordre, sans en avoir au préalable fait faire la communication.

ARTICLE 18.

1. Dans toute discussion, tout représentant peut poser la question préalable ou suspensive. Cette question aura la priorité ; outre l'auteur de la proposition, deux orateurs dans chaque sens peuvent prendre la parole.
2. La division est de droit, si elle est demandée.
3. A tout moment, un représentant peut demander la clôture de la discussion, même si d'autres représentants ont manifesté le désir de prendre la parole. Si la parole est demandée pour s'opposer à la clôture, deux orateurs seulement seront autorisés à parler.
4. Le président demandera l'avis de l'Assemblée sur la motion de clôture. Si, à la majorité, l'Assemblée approuve la motion, le président prononce la clôture de la discussion.
5. En présence de plusieurs propositions, on donne la priorité dans le vote à celle qui s'éloigne le plus de la proposition principale.
6. Si un amendement est suppressif, on met aux voix le maintien de la disposition qu'il a pour but de supprimer ; si ce maintien est rejeté, on vote sur l'amendement.
7. Si un amendement est adjonctif, on vote sur l'amendement ; s'il est approuvé, on vote sur l'ensemble de la proposition amendée.

ARTICLE 19.

1. Sauf disposition expressément contraire du Pacte ou d'un traité, les décisions de l'Assemblée sont prises à l'unanimité des Membres de la Société représentés à la séance.
2. Toutes questions de procédure qui se posent aux séances de l'Assemblée, y compris la désignation des commissions chargées d'enquêter sur des points particuliers, sont réglées par l'Assemblée et décidées à la majorité des Membres de la Société représentés à la séance.
3. Sont considérées comme questions de procédure, toutes décisions prises en vertu des articles du présent règlement.
4. Pour qu'une décision soit prise à la majorité, il faut que la moitié plus un des Membres représentés à la séance émette un vote favorable.
5. Dans toutes les votations visées au présent article, les représentants qui s'abstiennent sont considérés comme non présents.

ARTICLE 20.

L'Assemblée vote par appel nominal, sauf lorsque les Membres de la Société des Nations représentés à la séance décident que le vote se fera par « debout » et « assis » et sauf dans les cas prévus par l'article 21. L'appel nominal se fera d'une des deux façons suivantes, selon la décision de l'Assemblée :

**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 request 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 a 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 committee 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) Le nom de chaque délégation sera appelé et un de ses membres répondra par « oui » ou « non », ou « je m'abstiens ». Le résultat du vote sera enregistré et proclamé.

ou

b) La délégation de chaque Membre de la Société représenté à la séance de l'Assemblée reçoit deux bulletins de vote portant l'indication du nom de son pays. L'un de ces bulletins, de couleur rouge, signifie « oui » ; l'autre, de couleur bleue, signifie « non ». Les bulletins de vote sont déposés dans une urne disposée sur le Bureau. Lorsque tous les bulletins ont été recueillis, le président proclame la clôture du scrutin et le Bureau procède à son dépouillement. On donne connaissance à l'Assemblée de chacun des suffrages exprimés et le Président proclame le résultat du scrutin.

#### ARTICLE 21.

1. Toute décision concernant des personnes est prise au scrutin secret.
2. Si aucun nom n'obtient la majorité au premier tour, on procède à un second tour, mais, dans ce cas, le vote ne portera plus que sur les deux candidats qui auront obtenu le plus grand nombre de voix. En cas d'égalité, le candidat le plus âgé est élu.
3. Quand l'Assemblée est appelée à procéder simultanément à plusieurs nominations dans des conditions identiques, elle y procède par le scrutin de liste. Sont élus au premier tour, ceux qui obtiennent la majorité absolue des voix. Si le nombre de ceux qui ont obtenu cette majorité est inférieur au nombre des nominations à faire, on procède, parmi ceux qui auront obtenu le plus grand nombre de voix au premier tour, à un second tour sur un nombre de candidats double de celui des places restées disponibles ; sont alors élus, ceux qui auront réuni le plus grand nombre de voix.

#### ARTICLE 22.

En cas d'égalité de voix dans tout autre vote que ceux visés par l'article 21, où la majorité est requise, on procède à un second vote au cours de la séance suivante. Celle-ci se tiendra dans les quarante-huit heures suivant la date à laquelle le premier vote a eu lieu et l'ordre du jour de cette séance mentionnera expressément que la question en suspens fera l'objet d'un second vote. Si, au cours de cette seconde séance, la motion ne rallie pas la majorité des suffrages, elle est considérée comme rejetée.

#### ARTICLE 22a.

1. Les Membres dont les représentants sont appelés à faire partie du Conseil à titre non permanent sont désignés par l'Assemblée au scrutin secret.
2. Lorsqu'il y a lieu de pourvoir à la vacance de plusieurs sièges, l'élection se fait au scrutin de liste. Est nul, tout bulletin contenant plus de noms qu'il n'y a de sièges à pourvoir.
3. Nul n'est élu au premier et au second tour de scrutin, s'il n'a obtenu au moins la majorité absolue des voix. Si, après deux tours de scrutin, il reste encore des sièges à pourvoir, il est procédé à un troisième tour sur une liste comprenant les candidats les plus favorisés au deuxième tour en nombre double des sièges à pourvoir ; sont alors élus, les Membres ayant obtenu le plus grand nombre de suffrages.
4. Si deux ou plusieurs Membres ont obtenu le même nombre de voix sans qu'il y ait un siège pour chacun, il est procédé à un tour spécial de scrutin entre ces Membres ; en cas d'égalité nouvelle, il est tiré au sort par le président.

#### ARTICLE 23.

1. Le président peut déclarer la séance levée ou suspendue, si, lorsqu'il propose de la lever ou de la suspendre, il ne rencontre pas d'objection de la part de l'Assemblée.
2. Le président déclare la séance levée ou suspendue, lorsque l'Assemblée le décide.

#### ARTICLE 24.

Le Bureau peut apporter des modifications de forme, mais non de fond, à toutes les résolutions adoptées par l'Assemblée, quand il le juge nécessaire à la coordination des textes. Il en fait un rapport à l'Assemblée.

#### ARTICLE 25.

Le compte rendu *in extenso* de chaque séance est rédigé par le Secrétariat et soumis à l'Assemblée après approbation du président.

(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 22 a.

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 Members 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.
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.

**ARTICLE 26.**

Les textes votés par l'Assemblée seront communiqués aux Membres de la Société par le Secrétaire général, dans les quinze jours qui suivront la clôture de l'Assemblée.

**ARTICLE 27.**

Le règlement intérieur s'applique aussi aux délibérations des commissions de l'Assemblée.

**ARTICLE 28.**

Le présent règlement peut être modifié par décision de l'Assemblée, prise à la majorité des voix, après rapport d'une commission.

---

**ANNEXE I.**

**RECOMMANDATIONS RELATIVES AUX DÉBATS DE L'ASSEMBLÉE SUR LE  
RAPPORT ANNUEL DU CONSEIL.**

Communiquées par le Bureau de la présidence aux délégués à la troisième session ordinaire de l'Assemblée, le 29 septembre 1922.

---

Le Bureau de la présidence a étudié avec soin, conformément aux désirs de l'Assemblée, les propositions faites par le président au sujet de l'ordre des débats de l'Assemblée sur le rapport du Conseil. Le Bureau est unanime à reconnaître l'utilité de ces propositions et a adopté les recommandations suivantes, qui pourront peut-être servir de directive pour la procédure des Assemblées futures et aider leurs présidents dans l'exercice des pouvoirs que leur confèrent les articles 8 et 15 du Règlement.

1. L'Assemblée sera saisie, dès le commencement de la session, du rapport annuel du Conseil ; en règle générale, ce rapport figurera à l'ordre du jour comme première question à discuter, aussitôt que l'Assemblée se sera définitivement constituée.

2. Le rapport du Conseil sera mis en délibération par l'Assemblée. Cette délibération commencera par la discussion générale, qui pourra être suivie d'une discussion des sujets particuliers traités dans le rapport ou en résultant.

3. Les délégués seront invités à informer le président, avant l'ouverture, ou aussitôt que possible après l'ouverture de cette délibération, s'ils désirent prendre la parole. Ils indiqueront en même temps s'ils comptent participer au débat général, ou aborder plus spécialement la discussion de certains sujets particuliers étudiés dans le rapport du Conseil ; ils seront invités également à déclarer quelles sont les questions qu'ils désirent traiter particulièrement dans les discussions des articles.

4. Le président proposera à l'Assemblée, aussitôt que possible, les sujets particuliers à traiter dans la discussion de détail qui suivra la discussion générale. Les orateurs inscrits pour le même sujet obtiendront la parole directement l'un après l'autre. Les délégués seront priés de se borner, autant que possible, dans la discussion de détail, au sujet particulier qui est en discussion. Il n'est en aucune façon incompatible avec la présente recommandation que les délégués qui participent à la discussion générale puissent se référer, à cette occasion, aux sujets sur lesquels une discussion spéciale doit avoir lieu.

---

**~~Rule~~ 26.**

The resolutions adopted by the Assembly shall be circulated by the Secretary-General to the Members of the League within fifteen 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 I.**

**RECOMMENDATIONS AS TO THE ARRANGEMENTS FOR THE DEBATES  
IN THE ASSEMBLY ON THE ANNUAL REPORT BY THE COUNCIL.**

Communicated by the General Committee to the Delegates to the Third Ordinary Session of the Assembly on September 29th, 1922.

---

The General Committee, in accordance with the desire expressed by the Assembly, has carefully investigated the proposals made by the President with regard to the arrangements for the debates in the Assembly on the report by the Council. The General Committee unanimously recognises the utility of these proposals and has adopted the following recommendations, which may perhaps serve for guidance in the procedure of future Assemblies and help their Presidents in the exercise of the powers conferred upon them in pursuance of Articles 8 and 15 of the Rules of Procedure :

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

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

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

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

---

ANNEXE II.

**PROCÉDURE RELATIVE AU VOTE DU BUDGET EN SÉANCES PLÉNIÈRES  
DE L'ASSEMBLÉE.**

(Rapport présenté à la quatrième session ordinaire de l'Assemblée par le Bureau de l'Assemblée en date du 18 septembre 1923.)

Au cours de la troisième session de l'Assemblée, la question s'est posée de savoir si le budget de la Société peut être adopté à la majorité ou seulement à l'unanimité, et il avait été décidé d'inviter le Conseil à examiner la question.

En date du 29 janvier 1923, le Conseil a procédé à l'examen qui lui avait été demandé.

Sur la question juridique de savoir quelles conditions doivent se trouver réunies pour qu'une résolution d'ordre budgétaire puisse être valablement adoptée par l'Assemblée, le Conseil s'est rallié à l'opinion exprimée par son rapporteur, M. Tang Tsai-Fou, dans le document A. 3. 1923. V, qui a été communiqué à l'Assemblée.

L'étude de la meilleure procédure à suivre par l'Assemblée, dans les phases préliminaires, avant le vote définitif du budget, a été renvoyée, le 10 septembre dernier, par l'Assemblée à son Bureau. Le Bureau a l'honneur de soumettre à l'Assemblée les recommandations suivantes relatives à la procédure à adopter en pareil cas :

1. Il conviendrait que l'Assemblée se ralliât à l'opinion exprimée par le Conseil, selon laquelle les propositions budgétaires doivent être adoptées par l'Assemblée à l'unanimité ;

2. Le règlement intérieur de l'Assemblée (article 18, §§ 2, 5, 6 et 7) fixe la procédure à suivre en matière d'amendements au budget proposés au cours des séances plénières.

Il conviendrait d'appliquer le Règlement de la manière suivante :

a) Le budget, présenté par la Commission des finances, sera considéré comme constituant une seule proposition et, dans le cas où aucun amendement ne serait déposé, le budget sera soumis à l'Assemblée pour être adopté en bloc après un vote unique.

b) Si l'on propose des amendements au budget tel qu'il est présenté par la Commission des finances, le Président de l'Assemblée, après avoir pris note exactement de tous les crédits au sujet desquels les différentes délégations désirent proposer des amendements, disjointra ces crédits du budget et mettra aux voix l'ensemble de tous les crédits qui n'ont pas donné lieu à une proposition d'amendement.

c) Le Président mettra ensuite successivement en discussion les différents crédits que les délégations désirent modifier.

Si les amendements proposés à certains crédits ne soulèvent aucune opposition, les crédits ainsi modifiés seront mis aux voix.

D'autre part, si les amendements proposés à certains crédits particuliers ne sont pas unanimement approuvés, ces crédits seront, si possible, renvoyés à l'examen de la Commission des finances, pour qu'elle puisse les discuter et présenter de nouvelles propositions à l'Assemblée. Si l'on ne dispose pas du temps nécessaire pour renvoyer à la Commission des finances les crédits au sujet desquels un accord unanime n'a pu être, pour le moment, obtenu à l'Assemblée, le président demandera à l'Assemblée d'ajourner sa décision définitive sur cette question à une date suffisamment éloignée pour permettre aux différentes délégations de procéder à une discussion entre elles, et d'essayer par voie d'accord d'aboutir à une solution.

ANNEXE III.

**EXTRAIT DU RÈGLEMENT FINANCIER DE LA SOCIÉTÉ DES NATIONS**

*Adopté à la troisième et amendé aux quatrième et neuvième sessions ordinaires de l'Assemblée.*

*Note :* Dans cet extrait on entend par « Commission » ou « Commission de contrôle » la Commission établie en vertu du chapitre premier du Règlement financier.

CHAPITRE IV. — ADOPTION DU BUDGET.

Article 15.

1. Le Secrétaire général prendra ses dispositions pour que le budget et toutes ses annexes, établis comme il est indiqué au chapitre précédent, soient, en même temps qu'une introduction générale, soumis chaque année à la Commission avant le 1<sup>er</sup> mai.



ANNEX II.

**PROCEDURE OF ADOPTION OF THE BUDGET AT PLENARY MEETINGS  
OF THE ASSEMBLY.**

(Report made to the Fourth Ordinary Session of the Assembly by the General Committee on September 18th, 1923.)

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 January 29th, 1923.

On the legal question as to what constitutes a valid opinion 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 September 19th 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, paragraphs 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 III.

**EXTRACT FROM THE REGULATIONS FOR THE FINANCIAL ADMINISTRATION  
OF THE LEAGUE OF NATIONS.**

*As adopted at the Third and amended at the Fourth and Ninth Ordinary Session of the Assembly.*

(Note : In this extract " Commission " or " Supervisory Commission " means the Supervisory Commission established under Chapter I of the Regulations.)

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 May 1st of each year.

2. Pour permettre au Secrétaire général de se conformer aux dispositions du paragraphe précédent, les fonctionnaires compétents des organisations autonomes fourniront au Secrétaire général, à la date ou avant la date fixée par lui, d'accord avec les fonctionnaires intéressés, les éléments nécessaires.

*Article 16.*

1. La Commission examine annuellement le budget et prépare son rapport y relatif en temps opportun pour que les deux documents puissent être envoyés au Conseil et aux Membres de la Société trois mois avant la session ordinaire annuelle de l'Assemblée.

2. Les observations du Conseil sur le budget et sur le rapport de la Commission seront communiquées aux Membres de la Société de façon qu'elles leur parviennent au moins un mois avant l'ouverture de la session annuelle régulière de l'Assemblée.

3. Les organisations autonomes, lorsque la Commission examine leurs budgets respectifs, seront représentées devant la Commission de la façon dont elles le décideront elles-mêmes, sous réserve de l'approbation de la Commission. Une organisation non autonome sera représentée par le Secrétaire général, assisté de l'un des fonctionnaires ayant la responsabilité spéciale des travaux de cette organisation, et, si demande en est faite, par un membre de la Commission consultative.

4. La Commission n'est pas habilitée à décider des amendements au budget qui lui est soumis, mais elle peut proposer des modifications. La Commission discutera, le cas échéant, avec le fonctionnaire compétent ou les autorités compétentes, les modifications qu'elle propose, et adressera au Conseil et à l'Assemblée un rapport sur ses conclusions.

5. Les demandes de crédits qui, de l'avis de la Commission, exigent un examen spécial de la part de l'Assemblée peuvent faire l'objet de rapports spéciaux de la Commission, qui sont soumis à la procédure établie par l'article 16 c ci-dessous. Si le crédit visé figure au budget d'une organisation autonome, le rapport spécial sera communiqué à l'autorité compétente de l'organisation.

*Article 16 a.*

1. Les propositions comportant une augmentation du budget, tel qu'il a été primitivement communiqué aux Membres de la Société, doivent parvenir au Secrétaire général un mois au moins avant la date fixée pour l'ouverture de la session de l'Assemblée. Le Secrétaire général ou, le cas échéant, le fonctionnaire compétent de l'organisation autonome intéressée, établit une estimation aussi exacte que possible du montant de l'augmentation nécessaire. Si une proposition reçue moins d'un mois avant l'ouverture de la session entraîne une augmentation du budget, ladite proposition est ajournée jusqu'à la session suivante de l'Assemblée, à moins que l'Assemblée, statuant à la majorité des deux tiers, n'en décide autrement.

2. Le Secrétaire général insère les estimations visées par l'alinéa 1 ci-dessus, ainsi que les estimations relatives à toutes augmentations du budget du Secrétariat qu'il juge lui-même nécessaire de proposer, dans un budget supplémentaire unique qui est communiqué aux Membres de la Société, ainsi qu'à la Commission de contrôle, deux semaines au moins avant l'ouverture de la session de l'Assemblée.

*Article 16 b.*

La Commission de contrôle devra tenir chaque année une session pendant la session de l'Assemblée.

*Article 16 c.*

Les demandes de crédits ayant fait l'objet, par application de l'alinéa 5 de l'article 16, d'un rapport spécial de la Commission de contrôle, ainsi que les diverses prévisions figurant dans le budget supplémentaire, seront soumises à la procédure suivante :

a) Lorsque l'examen des objets auxquels s'appliquent les demandes de crédits en question est renvoyé par l'Assemblée à une Commission autre que la Commission des finances, cette Commission reçoit en communication toute la documentation y afférente. Si cet examen aboutit à un avis favorable, la Commission saisie étudie les prévisions de dépenses et, le cas échéant, les modifie de façon à les adapter aux recommandations formulées par elle. Le rapport de la Commission, s'il est favorable à l'inscription d'un crédit, est transmis directement à la Commission de contrôle qui vérifie les prévisions de dépenses ; il est ensuite soumis à la Commission des finances, avec un rapport de la Commission de contrôle. Toutefois, le rapport de la Commission compétente (autre que la Commission des finances) doit parvenir à la Commission de contrôle dans les quinze premiers jours de l'ouverture de la session de l'Assemblée. S'il ne lui parvient qu'après cette date, l'examen du crédit est ajourné à la session suivante de l'Assemblée,

b) Dans les autres cas, les demandes de crédits sont envoyées à la Commission des finances, avec les observations de la Commission de contrôle.

2. In order to enable the Secretary-General to comply with the provisions of paragraph 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. Proposed credits which in the opinion of the Commission require special examination by the Assembly may form the object of special reports by the Commission which shall be dealt with by the procedure laid down in Article 16 c below. If the credit forms part of the budget of an autonomous organisation, the special report shall be communicated to the competent authority of the organisation.

*Article 16 a.*

1. Proposals involving an increase in the Budget as originally communicated to the Members of the League must be placed in the hands of the Secretary-General at least one month before the date fixed for the opening of the Assembly's session. The Secretary-General, or the competent official of the autonomous organisation concerned, shall draw up as accurate an estimate as possible of the amount of the necessary increase. If a proposal received later than one month before the opening of the session is found to involve an increase in the Budget, it shall be adjourned until the next session of the Assembly, unless the Assembly, by a two-thirds majority, decides otherwise.

2. The Secretary-General shall incorporate the estimates referred to in paragraph 1 above, and estimates for any increases in the Budget of the Secretariat which he himself considers it necessary to propose, in a single supplementary budget, which shall be circulated to the Members of the League and to the Supervisory Commission not later than two weeks before the opening of the Assembly's session.

*Article 16 b.*

A session of the Supervisory Commission shall be held each year during the session of the Assembly.

*Article 16 c.*

Proposed credits upon which a special report has been made by the Supervisory Commission under Article 16, paragraph 5, and the various estimates included in the supplementary budget, shall be dealt with by the following procedure :

(a) Where consideration of the objects for which the proposed credit is required is referred by the Assembly to a Committee other than the Finance Committee, all the relevant documents shall be placed before such Committee, which, in so far as it reports in favour of the said objects, shall examine the estimate of expenditure and, if necessary, modify it to correspond to the recommendations which it makes. The Committee's report, if it recommends a credit, shall be passed directly to the Supervisory Commission for verification of the estimate of expenditure and be then submitted to the Finance Committee with a report by the Supervisory Commission. The report of the Committee concerned (other than the Finance Committee), must, however, be received by the Supervisory Commission within fifteen days from the opening of the session of the Assembly. If it is received later, the examination of the credit shall be adjourned to the next session of the Assembly.

(b) In other cases, the proposed credits shall be referred to the Finance Committee with the observations of the Supervisory Commission.

*Article 16 d.*

Sur toute décision prise par la Commission des finances, il doit être procédé à une deuxième délibération, si cette délibération est réclamée par un quart des membres de la Commission des finances, ou par le fonctionnaire compétent de l'organisation intéressée ou par un vote de toute autre commission intéressée de l'Assemblée.

La deuxième délibération ne peut avoir lieu qu'après un intervalle de vingt-quatre heures au moins, à partir du moment où la demande en est formulée ou communiquée à la Commission des finances.

*Article 16 e.*

Sous réserve des dispositions ci-dessus, le budget et le budget supplémentaire sont renvoyés à la Commission des finances, qui les soumet à l'Assemblée dans la forme approuvée par elle et de préférence dans un document unique.

*Article 17.*

*Supprimé.*

*Article 18.*

1. Lorsque l'Assemblée ou sa Commission des finances discuteront le budget d'une organisation autonome, celle-ci pourra déléguer un représentant pour assister aux séances de l'Assemblée et le nombre de représentants que la Commission des finances jugera convenable pour assister aux séances de la Commission des finances. Ce ou ces représentants des organisations autonomes auront voix seulement consultative s'ils assistent à la délibération et ne prendront la parole en séance que sur l'invitation du président.

2. La Commission consultative d'une organisation non autonome peut, semblablement, charger un représentant d'assister aux séances de la Commission des finances de l'Assemblée où le budget de ladite organisation est mis en discussion.

*Article 19.*

*Supprimé.*

---

ANNEXE IV.

**RÈGLES D'ÉLECTION DES NEUF MEMBRES NON PERMANENTS  
DU CONSEIL**

---

*Résolution adoptée à la septième session ordinaire de l'Assemblée, le 15 septembre 1926, sur la proposition de la Première Commission.*

L'Assemblée, agissant en vertu de l'article 4 du Pacte, décide :

**RÉSOLUTION FIXANT LES RÈGLES D'ÉLECTION DES NEUF MEMBRES NON PERMANENTS  
DU CONSEIL, LA DURÉE DE LEUR MANDAT ET LES CONDITIONS DE LEUR RÉÉLIGIBILITÉ.**

*Article I.*

Chaque année, au cours de la session ordinaire, l'Assemblée procède à l'élection de trois Membres non permanents du Conseil. Ceux-ci sont élus pour une période commençant immédiatement après leur élection et se terminant le jour où l'Assemblée aura procédé aux élections, trois années après.

Si un Membre non permanent cesse de faire partie du Conseil avant l'expiration de son mandat, il sera remplacé au moyen d'une élection complémentaire séparée, à la session suivant la vacance. Le mandat du Membre ainsi élu prendra fin au moment où aurait expiré le mandat du Membre qui est remplacé.

*Article II.*

Un Membre sortant ne pourra, pendant la période s'écoulant entre l'expiration de son mandat et la troisième élection en session ordinaire qui suivra, être réélu que si, à l'expiration de son mandat ou au cours de cette période de trois années, l'Assemblée, statuant à la majorité des deux tiers des suffrages exprimés, décide préalablement qu'il est rééligible.

*Article 16 d.*

A decision of the Finance Committee shall be reconsidered if a request to that effect is formulated by one-quarter of the members of the Finance Committee or by the competent official of the organisation affected or by a vote of another committee of the Assembly affected thereby.

Such reconsideration shall not take place until after an interval of at least twenty-four hours from the time when the request was made or was communicated to the Finance Committee.

*Article 16 e.*

Subject to the above provisions, the Budget and supplementary budget shall be referred to the Finance Committee, which shall place them before the Assembly in the form approved by it, preferably in a single document.

*Article 17.*

*Cancelled.*

*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.*

*Cancelled.*

---

ANNEX IV.

**RULES DEALING WITH THE ELECTION OF THE NINE NON-PERMANENT MEMBERS OF THE COUNCIL.**

---

*Resolution adopted at the Seventh Ordinary Session of the Assembly on September 15th, 1926.  
(Adopted on the Proposal of the First Committee.)*

The Assembly, acting in virtue of Article 4 of the Covenant, decides as follows :

**RESOLUTION MAKING RULES DEALING WITH THE ELECTION OF THE NINE NON-PERMANENT MEMBERS OF THE COUNCIL, THEIR TERM OF OFFICE AND THE CONDITIONS OF RE-ELIGIBILITY.**

*Article I.*

The Assembly shall each year, in the course of its ordinary session, elect three non-permanent Members of the Council. They shall be elected for a term commencing immediately on their election and ending on the day of the elections held three years later by the Assembly.

Should a non-permanent Member cease to belong to the Council before its term of office expires, its seat shall be filled by a by-election held separately at the session following the occurrence of the vacancy. The term of office of the Member so elected shall end at the date at which the term of office of the Member whose place it takes would have expired.

*Article II.*

A retiring Member may not be re-elected during the period between the expiration of its term of office and the third election in ordinary session held thereafter unless the Assembly, either on the expiration of the Member's term of office or in the course of the said period of three years, shall, by a majority of two-thirds of the votes cast, previously have decided that such Member is re-eligible.

L'Assemblée statue séparément sur chaque demande de rééligibilité et au scrutin secret. Le nombre des suffrages exprimés est déterminé par le total des bulletins, déduction faite des bulletins blancs ou nuls.

L'Assemblée ne pourra statuer sur la rééligibilité d'un Membre que sur la demande écrite de ce Membre lui-même. Cette demande devra être remise au président de l'Assemblée, au plus tard la veille du jour fixé pour l'élection ; elle sera présentée à l'Assemblée, qui statuera sans renvoi à une commission et sans débat.

Toutefois, le nombre des Membres réélus en conséquence d'une déclaration préalable de rééligibilité sera limité de façon que ne fassent pas partie en même temps du Conseil plus de trois Membres élus dans ces conditions. Si le résultat du scrutin est tel que cette limite de trois se trouve dépassée, ne seront pas considérés comme élus ceux de ces Membres qui, se trouvant dans ces conditions, ont recueilli le moins de voix.

### *Article III.*

Nonobstant les dispositions qui précèdent, l'Assemblée peut, en tout temps, et en statuant à la majorité des deux tiers, décider que, par application de l'article 4 du Pacte, il sera procédé à une nouvelle élection de tous les Membres non permanents du Conseil. En pareil cas, il appartiendra à l'Assemblée de décider des règles applicables à cette nouvelle élection.

### *Article IV. — Dispositions transitoires.*

1. En 1926, les neuf Membres non permanents du Conseil seront élus par l'Assemblée, savoir : trois pour une période de trois années, trois pour une période de deux années, et trois pour une période d'une année. La procédure de ces élections sera fixée par le Bureau de l'Assemblée.

2. Parmi les neuf Membres ainsi élus en 1926, trois au maximum pourront être immédiatement déclarés rééligibles par une décision de l'Assemblée intervenant à la suite d'un vote spécial, secret, distinct pour chaque candidat, et pris à la majorité des deux tiers des suffrages exprimés.

Aussitôt après la proclamation de l'élection, l'Assemblée sera appelée à statuer sur les demandes de rééligibilité qui auront été déposées.

Au cas où l'Assemblée se trouverait saisie de plus de trois demandes de rééligibilité, seront seuls déclarés rééligibles les trois candidats qui, en sus des deux tiers, auront obtenu le plus grand nombre de voix.

3. La qualification de rééligible qui aurait été reconnue par avance en 1926 à un, deux ou trois Membres élus à cette date, ne porte pas atteinte au droit de l'Assemblée d'user, en 1927 et 1928, au profit d'autres Membres non permanents sortant du Conseil à ces dates, de la faculté prévue à l'article II. Toutefois, il est entendu que, si trois Membres se trouvent déjà avoir la qualification de rééligible, l'Assemblée n'usera de cette faculté que dans des cas tout à fait exceptionnels.

The Assembly shall pronounce separately, by secret ballot, upon each request for re-eligibility. The number of votes cast shall be determined by the total number of voting tickets deposited, deducting blank or spoilt votes.

The Assembly may not decide upon the re-eligibility of a Member except upon a request in writing made by the Member itself. The request must be handed to the President of the Assembly not later than the day before the date fixed for the election ; it shall be submitted to the Assembly, which shall pronounce upon it without referring it to a committee and without debate.

The number of Members re-elected in consequence of having been previously declared re-eligible shall be restricted so as to prevent the Council from containing at the same time more than three Members thus elected. If the result of the ballot infringes this restriction to three Members, those of the Members affected which have received the smallest number of votes shall not be considered to have been elected.

### *Article III.*

Notwithstanding the above provisions, the Assembly may at any time by a two-thirds majority decide to proceed, in application of Article 4 of the Covenant, to a new election of all the non-permanent Members of the Council. In this case the Assembly shall determine the rules applicable to the new election.

### *Article IV.—Temporary Provisions.*

1. In 1926, the nine non-permanent Members of the Council shall be elected by the Assembly, three for a term of three years, three for a term of two years, and three for a term of one year. The procedure of the election shall be determined by the General Committee of the Assembly.

2. Of the nine Members thus elected in 1926, a maximum of three may be immediately declared re-eligible by a decision of the Assembly taken by a special vote by secret ballot, a separate ballot being held for each Member, and adopted by a majority of two-thirds of the number of votes cast. Immediately after the announcement of the results of the election, the Assembly shall decide upon the requests for re-eligibility which have been presented. Should the Assembly have before it more than three requests for re-eligibility, the three candidates having received the largest number of votes, in excess of two-thirds of the votes cast, shall alone be declared re-eligible.

3. The according in advance in 1926 to one, two or three Members elected at that date of the quality of re-eligibility shall not affect the Assembly's right to exercise the power given by Article II in the years 1927 and 1928 in favour of other non-permanent Members retiring from the Council in those years. It is, however, understood that, if three Members already possess the quality of re-eligibility, the Assembly will only exercise this power in very exceptional cases.

---

Geneva, September 22nd, 1928.

**LEAGUE OF NATIONS**

**Construction of an Assembly Hall,  
of a New Building for the Secretariat, and of a  
New Library.**

**REPORT SUBMITTED TO THE ASSEMBLY BY THE  
SPECIAL COMMITTEE APPOINTED BY THE ASSEMBLY  
RESOLUTION OF SEPTEMBER 26TH, 1927.**

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution:

“ The Assembly:

“ Approves the report (document A.93.1927) of the Special Committee of five members in regard to the new buildings;

“ Approves, in principle, that the amount to be spent on the new buildings may be increased to approximately 19,500,000 francs. The exact amount of the supplementary credit necessary will be submitted to the Assembly at the next session;

“ Empowers a Committee composed as follows: M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA and Sir Edward Hilton YOUNG to study the nine plans awarded the equal prizes of 12,000 francs in the architects' competition, and to choose, with any changes that may be necessary, a plan which, in its opinion, complies most nearly with the practical and æsthetic requirements. The decision of this Committee will be submitted to the Council of the League of Nations for approval and ratification, and will be communicated to the Assembly at the next ordinary session.”

It is clear from the last sentence of the above resolution that the Assembly hoped that it would be possible to settle this difficult question long before the present session. The Committee shared this hope, but, unfortunately, unforeseen difficulties have prevented this, and have even made it necessary to ask the Assembly to authorise a change of site, the property now owned by the League on the lake-side having proved to be inadequate, for reasons set out in this report.

The Committee has held eight sessions<sup>1</sup>.

At the session held on November 7th and 8th, 1927, the Committee, in accordance with its terms of reference, proceeded to examine the nine plans to which the equal prizes of 12,000 francs had been awarded in the architects' competition. As a result of this examination, the Committee found it necessary to call for supplementary reports:

- (a) From the Secretary-General, on the administrative needs of the Secrétariat;
- (b) From two experts (nominated by the Committee itself), on certain strictly technical points.

It also, in accordance with the desire expressed by the Assembly, consulted the Swiss Cantonal and Federal Authorities. At the following session, held in December 1927, the Committee examined the reports presented by the Secretariat and by the two experts referred to above, as well as a report prepared by two Swiss experts for the Federal and Cantonal Authorities, which had been communicated to the Committee for its information.

After a careful study of these reports and a further examination of the plans, the Committee reached unanimously the following conclusions:

- (1) That the Committee was bound, by its terms of reference, to choose one plan from among the nine submitted to it, but, being authorised by the Assembly resolution of September 26th,

<sup>1</sup> The first session was held in September 1927, the second on November 7th and 8th, 1927, the third from December 19th to 22nd, 1927, the fourth on January 22nd, 1928, the fifth on March 2nd and 3rd, 1928, the sixth on March 26th and 27th, 1928, the seventh on June 13th, 1928, the eighth during September 1928.



1927, to propose any changes that might be necessary to the plan chosen, that it was empowered, with a view to effecting such changes, to take advantage of certain features of other plans, and consequently to propose that the author or authors of the plan chosen should collaborate with the authors of other plans, not only in the preparation of a revised design, but also in the ultimate execution of the design as finally adopted.

(2) That the plan which, in its opinion, was most nearly satisfactory, both from the practical and æsthetic points of view, was that bearing No. 387, submitted to the competition jointly by M. H. P. Nénot, of Paris, and M. J. Flegenheimer, of Geneva.

(3) That this plan was open, nevertheless, to a certain number of objections and must be revised. These objections related to the following points:

Relative positions of the Assembly Hall and the Secretariat building;  
Site of the Library;  
Situation of various Secretariat services in the building containing the Assembly Hall;  
Inadequacy of storage accommodation;  
Inadequacy of garage and parking facilities for cars;  
Dimensions of certain staircases and lifts;  
Dimensions and situations of committee-rooms and Council room;  
Alterations necessary in various cloak-rooms;  
Lighting and general equipment of the great hall;  
Simplification of galleries and lobbies round the great hall;  
Inadequate dimensions of certain offices;  
Equipment of the kitchen and offices attached to the refreshment-room;  
Simplification of the external architecture, and harmonisation of the secondary façades of the Assembly Hall and the façades of the Secretariat, with the main façade seen from the Lake;  
Lighting of the rooms behind the colonnade;  
Enlargement of the entrance-hall of the Secretariat;  
Lighting of various corridors, and shape of certain offices at the corners of the Secretariat building, which were irregularly and inconveniently shaped.

(4) That the authors of plan No. 387 should be invited to revise their design on the lines indicated to them by the Committee, and to do this in collaboration with the authors of three other designs as follows:

No. 117 — Messrs. Broggi, Vaccaro and Franzi, of Rome.  
No. 143 — M. Camille Lefèvre, of Paris.  
No. 431 — M. Joseph Vago, of Budapest.

Design No. 117 being the joint work of three architects, one of them was to be nominated as their sole representative in this collaboration, and M. Broggi was in due course chosen by his colleagues.

(5) That the architects should submit, together with the revised design for the Assembly Hall and Secretariat building, a preliminary plan for the new Library, the erection of which had been made possible by the generous gift of Mr. John D. Rockefeller, Jun. (accepted by the Assembly by its resolution of September 12th, 1927) and should state whether sufficient space could be found for the Library building on the ground at present owned by the League. No definite programme of requirements for the new Library had as yet been drawn up, this being reserved for the Library Planning Committee to which reference is made later in this report, but an approximate estimate of the superficial area required was given to the architects by the Secretariat.

(6) The Committee reserved entire liberty of judgment on the revised design before definitely accepting it and submitting it to the approval and ratification of the Council in conformity with the Assembly's instructions.

The revised plans were laid before the Committee at its fifth session (March 2nd and 3rd, 1928), together with an explanatory note by the architects describing the alterations which had been made to comply with the Committee's instructions, and others which had suggested themselves to the architects in the course of their joint study and consultations with the Secretariat. The architects proposed to place the new Library upon the ground already owned by the League, in a position adjoining the Secretariat and facing the rue de Lausanne, so as to be readily accessible to the public. As regards the cost of construction of the Assembly Hall and Secretariat, the Committee were informed that it was impossible for the architects in so short a space of time to draw up a detailed and accurate estimate for such extensive buildings; this could only be based on the final working plans and would need long and minute calculations. They therefore submitted a rough estimate based upon the cost per cubic metre, from which it appeared that the cost of construction of the Assembly Hall and Secretariat should not exceed the figure of 19,500,000 francs, which the Assembly had indicated and that a sum of approximately 4,000,000 francs should suffice for the Library building.

The revised plan was considered by the Special Committee to be generally satisfactory, with the exception of the façade and the proposed form of the Assembly Hall itself. It therefore

submitted a report to the Council (document C.93(1).1928), proposing the adoption of the revised plans, subject to the final approval by the Special Committee of new designs for the Assembly Hall and façade. It also proposed to the Council the acceptance, with certain modifications, of the arrangements proposed by the architects with regard to their fees and office expenses.

The Council, on March 6th, 1928, approved the following resolution:

“ Having noted the report (document C.93(1).1928) submitted to it by the Special Committee appointed by the Assembly resolution of September 26th, 1927, regarding the construction of new buildings for the use of the League of Nations, the Council would tender to this Committee its warmest thanks for the excellent way in which the work has been done.

“ The Council adopts and ratifies the report and the decisions which it involves. In particular, it authorises the Secretary-General to draw up the terms and to sign the text of the necessary contract between the League of Nations and the architects ”.

It was understood that the contract between the League and the architects would not be signed by the Secretary-General until the Special Committee had given its full and final approval to the revised plans, including the alterations desired to the Assembly Hall and façade.

Shortly after the close of that session of the Council, however, a further difficulty arose. The first session of the Library Planning Committee (a committee of experts appointed by the Secretary-General with the authorisation of the Assembly and in agreement with the donor, to advise on the best use of the Rockefeller Fund and to draw up specifications for the new Library building) was held on March 12th, 13th and 14th, 1928.

This Committee, after an inspection of the site and a careful study of the revised plans which had just been approved by the Special Committee and the Council, made a strong and unanimous report to the Secretary-General against the adoption of the site proposed for the Library, on the ground of its exposure to noise and dust, inadequate size and the impossibility of providing for future extensions. It was also pointed out that, if all the three buildings were crowded on to the present building site, the new Library would not have the position and character worthy of its future international use and which were very desirable in view of the nature and magnitude of the gift.

The Library Planning Committee stated in its report that it had felt bound, in view of this recommendation, to explore all possible alternative solutions, but had unanimously agreed that the architects' plan was the best that could be done on the ground at present available. The Committee had therefore come to the unanimous conclusion that, in view of the obvious necessity of the new Library being in the closest possible connection with the Secretariat building, as near as possible to the International Labour Office and to the new Assembly Hall and at the same time conveniently placed for public use and in quiet surroundings, the only way to provide a really satisfactory site was to purchase the property which lay between that now owned by the League and that of the International Labour Office. If this additional land were available, it would enable the architects to give to the new Library the superficial area which the Library Planning Committee considered essential and to provide for the possibility of future extension. It would then be possible to give the building the architectural character desired and to place it in the quiet surroundings which are so essential.

In view of the importance of this report and the decisive influence it might have upon the planning of the whole group of new buildings, the Secretary-General submitted it immediately to the Special Committee, and an emergency meeting was held in Paris on March 26th and 27th, 1928, for reconsideration of the whole question in the light of this new factor.

After a careful re-examination of the revised plans and an attentive study of the Library Planning Committee's report, the Special Committee felt bound to agree with the conclusions set forth in that report and that the acquisition of additional ground was essential if a satisfactory site were to be found for the new Library. In the event, however, of its being found possible to acquire the property in question, the Committee was of opinion that advantage should be taken of that opportunity to place the Library and the Assembly Hall, which will be used jointly by the International Labour Office and the Secretariat, as conveniently as possible between the two institutions.

The Special Committee made all possible efforts to acquire the neighbouring property, but, in face of the difficulties which were encountered, it was obliged to seek elsewhere for a solution. With this end in view, it took into consultation M. Motta and the Cantonal Authorities of Geneva, and the Committee believes that, in the course of these consultations, all possible alternatives have been examined. The only solution which appears satisfactory to the Special Committee and which it has now the honour to submit for the approval of the Assembly is the following:

It is proposed that the City of Geneva should confer on the League of Nations the “droit d'usage” (including the right to build) of all that portion of the Ariana Park situated between the railway line and the route de Pregny, with the exception of the Museum and a reasonable amount of ground for its enclosure. In exchange for this site (about 250,000 square metres),

the League of Nations would confer on the City of Geneva similar rights of occupation of the three lakeside properties (Bartholoni, Perle du Lac and Moynier). These properties, being in direct continuation of the Parc de Mon-Repos, would make possible the creation of a lakeside park of such beauty and extent as would justify the local authorities in consenting, on behalf of the population of Geneva, to give up the Ariana Park, which, as the Assembly is no doubt aware, was a legacy to the people of Geneva under the will of M. Gustave Revilliod.

In the opinion of the Committee, this solution would give complete satisfaction to the needs of the League and has in addition the merit of offering equitable compensation to the people of Geneva. The Cantonal authorities have consulted the heirs and descendants of the late M. Gustave Revilliod and have obtained their consent. The proposal has also been accepted by the Conseil administratif and unanimously by the Conseil municipal of Geneva. The necessary decree will be voted by the Conseil municipal immediately if the Assembly authorises the choice of this new site. It should be mentioned that the decree will only become legally effective after the lapse of one month, during which time, in theory, a referendum may be demanded if a petition to this effect obtains the requisite number of signatures. In the case of a unanimous decision taken by the competent authorities, a demand for a referendum has, however, never occurred. Nevertheless, the Assembly may consider it necessary that the Special Committee should remain in being until the question is definitely settled and revised plans, adapted to the new site, have been prepared by the architects, approved by the Committee and ratified by the Council.

During the interval occupied by the negotiations, the architects had made the desired alterations in the plans of the Assembly Hall and the façade and had submitted these revised designs to the Special Committee with the request that, if they gave satisfaction, the necessary contract between the League and the architects should be signed without further delay in order to establish the relations between the two parties on a proper legal basis. The Special Committee examined these revised designs at its meeting in Paris on June 13th, 1928, and considered that, with the modifications which had now been effected, the plans to which the Council had given its general approval in March 1928 constituted an acceptable draft design, and reported in this sense to the Council (document C.337.1928).

The Special Committee could not close this report without taking the opportunity of expressing its warmest thanks to the Federal Authorities, and in particular to M. Motta, to the Cantonal and Municipal Authorities of Geneva, as well as to the heirs of M. Gustave Revilliod, for their invaluable assistance in solving the difficult problem with which the Committee was faced.

In the hope that the Assembly will approve the recommendations contained in this report, the Special Committee ventures to submit the following resolution:

" The Assembly,

" Approves the report (document A.79.1928) of the Special Committee of Five Members in regard to the new buildings;

" Approves the choice of the Ariana Park as a site for the new buildings of the League of Nations;

" Authorises the Secretary-General to sign all the necessary legal documents concerning the exchange of rights on the properties in question between the League of Nations and the Genevese authorities, as well as to draw up and sign the necessary contract between the architects and the League of Nations on the basis of the Special Committee's report to the Council (document C.93 (I). 1928), approved by the Council on March 6th, 1928;

" Authorises the Special Committee of Five Members (M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA and Sir Edward Hilton YOUNG) as soon as the legal formalities for the transfer of the land have been completed, and after having obtained all the expert advice necessary from the technical point of view, to give final approval to revised plans adapted to the new site, such approval to be submitted to the Council of the League of Nations for ratification. The final plans thus approved will then be carried into execution without delay by the Secretary-General and the Building Committee already appointed in accordance with the Assembly resolution of September 25th, 1924."

\* \* \*

In order to ensure that five members of the Special Committee shall always be available, the Committee suggests that the Assembly should nominate two substitute members.

(Extract from *Official Journal*, March 1928.)

Geneva, February 8th, 1928.

LEAGUE OF NATIONS

**SAAR BASIN**

**THIRTY-SECOND PERIODICAL REPORT OF THE  
GOVERNING COMMISSION<sup>1</sup>**

(October 1st to December 31st, 1927).

*Note by the Secretary-General:*

The Secretary-General has the honour to forward for the information of the Council and the Members of the League the thirty-second Periodical Report of the Governing Commission of the Saar Basin.

CONTENTS.

	Page
I. Economic and Social Situation . . . . .	1
II. Political Situation... . . . .	3
III. Administration Work :	
1. Department of the Interior... . . . .	4
2. Finance . . . . .	6
3. Mines Administration . . . . .	7
4. Social Insurance . . . . .	8
5. Labour Department . . . . .	8
6. Public Works, Railways, Posts, Telegraph and Telephones . . . . .	9
7. Justice . . . . .	10
8. Education . . . . .	10
9. Public Relief and Social Hygiene . . . . .	11
10. Agriculture and Forests . . . . .	11

Saarbruck, December 31st, 1927.

[*Translation.*]

The present report gives an account of the position in the Saar Territory and the work of the Governing Commission in the fourth quarter of 1927 (October-November-December 1927).

I. ECONOMIC AND SOCIAL SITUATION.

The official figures show no appreciable variation in the cost of living.

The Franco-German negotiations regarding the Customs régime of the Saar Basin have been continued during the quarter; they had not been completed at the date of drawing up this report. The Agreement of August 5th, 1926, has accordingly been renewed till March 31st, 1928, and the Agreement of November 6th, 1926, is to be renewed from month to month.

<sup>1</sup> For the previous Report see document C.535.M.189.1927.I, and *Official Journal* of December 1927.

In order to help the economic position of the Saar Territory, it was agreed, in notes exchanged on November 4th, 1927, that, instead of monthly quotas as hitherto, a quarterly quota should be allowed for the third quarter of 1927.

Two serious strikes have occurred, one in the heavy metal industry and the other among the railway workers.

The strike of workers in the heavy metal industry began on November 21st, 1927, in the following circumstances. On November 4th, 1927, the Conciliation Committee unanimously recommended an average increase of wages of 3.5 per cent. This recommendation was accepted by the workmen, but rejected by the employers.

The metal-workers' unions accordingly declared a strike.

Work was everywhere resumed without exception on November 25th, 1927, under the following conditions :

The Governing Commission had, from the beginning, followed the wages dispute which had caused the strike with the greatest attention; but as long as there was hope of the employers and workmen settling the dispute themselves, and until all possibilities of settlement by law or by custom were exhausted, the Commission had no means of intervening directly. But, when the strike broke out, thus doing away with all possibility of direct settlement between the parties, the Governing Commission immediately undertook to mediate. The Commission considered that, in the interest of employers and workmen alike, and in the general interest of the Saar Territory, the dispute should be speedily settled. To this end it was evident that the most suitable basis for a conciliation was a settlement on the lines of the recommendation of November 4th, 1927. After protracted negotiations, an agreement was successfully reached, thanks to the continued efforts of the Governing Commission.

The strike of railway workers lasted eleven days : from December 1st to 11th, 1927. It involved up to 7,000 workers out of the 8,000 employed in the workshops, on the line, and in running the services generally. A detailed account of this strike will be found below under the heading " Railways ".

The Saar coal-mines have continued to experience difficulties in disposing of their output. The consequence was a few days of unemployment in October and December. The number of days worked and days of unemployment during the last quarter was as follows :

Months.	Number of days worked	Number of days of forced unemployment.
October .....	24	2
November .....	24	0
December .....	23	2
Total .....	71	4

The total number of workmen employed decreased by 1,866 between October 1st and December 31st, 1927 : of these, 1,011 were pensioned off, 154 were discharged for disciplinary reasons, and the remaining figure covers deaths, promotions and voluntary discharges.

With a view to remedying as far as possible the decrease in wages caused by forced unemployment, the Mines Administration has continued to pay workers family allowances for days of unemployment, that is, Fr.1.50 (*Frauengeld*) for married men, and Fr.1.50 (*Kindergeld*) for each child. These allowances entail an average disbursement of Fr.150,000 per day. The Mines Administration also decided to grant a special end-of-year bonus of Fr.100 per workman ; this allowance was authorised by the French Ministry of Public Works, when it was ascertained that the yield from the Saar mines had reached pre-war figures. The Mines Administration also granted considerable facilities to workmen desiring to leave the mines and be pensioned off ; the extent of these facilities may be deduced by the notable increase of pensioned workers, viz., 1,011 during the last quarter of 1927 as against an average quarterly figure of 365 during 1926.

Finally, the Mines Administration has very considerably increased the stocks of coal, with the object of reducing the number of days of forced unemployment to a minimum. On December 31st, 1927, the stocks of coal amounted to 590,933 tons, or 27,729 tons more than the stocks on September 30th, 1927, which amounted to 563,204 tons.

The number of unemployed has appreciably risen, as happens every year during the winter season, when the work of the building industry is necessarily interrupted.

The following statistical tables will give an exact idea of the economic and social situation in the Territory.

*Production (tons).*

1927	Crude Iron	Steel	Coal	Coke
July .....	149,579	154,711	1,106,417	21,524
August .....	155,126	166,253	1,120,116	21,967
September .....	143,813	160,784	1,112,703	22,161
October .....	156,603	168,895	1,226,034	23,755

*Cost of Living.*

1927	Index figures according to the new method of the Statistical Office of the Reich	Index figures for 72 articles of prime necessity. (Strasburg method).	
		Saar	Strasburg
September .....	581	602	592
October .....	581	602	594
November .....	582	597	583
December .....	583	—	586

*Price in Francs per Ton.*

1927	Coal	Coke	Cast Iron (P.L. III)
September .....	109	174	460
October .....	109	174	420
November .....	109	174	420
December .....	109	174	420

*Unemployment.*

1927	Number of unemployed	Percentage of the total number of workmen.
August .....	1,735	0.90
September .....	1,683	0.84
October .....	1,503	0.75
November .....	2,558	1.29

*Bankruptcies declared.*

1927	
August .....	5
September .....	5
October .....	3
November .....	1

*Production — Personnel employed by the Mines.*

During the fourth quarter of 1927 the gross production of the Saar coal-mines was as follows :

	Tons
October .....	1,226,034
November .....	1,242,452
December .....	1,194,137
<b>Total</b> .....	<b>3,662,623</b>

The gross production in 1927 amounts to 14,874,820 tons compared with 15,103,135 tons in 1926.

Personnel employed by the Mines at the end of December 1927 :

Underground workers .....	50,456
Surface workers .....	16,889
<b>Total</b> .....	<b>67,345</b>

(Compared with 69,211 at the end of September 1927 and 73,807 at the end of December 1926.)

II. POLITICAL SITUATION.

The Advisory Council held two plenary meetings, on October 11th and December 5th, 1927. At these meetings, the elected representatives of the population gave their opinion on the subject of the draft decrees enumerated below :

- (1) Decree amending the Housing Decree ;
- (2) Decree amending §87 of the Law on Bills of Exchange ;
- (3) Decree amending the Civil Procedure Code ;
- (4) Decree amending the Penal Procedure Code ;
- (5) Decree prolonging the period of validity of the Decree concerning Conciliation Offices in connection with farm leases, and shooting and fishing leases.

Seven draft decrees are still pending, but on these the Advisory Council's opinion is expected shortly.

The Technical Committee held six meetings, on October 6th, October 20th, October 27th, November 10th, November 24th and December 8th, 1927.

It gave its opinion on the above draft decrees and also on the following draft decrees :

- (1) Decree for the regulation of air traffic ;
- (2) Decree concerning young people's welfare ;
- (3) Decree for the organisation of free employment agencies ;
- (4) Decree amending the law on the Bar ;
- (5) Decree regulating the electricity supply in the Saar Territory ;
- (6) Decree regulating long-distance gas conduits in the Saar Territory.

### III. ADMINISTRATIVE WORK.

#### 1. *Department of the Interior.*

As the present Housing Decree went out of force on December 31st, 1927, a new Decree had to be issued in its place. This new Decree has effect until December 31st, 1928. Not to mention other and more considerable alterations in the former text, the new Decree contains an important innovation according to which houses with an annual peace-time rent equal to 2,000 or more gold marks will, on becoming vacant, come under the ordinary law again.

A Decree provides for the extension by one year of the validity of the Decree concerning conciliation offices in connection with farm leases and shooting and fishing leases. The validity of the latter was due to expire on January 10th, 1928.

The emergency rent regulations have been abrogated in fifteen more Communes and replaced by the ordinary law, which is now in force again in 188 of the 290 Communes of the Territory.

The co-efficient of conversion for the fixing of rents was maintained during October, November and December 1927, at the peace-time rate previously in force, *i.e.* 3.55 francs = 1 mark.

As the term of office of members of the Advisory Council expired on December 31st, 1927, the Governing Commission has arranged for the election of a new Advisory Council whose term of office will run from April 1st, 1928, to March 31st, 1931. The elections will take place on March 25th, 1928.

While, at the last elections of the Advisory Council, the right to substitute other names for those on the voting lists was allowed, the Governing Commission has issued a Decree instituting the system of panel lists — a system which was previously used in the 1926 elections for the district and municipal Councils. The Governing Commission's Decree also contains another innovation ; namely, that all persons having the right to vote who, without being natives of the Saar Territory, have resided there for an uninterrupted period of six years, are henceforth eligible for the Advisory Council. The Governing Commission has also laid down that, in the elections of March 1928, only voting papers issued by the Administration may be used.

The term of office of members of the Technical Committee, which expired on December 31st, 1927, has been extended until December 31st, 1928.

The three-years term of office of members of the High Court of Administration expired on November 1st, 1927, and was renewed by the Governing Commission for a further period of three years as from that date. By applying the Statute relating to officials, the Department of the Interior has set up three committees of officials :

- (1) Committee of Officials and Employees of the State Police Headquarters of the town of Saarbruck ;
- (2) Committee of Officials and Employees of the Gendarmerie ;
- (3) Committee of Officials and Employees of the Sub-Prefectures.

The duty of these Committees is to represent the interests of officials before the Administration.

The fresh elections for the Administrative Committees of Government Officials necessitated a fresh election of the members of the Higher Administrative Committee (Article 18 of the Statute relating to officials) ; this election has taken place. The Higher Administrative Committee is an advisory body for all questions concerning officials and also acts as a disciplinary court in cases where officials appeal from the judgment of a disciplinary court of the first instance.

The principles concerning the appointment of holders of certificates entitling the holder to employment in the Civil Service have been carried further, and in future a certain percentage of posts for employees (and no longer only for officials) will be reserved for holders of such certificates.

With a view to ensuring the greater safety of cinematograph performances, the Governing Commission has issued regulations concerning the examination of cinema operators by a special Committee. In the same way, with a view to preventing aviation accidents, the Governing Commission has issued a police Decree concerning the flight of aeroplanes over towns and villages.

Owing to the extent to which rifle practice has been developed by various societies, a police decree has been issued on the subject of the construction, upkeep and utilisation of rifle ranges and the storing therein of fire-arms and ammunition.

*Police Section.*

There is nothing to be noted as regards the Gendarmerie. On December 31st, 1927, the effectives budgeted for numbered 1,005 men.

*Traffic Department.*

The Traffic Department issued :

Residence permits .....	10,094
Passports for abroad (new passports) .....	242
Passports for abroad (extensions) .....	1,004
Safe conducts .....	1,669
Visas for entry into France, on red cards .....	8,920
Red cards .....	11,203
Frontier passes .....	2,463
Permits for permanent residence in the Saar Territory.....	613
Identity cards .....	106

*Special note concerning the steps taken by the Governing Commission to encourage House-building.*

Since 1920, the Governing Commission has taken the following steps to encourage house-building :

- (1) The formation in 1920 of the Intercommunal Office for Cheap Housing Accommodation ;
- (2) The building of State-owned houses ;
- (3) The conversion of barracks into dwellings ;
- (4) The building of houses out of the Pensions Fund for officials.

(1) *Work of the Intercommunal Office for Cheap Housing Accommodation.* — The Office for Cheap Housing Accommodation comprises all the communes in the Territory. Its work, in general, is to encourage the erection of dwellings in the various communes, and, in particular, to find building capital at reasonable rates.

Up till now, the Office has furnished :

(a) as repayable grants at reduced rates .....	24,364,377 francs
(b) as mortgage loans .....	19,099,514 "
Total .....	43,463,891 "

The interest payable on the loans under (a) is reduced owing to grants made by the *Landeskasse* for the payment of interest at the rate of 4 per cent, and for the amortisation of capital at the rate of 2 per cent.

These grants have amounted up till now to .....	5,059,405 francs
Further, the <i>Landeskasse</i> has paid the cost of running the Intercommunal Office, namely .....	618,463 "
Total amount of grants made to the Office .....	5,677,868 "

The Governing Commission has also facilitated the work of the Intercommunal Office by advancing a loan of 14,500,000 francs at a reduced rate.

With the help of the Office, 1,706 houses, containing 2,810 flats, have been built.

(2) *Building of State-owned houses.* — With the help of funds advanced by the *Landeskasse*, 696 flats for officials have been erected at various places in the Territory at a cost of 41,797,412 francs.

(3) *Conversion of barracks into dwellings.* — Former military buildings at Saarbruck, Saarlouis and St. Wendel have been fitted up as dwellings with the help of funds advanced by the *Landeskasse*. Up to the present time, 83 dwellings have been fitted up at a cost of 1,132,400 francs. Sixty-eight new flats in the same buildings are now being fitted up at Saarlouis.

At Saarbruck, some of these buildings have been handed over to the Municipal Administration to be turned into temporary dwellings.



(4) *Building of houses out of the Pensions Fund.* — The reserves of the Pensions Fund are largely used for building dwellings, *i.e.* :

- (a) For building houses ;
- (b) For loans :
  - (i) for new buildings,
  - (ii) for the completion of unfinished buildings,
  - (iii) for the paying-off of mortgages.

Houses containing 110 flats for officials have been built at Saarbruck, Neunkirchen and St. Wendel, at a cost of 8,778,823 francs.

One hundred and seven loans, amounting to 12,061,550 francs, have been made to private persons for new buildings ; 220 dwellings in all have been built with the help of these loans.

Twenty-eight loans, making a total of 2,642,769 francs, have been granted for the completion of new buildings which could not be finished owing to the fact that the owners lacked the necessary funds. In this way, it has been possible to finish 54 dwellings.

Twenty-five loans, amounting to 852,369 francs in all, have been advanced for the paying-off of mortgages, that is, for the redemption of mortgages in respect of which the owners concerned were unable to pay the interest and amortisation charges.

#### Summary.

	Number of dwellings.	Cost in francs.
I. The Governing Commission :		
(a) Has built with the help of funds advanced by the <i>Landeskasse</i> (see (2) above) . . . . .	696	41,797,412
With the help of the Pensions Fund (see (4a) above) . . . . .	110	8,778,823
(b) Has converted, with the help of funds advanced by the <i>Landeskasse</i> , former military buildings (see (3) above) into . . . . .	83	1,132,400
Total I . . . . .	889	51,708,635
II. The Governing Commission has encouraged the construction of dwellings by private enterprise by granting loans and reducing the interest and amortisation charges :		
(a) Reduction of charges on loans made by the Office for Cheap Housing Accommodation (see (1) above) . . . . .	2,810	5,677,868 in grants 14,500,000 in loans
(b) Loans from the Pensions Fund (see (4b) above) :		
For new buildings . . . . .	220	
For the completion of unfinished buildings . . . . .	54	12,061,550 in loans 2,642,769 in loans
Total II . . . . .	3,084	

#### 2. Finance.

##### A. Fiscal measures.

No legislative or administrative measures of note were promulgated during the quarter.

##### B. Administration of the Pensions Fund.

The dwellings erected at Saarbruck, Neunkirchen and St. Wendel out of the Pensions Fund are finished ; they will probably be occupied from January 1st, 1928.

As the necessary funds were available, it was possible to extend the scheme for building State-owned dwellings during the financial year 1927. New houses containing small flats will be erected on the vacant building-plots in the Gräffstrasse at Saarbruck. It is also proposed to build a house at Saarbruck for higher officials.

As no applications for loans to finish building work have been submitted for some considerable time past, it is reasonable to suppose that no more will be made. Consequently, the Pensions Fund moneys still available for unfinished buildings have been divided between the funds intended for loans either for new buildings or for paying off mortgages.

### 3. Mines Administration.

#### A. Quarterly Statistics of Accidents.

The following table gives the number of accidents in the Saar coal-mines during the fourth quarter of 1927 and the number of enquiries carried out by the Mines Administration authorities :

Causes of accidents	Number of Persons injured		Number of enquiries
	Total	Fatally	
<b>(a) Underground Workers :</b>			
Falls of stone or coal .....	528	5	36
Accidents in pits and galleries.....	817	5	15
Miscellaneous causes .....	738	3	9
<b>(b) Surface workers :</b>			
Miscellaneous causes .....	380	2	3
Totals (underground and surface workers) .....	<u>2,463</u>	<u>15</u>	<u>63</u>

The results of the accidents which occurred during the fourth quarter were as follows :

94.28 per cent of the persons injured were incapacitated for less than four weeks ;  
 5.03 per cent were incapacitated for a period of from four to thirteen weeks ;  
 0.08 per cent were incapacitated for more than thirteen weeks ;  
 0.61 per cent of the accidents proved fatal.

#### B. Statistics of Accidents in 1927.

The fatal accidents which occurred in the Saar mines during 1927 may be classified as follows :

Causes of fatal accidents	Number of accidents
<b>(a) Underground Work :</b>	
Falls of stone or coal .....	29
Accidents in pits and galleries .....	24
Miscellaneous causes .....	5
<b>(b) Surface Work :</b>	
Miscellaneous causes .....	3
Total (underground and surface) .....	<u>61</u>

As the number of workers and employees (underground and surface) was 71,050 in 1927, the mortality from accidents in the Saar mines during the year was therefore 0.86 per thousand workers (underground and surface).

#### C. Statistics of Accidents for the Period 1920-1927.

The following table gives the average number of workmen killed per 1,000 underground and surface workmen employed in the Saar mines for the period 1920-1927 inclusive (eight years).

Year	Average mortality per 1,000 underground and surface workmen.	Year	Average mortality per 1,000 underground and surface workmen.
1920 .....	1.07	1925 .....	0.880
1921 .....	0.804	1926 .....	1.122
1922 .....	0.835	1927 .....	0.860
1923 .....	0.634	Yearly average from	
1924 .....	0.924	1920-1927 .....	0.892

In order to appreciate the efforts made since 1920 to render mining safer in the Saar Territory, reference should be made to the death-rate due to accidents during the eight years (1907-1914) which preceded the war.

The following table gives the annual number of workmen killed per 1,000 underground and surface workmen during this period :

Year	Average yearly mortality per 1,000 underground and surface workmen
1907 .....	4.197 (of which 2.757 ‰ was due to the Reden explosion)
1908 .....	1.46
1909 .....	1.25
1910 .....	0.96
1911 .....	1.12
1912 .....	1.33
1913 .....	1.04
1914 .....	1.099
Yearly average from 1907-1914.	1.552
	1.214 not including the Reden explosion.

These two tables show that, leaving out of account the Reden explosion, the mortality from accidents in the Saar mines from 1920-1927 was 26 per cent less than during the period 1907-1914.

#### 4. Social Insurance.

It was found necessary to modify the agreement concluded at Frankfort-on-the-Main in 1923 between the Saar Governing Commission and the German Government, concerning the allocation of reserves between the newly-constituted Saar insurance institutes and the German institutes from which the Saar institutes had separated. Lengthy negotiations took place in Berlin on this matter between the representatives of the Saar Government and those of the German Government, and a definite Agreement was concluded and signed at Heidelberg on October 13th, 1927. A new and better situation was thus created, in that the Government of the Reich now contributes to some extent to the benefits provided by the Saar institutes. In addition, miners' old age insurance, which was not dealt with in the Frankfort Agreement, was included in the new arrangement. The practical result of the new Agreement is that the German insurance institutes will make cash payments to the Saar institutes, partly as a direct contribution to the pensions paid, and partly in the form of loans without interest. These payments amount to some 60 million francs yearly, and will be slowly and gradually reduced as the contributions of the Saar insurance institutes increase.

It will be some time before the Agreement becomes fully operative and before the holders of social insurance pensions receive the benefit of the higher rates. Accordingly, pending the final settlement of the matter, considerable monthly advances are being made by the Governing Commission to the various branches of insurance concerned.

#### 5. Labour Department.

The state of the labour market, which was comparatively satisfactory throughout the summer months, remained unchanged up to and including the month of November last, when seasonal unemployment, which occurs every winter in the building trades and among stone-masons, etc., made its usual appearance.

On October 5th, 1927, the number of unemployed was 1,486; on December 14th, 1927, it was 2,950. The number of persons in receipt of unemployment pay was, on October 1st; (1) 1,061 in receipt of the main allowance, and (2) 1,713 in receipt of the additional allowance; on December 1st, 1927, the figures were 1,706 and 2,672 respectively. A few days before Christmas, persons who had been in receipt of unemployment pay since November 15th, 1927, were granted special relief amounting to one week's benefit.

During the months of September, October and November 1927, the Public Free Labour Exchanges secured work for 3,812 persons, and suitable occupation was found for 43 badly disabled soldiers.

As regards labour disputes, special mention must be made of the heavy-metal-workers' strike, when 26,151 workmen struck because the employers had refused to accept the Conciliation Committee's award. This strike ended after four days, as the result of intervention by the Governing Commission. There was likewise the strike of 6,800 railwaymen, which lasted 11 days, and was caused by a wages dispute. Four small strikes also occurred, two being caused by wages disputes and two by dismissals.

Application was made to the Conciliation Committee by the workers in nine different cases and five awards were made.

## 6. *Public Works, Railways and Posts, Telegraphs and Telephones.*

### A. *Public Works.*

*Roads.* — The extensive road works begun during the summer have now been completed. They comprise :

- (1) The paving of the Saarlouis-Merzig road with asphalt concrete ;
- (2) The paving of the Saarlouis-Vaudrevange road with asphalt concrete ;
- (3) The treating of the road from Bildstock to Neunkirchen with tarmac.

*Government Housing.* — The houses for officials constructed at Saarbruck, Neunkirchen and St. Wendel out of pension funds have now been completed, and will be ready for occupation by January 1st, 1928.

*Shipping.* — The shipping returns for the third quarter show the following results :

Imports (downstream) .....	186,161 tons.
Exports (upstream) .....	186,056 tons.

### B. *Railways.*

A strike broke out on December 1st among the railwaymen, who demanded an increase of Fr.0.34 per hour in wages.

It has always been the custom of the Governing Commission to base State workers' wages on those paid in the Territory to industrial workers of the equivalent grade.

In March 1927, there was a general reduction in the industrial wages fixed at the end of 1926.

As a special concession, railwaymen's wages were not reduced until May 15th. Since that date, industrial wages have been readjusted.

The Governing Commission in its turn agreed to raise the State workers' wages and decided to grant an increase of Fr.0.16, with retroactive effect as from May 15th, thus placing those workers on a level with the highest paid men of the same grade in the big metallurgical works and the mines. An advance of Fr.200 on account of this increase was paid to them on October 13th.

In spite of this decision, which represents the most liberal application of a principle generally observed, particularly in the Reich, a large number of railwaymen (in all 7,000 out of 8,000, including staff employed in the shops, on the permanent way, in handling traffic and in the locomotive and vehicle department) went on strike.

As a result of the measures taken by the management, who requested officials to do their duty by undertaking the workers' tasks in addition to their own, a regular service was maintained, and no restrictions with regard to the dispatch or arrival of trains were introduced.

After semi-official intervention on the part of the authorities, the Strike Committee asked for an interview at the Department of Public Works, and put three questions, to which the following replies were given :

(a) No reprisals would be taken for any legitimate strike proceedings, on condition that, in return, all agitation against men who had remained at work or against officials, should cease ;

(b) As regards the appointment of workmen as officials (a strike measure), appointments announced or already made would not be cancelled, but as regards posts still vacant, the normal procedure would be followed ;

(c) As regards Christmas relief, it was not possible to consider the matter at that time, but the Governing Commission would no doubt go into the question after work had been resumed, and might then see its way to make a special concession in a form to be decided later.

On the morning of Sunday, December 11th, the Strike Committee decided that work should be resumed on the following day, and this was done. No alteration was made in the decisions of the Governing Commission, giving effect to the promises it had made in the course of the negotiations which preceded the strike ; accordingly, the advance of 200 francs paid at the beginning of October was not withdrawn, but was regarded as covering the increase in wages up to November 15th, from which date the men received an increase of Fr.0.16 per hour, no pay being given for the strike period.

As regards the special concession referred to in the conversation reported above, the Governing Commission, in order to alleviate the hardship which would be inflicted upon the workers' families at Christmas time as a result of the strike, decided to grant, as compassionate relief, a sum of 50 francs for the wife and 50 francs for each child.

The situation is now normal.

### C. Posts, Telegraphs and Telephones.

*Postal Financial Services.* — The negotiations entered into with the authorities concerned have led to the resumption or reorganisation, on the basis of the provisions of the Convention of the Universal Postal Union, of relations between the Saar Territory and :

Denmark, Hungary and Norway, as regards the exchange of postal and telegraph money orders, trade charges, and cash-on-delivery packets ;

Estonia and Lithuania, as regards the exchange of postal and telegraph money orders and cash-on-delivery packets ;

Spain, as regards the exchange of postal money orders ;

Latvia, as regards the exchange of postal money orders and cash-on-delivery packets.

*Telegraph Service.* — A letter-telegram service was instituted between the Saar Territory and Germany on January 1st, 1928.

*Telephone Service.* — The work of converting the urban and suburban system at Neunkirchen has now been completed, and the new automatic installations were put into operation on December 27th, 1927.

### 7. Justice.

During the past quarter, the Governing Commission signed two important declarations with the French Government on December 14th, 1927, concerning the legal position of nationals of one country in the territory of the other. With a view to facilitating the settlement of actions brought before the French courts by inhabitants of the Saar Basin and before the Saar courts by French nationals, the first declaration provides that henceforward inhabitants of the Saar Basin bringing actions in France or the French colonies, and, conversely, French nationals bringing actions in the Saar Basin, shall not be required to pay any fee or to furnish any security or deposit other than those to which nationals themselves are liable.

The second declaration provides that inhabitants of the Saar Territory and French citizens shall, provided they comply with the laws of the country in which aid is applied for, be entitled to the privilege of free legal aid under the same conditions as nationals themselves.

On December 1st, 1927, new regulations were introduced by the legal authorities in regard to prisons, providing, *inter alia*, for mitigations of the severity of the penalties as a reward for good conduct, and introducing into the Territory a special and altogether new régime, for political prisoners.

### 8. Education.

The report for the second quarter of 1927 mentioned that the Governing Commission would, as before, make a grant to members of the teaching profession desirous of studying international questions by attending the vacation courses organised at Geneva for this purpose. Eight teachers—four high-school masters and four teachers in commercial or trade schools—attended the courses arranged by Professor Zimmern, at which instruction is given by specialists in the most varied problems of international politics. They also had the opportunity of attending the lectures organised by the Federation of League of Nations Unions, and of getting into touch with the International Bureau of Education, with which the Education Department is on the most friendly terms.

The pamphlet containing general information, published at Christmas 1926, was followed by the Governing Commission's Circular of June 28th, 1927, the object of which was to survey the progress made during 1927 in instructing all classes in the existence and aims of the League of Nations. The most striking proof of this progress is to be found in the final text of the recommendations of the Committee on Intellectual Co-operation, published by the League of Nations Secretariat.

The Education Department considered that the time had come to introduce instruction of this kind officially into the schools in the Saar Basin. In order to interest all the members of the teaching profession more directly in the matter, the Education Department included the question on the agenda of all teachers' conferences held in December, and asked them to make practical proposals as to the methods to be employed. The replies received show that great interest is being taken in this important problem. Some of the replies are original and contain very helpful suggestions. It is not desirable that the instruction in question should form a new subject — it should be combined with other teaching, in accordance with the recommendations of the Sub-Committee of Experts. The teaching might be either occasional or regular, according to the age and grade of the pupils. The proposals received provide the basis for an extensive programme of work, which, more than any other scheme,

requires the active co-operation of the teaching profession, if it is to make any impression on the children's mentality and general outlook. In the Saar Basin, as in several European countries, this question seems to have reached the stage when it is possible to look for practical results.

It may be of interest to point out that the pamphlet published by the Governing Commission met with such a favourable reception not only in the Saar Basin, but elsewhere, that the Governing Commission decided to publish a further edition of 2,000 copies in February 1927.

With a similar object, the Education Department has endeavoured to encourage the teaching of Esperanto, which has proved to be a valuable means of promoting international understanding, and in a circular published on July 28th 1927, it stated that this auxiliary language could be taught as an optional subject in the secondary and middle-grade schools in the Saar Basin.

## 9. *Public Relief and Health.*

### A. *Public Relief.*

(a) *Principal Provident Fund.* — In addition to their pensions and legal allowances, disabled ex-soldiers received from the Provident Fund a total sum of 325,210 francs in various forms, such as free medical assistance, relief in lump sums and by the month, beds, articles of clothing, linen, repayment of fees for vocational training, etc. The sum of 399,150 francs was also expended out of the Fund on the purchase of winter stores, and loans were granted amounting to a total of 39,000 francs, in order to alleviate the hardships of disabled ex-soldiers and to enable them to procure necessities for their households.

A large number of delicate children have been sent to children's colonies, the expenses being borne by the Fund.

(b) *Pensions and War Allowance Department.* — As in the Reich, the Governing Commission has granted monthly advances to pensioners on account of the increase in pensions established by the new Law of the Reich, amending the Imperial Law concerning pensions and allowances. A surplus of 185,000 francs, which was available after covering the differences in exchange, has been allocated to the relatives of war victims, each household receiving 100 francs and each relative, individually, 70 francs.

(c) *Principal Relief Office.* — During the last quarter of 1927, a sum of 1,009,920 francs was expended by the Office for the improvement of public health. Local relief funds (clubs) were also granted a sum of 925,000 francs to be distributed to social insurance pensioners.

### B. *Health.*

The Law relating to the campaign against infectious diseases has been submitted to the elected representatives of the people for their opinion. In accordance with the recommendations of the Advisory Council, provisions have been added to this Law for the compulsory notification of certain infectious diseases and for measures to be adopted concerning germ-carriers.

As regards the regulation of pharmacies, a measure has been introduced specifying the exact pharmacological composition of digitalin in order that the best possible therapeutic effects may be obtained from its use. Additions have been made to the list of poisons, embodying the latest results of scientific research.

A new pharmacy has been established; a large hospital has been completed, and was opened after inspection by the health authorities. Samples of water were taken by the sanitary inspectors from two water-supply systems for analysis. The Health Department also examined four plans for the enlargement of cemeteries.

The health of the population was good. No epidemic occurred during the last quarter of 1927.

### C. *Child Welfare.*

The former military hospital of Saarlouis has been converted into an educational institution for Catholic girls above school age, to be compulsorily educated, under judicial order. The Sisters of St. Joseph have been placed in charge of this establishment.

## 10. *Agriculture and Forestry.*

### A. *Agriculture.*

Crops, while satisfactory as regards quantity, were of such poor quality that there is bound to be an appreciable falling-off in the farmers' gross receipts. The Governing Commission has accordingly taken special measures to lighten the fiscal burdens of farmers who have suffered as a result of storms, and to grant them an extension of time for the payment of their taxes. The Governing Commission has also placed a credit of 1,500,000 francs at the farmers' disposal at a low rate of interest.

The state of the new crops is poor, and there are many complaints of the damage done by field-mice and slugs.

A large number of prize-shows have been held to encourage cattle-rearing. The difficulty of disposing of livestock abroad was increased, as before, by the abundant supply.

The agricultural schools reopened on November 3rd, 1927, with a total number of 139 pupils.

*Veterinary Service.* — There was no extensive outbreak of epizootic disease during the last quarter of 1927. At the beginning of the quarter, glanders broke out among the horses, etc., in one commune and on one farm, swine fever in four communes and on four farms, red murrain in pigs in eight communes and on sixteen farms, chicken plague in two communes and on seven farms, and foot-and-mouth disease in one commune, among the live animals in a public slaughter-house. By the end of the quarter, glanders had disappeared. Swine fever still exists in eight communes and on eleven farms.

As regards the non-contagious diseases of animals which are not compulsorily notifiable, a few cases of infectious anæmia in horses were discovered.

#### B. *Forestry.*

Timber-felling began in October and is being carried out in all forest districts according to plan. The sales of timber were, on the whole, better than in 1926. The improvement in prices was particularly noticeable in the case of oak, acacia, beech, and wood for fuel. There was a good crop of acorns at the end of the autumn, and considerable tracts of forest land were planted with them.

(Signed) E. C. WILTON.

[C ommuniqué au Conseil.  
et aux Membres  
de la Société des Nations.]

17 MAR 1928

**C. 659. M. 220.** 1927.

Genève, le 3 janvier 1928.

Société des Nations

**CONVENTION POUR L'EXÉCUTION  
DES SENTENCES ARBITRALES ÉTRANGÈRES**

Genève, le 26 septembre 1927

League of Nations

**CONVENTION ON THE EXECUTION  
OF FOREIGN ARBITRAL AWARDS**

Geneva, September 26th, 1927.

Publications de la Société des Nations

II. QUESTIONS ÉCONOMIQUES  
ET FINANCIÈRES  
1928. II. 1.



**CONVENTION POUR L'EXÉCUTION DES SENTENCES ARBITRALES ÉTRANGÈRES**

**Signataires du Protocole relatif aux clauses d'arbitrage ouvert à Genève depuis le 24 septembre 1923;**

**Résolus à conclure une convention en vue de compléter ce protocole,**

**Ont désigné pour leurs plénipotentiaires, savoir:**

.....

**Lesquels, après avoir communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:**

CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS.

Signatories of the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923;

Having resolved to conclude a Convention with the object of supplementing the said Protocol,

Have appointed as their Plenipotentiaries the following:

.....

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions:

*Article premier.*

Dans les territoires relevant de l'une des Hautes Parties contractantes auxquels s'applique la présente convention, l'autorité d'une sentence arbitrale rendue à la suite d'un compromis ou d'une clause compromissoire visés au Protocole relatif aux clauses d'arbitrage, ouvert à Genève depuis le 24 septembre 1923, sera reconnue et l'exécution de cette sentence sera accordée, conformément aux règles de procédure suivies dans le territoire où la sentence est invoquée, lorsque cette sentence aura été rendue dans un territoire relevant de l'une des Hautes Parties contractantes auquel s'applique la présente convention et entre personnes soumises à la juridiction de l'une des Hautes Parties contractantes.

Pour obtenir cette reconnaissance ou cette exécution, il sera nécessaire, en outre:

- a) que la sentence ait été rendue à la suite d'un compromis ou d'une clause compromissoire valables d'après la législation qui leur est applicable;
- b) que, d'après la loi du pays où elle est invoquée, l'objet de la sentence soit susceptible d'être réglé par voie d'arbitrage;
- c) que la sentence ait été prononcée par le tribunal arbitral prévu par le compromis ou la clause compromissoire, ou constitué conformément à l'accord des parties et aux règles de droit applicables à la procédure d'arbitrage;
- d) que la sentence soit devenue définitive dans le pays où elle a été rendue, en ce sens qu'elle ne sera pas considérée comme telle si elle est susceptible d'opposition, d'appel ou de pourvoi en cassation (dans les pays où ces procédures existent) ou s'il est prouvé qu'une procédure tendant à contester la validité de la sentence est en cours;
- e) que la reconnaissance ou l'exécution de la sentence ne soit pas contraire à l'ordre public ou aux principes du droit public du pays où elle est invoquée.

*Article 2.*

Même si les conditions prévues à l'article premier sont remplies, la reconnaissance et l'exécution de la sentence seront refusées si le juge constate:

- a) que la sentence a été annulée dans le pays où elle a été rendue;
- b) que la partie contre laquelle la sentence est invoquée n'a pas eu, en temps utile, connaissance de la procédure arbitrale, de manière à pouvoir faire valoir ses moyens ou, qu'étant incapable, elle n'y a pas été régulièrement représentée;
- c) que la sentence ne porte pas sur le différend visé dans le compromis ou rentrant dans les prévisions de la clause compromissoire, ou qu'elle contient des décisions qui dépassent les termes du compromis ou de la clause compromissoire.

Si la sentence n'a pas tranché toutes les questions soumises au tribunal arbitral, l'autorité compétente du pays où est demandée la reconnaissance ou l'exécution de cette sentence pourra, si elle le juge à propos, ajourner cette reconnaissance ou cette exécution ou la subordonner à une garantie que cette autorité déterminera.

*Article 3.*

Si la partie contre laquelle la sentence a été rendue établit qu'il existe, d'après les règles de droit applicables à la procédure d'arbitrage, une cause, autre que celles visées à l'article premier, *lit. a)* et *c)*, et à l'article 2, *lit. b)* et *c)*, qui lui permette de contester en justice la validité de la sentence, le juge pourra, s'il lui plaît, refuser la reconnaissance ou l'exécution, ou les suspendre en donnant à la partie un délai raisonnable pour faire prononcer la nullité par le tribunal compétent.

*Article 4.*

La partie qui invoque la sentence, ou qui en demande l'exécution, doit fournir notamment:

- 1<sup>o</sup> L'original de la sentence ou une copie réunissant, d'après la législation du pays où elle a été rendue, les conditions requises pour son authenticité;
- 2<sup>o</sup> Les pièces et renseignements de nature à établir que la sentence est devenue définitive, dans le sens déterminé à l'article premier, *lit. d)*, dans le pays où elle a été rendue;
- 3<sup>o</sup> Le cas échéant, les pièces et renseignements de nature à établir que les conditions prévues à l'article premier, alinéa 1 et alinéa 2, *lit. a)* et *c)*, sont remplies.

Il peut être exigé de la sentence et des autres pièces mentionnées dans cet article une traduction faite dans la langue officielle du pays où la sentence est invoquée. Cette traduction doit être certifiée conforme par un agent diplomatique ou consulaire du pays auquel ressortit la partie qui invoque la sentence ou par un traducteur assermenté du pays où la sentence est invoquée.

*Article 1.*

In the territories of any High Contracting Party to which the present Convention applies, an arbitral award made in pursuance of an agreement, whether relating to existing or future differences (hereinafter called " a submission to arbitration ") covered by the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, shall be recognised as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement, it shall, further, be necessary:

- (a) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto;
- (b) That the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon;
- (c) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure;
- (d) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to *opposition, appel* or *pourvoi en cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the award are pending;
- (e) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

*Article 2.*

Even if the conditions laid down in Article 1 hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied:

- (a) That the award has been annulled in the country in which it was made;
- (b) That the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case; or that, being under a legal incapacity, he was not properly represented;
- (c) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it think fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

*Article 3.*

If the party against whom the award has been made proves that, under the law governing the arbitration procedure, there is a ground, other than the grounds referred to in Article 1 (a) and (c), and Article 2 (b) and (c), entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

*Article 4.*

The party relying upon an award or claiming its enforcement must supply, in particular:

- (1) The original award or a copy thereof duly authenticated, according to the requirements of the law of the country in which it was made;
- (2) Documentary or other evidence to prove that the award has become final, in the sense defined in Article 1 (d), in the country in which it was made;
- (3) When necessary, documentary or other evidence to prove that the conditions laid down in Article 1, paragraph 1 and paragraph 2 (a) and (c), have been fulfilled.

A translation of the award and of the other documents mentioned in this Article into the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or consular agent of the country to which the party who seeks to rely upon the award belongs or by a sworn translator of the country where the award is sought to be relied upon.

*Article 5.*

Les dispositions des articles précédents ne privent aucune partie intéressée du droit de se prévaloir d'une sentence arbitrale, de la manière et dans la mesure admise par la législation ou les traités du pays où cette sentence est invoquée.

*Article 6.*

La présente convention ne s'applique qu'aux sentences arbitrales rendues après la mise en vigueur du Protocole relatif aux clauses d'arbitrage, ouvert à Genève depuis le 24 septembre 1923.

*Article 7.*

La présente convention, qui restera ouverte à la signature de tous les signataires du Protocole de 1923 relatif aux clauses d'arbitrage, sera ratifiée.

Elle ne pourra être ratifiée qu'au nom de ceux des Membres de la Société des Nations et des Etats non membres pour le compte desquels le Protocole de 1923 aura été ratifié.

Les ratifications seront déposées aussitôt que possible auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les signataires.

*Article 8.*

La présente convention entrera en vigueur trois mois après qu'elle aura été ratifiée au nom de deux Hautes Parties contractantes. Ultérieurement, l'entrée en vigueur se fera, pour chaque Haute Partie contractante, trois mois après le dépôt de sa ratification auprès du Secrétaire général de la Société des Nations.

*Article 9.*

La présente convention pourra être dénoncée au nom de tout Membre de la Société des Nations ou de tout Etat non membre. La dénonciation sera notifiée par écrit au Secrétaire général de la Société des Nations, qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Parties contractantes, en leur faisant savoir la date à laquelle il l'aura reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Haute Partie contractante qui l'aura notifiée et un an après que la notification en sera parvenue au Secrétaire général de la Société des Nations.

La dénonciation du Protocole relatif aux clauses d'arbitrage entraînera de plein droit la dénonciation de la présente convention.

*Article 10.*

L'effet de la présente convention ne s'étend pas de plein droit aux colonies, protectorats ou territoires placés sous la suzeraineté ou le mandat de l'une des Hautes Parties contractantes.

L'extension à l'un ou plusieurs de ces colonies, territoires ou protectorats auxquels le Protocole relatif aux clauses d'arbitrage, ouvert à Genève depuis le 24 septembre 1923, est applicable pourra à tout moment être effectuée par une déclaration adressée au Secrétaire général de la Société des Nations par une des Hautes Parties contractantes.

Cette déclaration produira effet trois mois après son dépôt.

Les Hautes Parties contractantes pourront à tout moment dénoncer la convention pour l'ensemble ou l'un quelconque des colonies, protectorats ou territoires visés ci-dessus. L'article 9 est applicable à cette dénonciation.

*Article 11.*

Une copie certifiée conforme de la présente convention sera transmise par le Secrétaire général de la Société des Nations à tout Membre de la Société des Nations et à tout Etat non membre signataire de ladite convention.

*Article 5.*

The provisions of the above Articles shall not deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

*Article 6.*

The present Convention applies only to arbitral awards made after the coming-into-force of the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923.

*Article 7.*

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified.

It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified.

Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

*Article 8.*

The present Convention shall come into force three months after it shall have been ratified on behalf of two High Contracting Parties. Thereafter, it shall take effect, in the case of each High Contracting Party, three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

*Article 9.*

The present Convention may be denounced on behalf of any Member of the League or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it.

The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations.

The denunciation of the Protocol on Arbitration Clauses shall entail, *ipso facto*, the denunciation of the present Convention.

*Article 10.*

The present Convention does not apply to the Colonies, Protectorates or territories under suzerainty or mandate of any High Contracting Party unless they are specially mentioned.

The application of this Convention to one or more of such Colonies, Protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, applies, can be effected at any time by means of a declaration addressed to the Secretary-General of the League of Nations by one of the High Contracting Parties.

Such declaration shall take effect three months after the deposit thereof.

The High Contracting Parties can at any time denounce the Convention for all or any of the Colonies, Protectorates or territories referred to above. Article 9 hereof applies to such denunciation.

*Article 11.*

A certified copy of the present Convention shall be transmitted by the Secretary-General of the League of Nations to every Member of the League of Nations and to every non-Member State which signs the same.

En foi de quoi, les plénipotentiaires susnommés ont signé la présente convention.

FAIT à Genève, le vingt-six septembre mil neuf cent vingt-sept, en un seul exemplaire, dont les textes anglais et français feront également foi, et qui restera déposé dans les archives de la Société des Nations.

In faith whereof, the above-named Plenipotentiaries have signed the present Convention.

DONE at Geneva, on the twenty-sixth day of September one thousand nine hundred and twenty-seven, in a single copy, of which the English and French texts are both authentic, and which will be kept in the archives of the League of Nations.

AUTRICHE

AUSTRIA

E. PFLÜGL

BELGIQUE

BELGIUM

La Belgique se réserve la liberté de restreindre l'engagement pris à l'article premier aux contrats qui sont considérés comme commerciaux par son droit national.<sup>1</sup>

J. BRUNET

<sup>1</sup> Translation by the Secretariat.

Belgium reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered commercial under its national law.

**GRANDE-BRETAGNE  
ET IRLANDE DU NORD**

**GREAT BRITAIN  
AND NORTHERN IRELAND**

**AUSTEN CHAMBERLAIN**



FRANCE

FRANCE

Le Gouvernement français se réserve la liberté de restreindre l'engagement pris à l'article premier aux contrats qui sont déclarés commerciaux par son droit national.<sup>1</sup>

ARISTIDE BRIAND

---

<sup>1</sup> *Translation by the Secretariat.*

The French Government reserves the right to limit the obligation mentioned in Article 1 to contracts which are considered commercial under its national law.

**ITALIE**

**ITALY**

**VITTORIO SCIALOJA**

Genève, le 29 décembre 1927.

**SOCIÉTÉ DES NATIONS**

**COMITÉ ÉCONOMIQUE**

**RAPPORT AU CONSEIL SUR LA VINGT-TROISIÈME SESSION**

*Tenue à Genève, du 15 au 21 décembre 1927.*

**TABLE DES MATIÈRES**

	<b>Pages</b>
1. Election du président . . . . .	2
2. Désignation de cinq membres du Comité consultatif . . . . .	2
3. Politique commerciale . . . . .	2
4. Unification de la nomenclature douanière . . . . .	3
5. Traitement des ressortissants étrangers et des sociétés étrangères . . . . .	4
6. Exécution du mandat donné par le Conseil en ce qui concerne la Convention pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation . . .	5
7. Statistiques . . . . .	5
8. Assimilation des législations en matière de lettres de change et de chèques . . . . .	7
9. Protection de la propriété scientifique . . . . .	7
10. Proposition de création d'un Institut international des mines . . . . .	7
11. Exploitation des richesses de la mer . . . . .	7
<i>Annexe.</i> — Division du travail en ce qui concerne la politique commerciale . . . . .	8

Etaient présents les membres suivants du Comité:

MM. D. SERRUYS, président;	MM. G. JAHN;
D <sup>r</sup> E. TRENDELENBURG, vice-président;	H. A. F. LINDSAY;
J. BRUNET;	Prof. E. NECULCEA;
Sir Sydney CHAPMAN;	A. DI NOLA;
F. DOLEZAL;	D <sup>r</sup> R. SCHÜLLER;
J. DVOŘÁČEK;	D <sup>r</sup> W. STUCKI.
N. ITO;	

Ont assisté également à une partie de la session:

MM. D <sup>r</sup> A. PIRELLI, président de la Chambre de Commerce internationale;	
R. FIGHIERA, président du Sous-Comité d'experts pour l'unification de la nomenclature douanière;	
J. CLAN (Danemark)	} en qualité d'experts pour la question des prohibitions à l'exportation des peaux et des os.
DE NICKL (Hongrie)	
POSTHUMA (Pays-Bas)	

### I. ELECTION DU PRÉSIDENT.

Le Comité économique devait, en conformité avec la résolution du Conseil du 28 septembre 1927, élire son président pour la durée d'une année.

En considération des tâches nombreuses et variées qui lui incombent et aussi dans le but d'assurer mieux encore la continuité du travail, le Comité a estimé qu'il était utile de procéder en même temps à la nomination d'un vice-président, étant entendu que ce dernier assumerait à son tour les fonctions de président l'année suivante.

Le Comité a nommé M. Serruys, président, et le Dr Trendelenburg, vice-président.

### 2. DÉSIGNATION DE CINQ MEMBRES DU COMITÉ CONSULTATIF.

En exécution des résolutions du Conseil et de l'Assemblée et compte tenu du désir du Conseil de voir maintenir, dans l'ensemble de la composition du Comité consultatif, l'équilibre des nationalités et des groupements que le Conseil y a établi, le Comité a désigné les membres suivants pour prendre part aux travaux du Comité consultatif: sir Sydney CHAPMAN, MM. JAHN, SCHÜLLER, SERRUYS et Dr TRENDELENBURG.

### 3. POLITIQUE COMMERCIALE.

Après que les résolutions prises d'une manière particulièrement délibérée et énergique par la Conférence économique internationale, au printemps dernier, ont reçu l'approbation quasi unanime des gouvernements et l'adhésion chaleureuse de la huitième Assemblée; au moment où le Conseil vient, en exécution de ces résolutions, de constituer, dans une forme renouvelée, l'Organisation économique de la Société des Nations destinée à poursuivre l'œuvre de la Conférence, le Comité économique a estimé qu'il devait placer au centre de ses préoccupations et de son travail la politique commerciale affirmée par la Conférence.

A ses yeux, en effet, c'est l'orientation nouvelle de la politique commerciale vers un régime libre et équitable des échanges qui est le résultat décisif de la grande consultation de mai dernier. Certes, le Comité n'a pas cru pouvoir se désintéresser de la préparation de nouvelles discussions en matière industrielle et agricole, mais il s'est cependant déterminé à concentrer d'abord tous ses efforts sur une réalisation aussi immédiate et aussi étendue que possible des réformes en matière de politique commerciale que la Conférence a proposées à l'effort commun des peuples.

Ces réformes, la Conférence les avait envisagées sous trois aspects différents, suivant qu'elles devaient être réalisées par l'action autonome des gouvernements, par le moyen de conventions bilatérales entre les Etats, ou par une action concertée et simultanée des Etats agissant sous les auspices de la Société des Nations. Il serait injuste de ne pas reconnaître que l'action autonome des gouvernements s'est inspirée dans une certaine mesure des décisions de la Conférence de mai 1927. Tels Etats, qui avaient préparé des tarifs dont aurait pu résulter un empêchement dirimant pour le commerce international, les ont tempérés ou modérés, soit de leur propre initiative, soit à la faveur de conventions bilatérales dont un exemple particulièrement frappant et qui n'est pas le seul est le traité de commerce franco-allemand. Certains même ont ajourné, comme conséquence de la Conférence économique internationale, le remaniement tarifaire qu'ils se proposaient d'introduire. Dès avant la Conférence diplomatique pour l'abolition des prohibitions et restrictions au commerce, plusieurs gouvernements avaient, de leur propre gré, mis fin à des prohibitions en vigueur depuis la guerre.

Mais, pour importantes et encourageantes qu'elles soient, ces manifestations ne suffiraient pas à orienter le monde vers une politique nouvelle et une action coordonnée. D'ailleurs, en ce qui concerne l'action autonome des gouvernements, le Comité économique n'a pas jugé qu'il pouvait l'influencer, sinon par l'affirmation répétée d'une politique libérale dont il se sent le dépositaire.

Au contraire, en ce qui concerne l'action des Etats par le moyen de conventions bilatérales ou d'accords plurilatéraux, le Comité a estimé qu'il devrait, par ses études et ses propositions, tenter de l'orienter définitivement dans la voie indiquée par la Conférence.

Il est un fait dont le monde semble ne pas s'être bien rendu compte: c'est que, depuis de longues années, les accords bilatéraux ne sont point parvenus à arrêter la marche vers le protectionnisme. Les méthodes contractuelles appliquées depuis la guerre ont même parfois semblé encourager cette évolution: la marge exagérée entre les tarifs autonomes et les tarifs que les Etats se proposent d'établir en fin de compte comme résultat de leurs négociations, les taux délibérément restrictifs des tarifs minima institués par certains Etats ont eu, à cet égard, des résultats d'autant plus pernicieux que, par ailleurs, il était fait application des tarifs généraux avant toute négociation et que la discrimination de fait ou de droit venait parfois aggraver encore la rigueur des tarifs.

Le Comité s'est rendu compte qu'il faut, de toute urgence, faire machine arrière et concevoir les accords commerciaux, non comme une manière d'imposer des droits exagérés, mais comme un moyen d'en empêcher l'accroissement ou, mieux encore, d'en assurer une réduction conventionnelle.

Le Comité a donc décidé de rechercher les méthodes contractuelles susceptibles d'amener un abaissement progressif des tarifs, d'en assurer la stabilité et de favoriser la conclusion de conventions bilatérales qui assurent aux Etats contractants d'égales possibilités commerciales et donnent à leur commerce un statut excluant toute embûche à l'égard des Etats tiers.

Le Comité a poursuivi cette recherche technique avec la confiance que l'adoption des solutions auxquelles elle conduira pourra être un sérieux soulagement pour le commerce international et un élément déterminant de la pacification dans les relations commerciales entre les Etats. Mais il est convaincu que ces résultats techniques ne sauraient produire leur plein effet que si les gouvernements en comprennent la véritable signification et s'appliquent à ne point en compromettre, par avance, l'efficacité.

Le Comité tient donc à marquer qu'il serait nécessaire au premier chef que, jusqu'à l'aboutissement, que l'on peut espérer prochain, d'une entente internationale sur les méthodes contractuelles, les gouvernements s'inspirent, dans la conclusion de leurs accords, comme dans l'établissement de leurs tarifs, de l'esprit qui a présidé non seulement aux résolutions de la Conférence économique internationale, mais qui préside de même aux études et aux propositions que le Comité économique prépare en vue de cette entente.

\* \* \*

C'est dans le même esprit que le Comité, répondant à un vœu particulièrement explicite de la Conférence, a entrepris de codifier le traitement de la nation la plus favorisée, qui doit être, soit le principe, soit l'aboutissement normal de toute négociation commerciale. Il sera, sous peu de mois, prêt à fournir sur son mécanisme, sa portée, son incidence sur les conventions plurilatérales, des données précises sur lesquelles pourront se fonder des engagements internationaux. Il n'a point omis, d'ailleurs, d'inclure dans son programme l'examen des exceptions générales, spéciales ou géographiques, que la pratique internationale ou la situation particulière de certains Etats recommandent d'y apporter.

Le Comité est convaincu qu'une action délibérée en matière de conventions commerciales fondées sur la clause de la nation la plus favorisée doit, à brève échéance, aboutir au rétablissement de courants commerciaux durables auxquels ne s'opposera plus une politique de protectionnisme et d'isolement.

\* \* \*

Bien qu'il ait la confiance que les moyens mis en œuvre par l'action bilatérale des Etats contractants doivent conduire — si du moins elle est menée par les voies ci-dessus définies — à l'un des objectifs principaux que s'est proposés la Conférence économique, le Comité, d'autre part, n'a pas voulu différer son travail en ce qui concerne la réduction des tarifs par le moyen des accords plurilatéraux. Il ne peut se dissimuler non plus que des réductions collectives de tarifs instituées par le moyen de ces accords soulèvent une série de questions dont certaines présentent des difficultés considérables et, dans cet ordre d'idées, la question juridique de l'incidence des accords plurilatéraux sur les conventions bilatérales, qui se pose dans tous les domaines de la politique économique, revêt ici une particulière acuité.

Néanmoins, le Comité n'a pas cru pouvoir attendre le développement ultérieur d'études particulièrement complexes et délicates, pour envisager dès à présent, dans la mesure où ils pouvaient être mis en œuvre, les moyens d'action collective auxquels les Etats pourraient recourir en vue d'une réduction simultanée et concertée des barrières douanières qui apparaissent excessives.

L'œuvre même qui a été entreprise pour le rétablissement de la liberté du commerce, par la récente Conférence pour l'abolition des prohibitions et restrictions, impose, au sentiment de certains Etats, une action correspondante pour l'abaissement des tarifs afférents aux produits transformés, de la part des Etats bénéficiaires du retour à la liberté des matières premières ou des produits mi-finis.

Sous cet aspect et sous quelques autres, non moins intéressants, il semble que le problème d'une réduction collective des tarifs puisse être dès à présent étudié.

Le Comité a nommé pour toutes les questions de la politique commerciale, telles qu'elles viennent d'être définies, et telles qu'elles sont réparties, en vue de l'étude, dans l'annexe au présent rapport, des rapporteurs dont le travail fera, dès sa prochaine session, l'objet de décisions, au moins partielles, que le Conseil aura sans doute à cœur de communiquer aussitôt au Comité consultatif.

#### 4. UNIFICATION DE LA NOMENCLATURE DOUANIÈRE.

Si la Conférence économique internationale avait tracé un programme général pour la politique commerciale, elle n'aurait point méconnu que, pour le réaliser, certaines conditions d'ordre technique étaient indispensables, et au premier plan de ces conditions elle avait placé l'unification de la nomenclature douanière, nécessaire à la fois à l'établissement d'une politique tarifaire concertée et d'un système uniformisé d'accords bilatéraux.

Pour assurer l'exécution de ces conditions préalables, le Comité économique, réuni en session extraordinaire au mois de juillet 1927, avait convoqué d'urgence un comité restreint d'experts spécialement qualifiés par leurs connaissances et leur pratique des questions douanières, en l'invitant à établir le cadre d'une nomenclature commune contenant les catégories et les chapitres principaux de la production, tant agricole qu'industrielle.

Ce comité d'experts, présidé par M. FIGHIERA (France) et composé de MM. FAFL (Tchécoslovaquie), FLACH (Allemagne), MAGNETTE (Belgique) et PACI (Italie) a fait preuve d'une activité particulièrement remarquable. Il a pu, dès la présente session, soumettre au Comité économique, non seulement le cadre général demandé, mais une classification détaillée et raisonnée de tous les groupes de marchandises destinées à y rentrer.

Cette classification a été accompagnée de commentaires justificatifs ou interprétatifs, en telle sorte qu'elle apparait dès maintenant comme présentant les qualités principales de toute nomenclature commune :

- a) La simplicité et la correspondance de la nomenclature douanière avec les classifications usuelles de l'industrie et du commerce;
- b) L'équivalence des groupes constitués dans la nomenclature avec ceux qui servent communément aux relevés statistiques des exportations et des importations;
- c) L'identité de la terminologie douanière avec les appellations usuelles de techniciens et de praticiens.

Sans pouvoir cependant se prononcer, dès à présent, sur la valeur intrinsèque du travail dont il apprécie hautement l'étendue et la technicité, le Comité a décidé que chacun de ses membres recueillerait dans son propre pays toutes les informations et consultations pouvant motiver, lors de la session prochaine, une juste appréciation et que le Secrétariat diffuserait le projet élaboré par les experts dans tous les milieux aptes à l'apprécier, ou à fournir à cette occasion des données utiles pour l'accomplissement de la nomenclature plus détaillée qu'il faudra désormais aborder.

Le Comité a tenu à marquer en procédant, à ces examens et consultations, que les questions connexes relatives aux règles de dédouanement devaient recevoir une solution commune, si l'on veut éviter une application de règles divergentes et ne pas rendre illusoire l'effort réalisé pour une classification concertée.

Le Comité espère pouvoir discuter, à sa prochaine session, à la fois les avis recueillis sur le schéma de classification établi jusqu'ici et sur les règles de dédouanement dont l'application commune est indispensable pour que cette classification assure le résultat qui en est attendu.

Outre les travaux préparatoires qui viennent d'être mentionnés, le Comité attend des experts pendant la période consacrée aux consultations qu'il préconise, la réalisation, pour quelques catégories particulièrement importantes du cadre par eux tracé, d'une nomenclature détaillée qui pourra servir, au moins en ce qui concerne la méthode de nomenclature-type, et donner pour quelques espèces l'aspect définitif de la nomenclature commune telle qu'elle devra être réalisée finalement pour l'ensemble des marchandises.

##### 5. TRAITEMENT DES RESSORTISSANTS ÉTRANGERS ET DES SOCIÉTÉS ÉTRANGÈRES.

La Conférence économique internationale a marqué d'une manière particulièrement saisissante que la liberté du commerce resterait un vain mot s'il était fait obstacle à la présentation des marchandises ou à l'activité en territoire étranger par le moyen de restrictions opposées à l'activité des ressortissants ou des sociétés d'autres pays, ainsi qu'à leur établissement à l'étranger.

La Conférence avait, à cet égard, repris les suggestions formulées par la Chambre de Commerce internationale, qui avait chargé une commission spéciale d'étudier un accord-type en matière d'établissement, et elle avait préconisé que cet accord prît, non l'aspect de conventions bilatérales, mais d'un engagement international à soumettre à l'adhésion d'une conférence diplomatique.

C'est en se conformant à cette résolution de la Conférence que le Comité économique a chargé l'un de ses membres, M. Serruys, d'élaborer, en liaison avec l'auteur du projet de la Chambre de Commerce internationale, M. Riedl, un projet de convention internationale, que ces deux rapporteurs ont pu présenter au Comité dès sa présente session.

Sans aborder la question particulièrement délicate, et toujours réservée jusqu'ici au cours de consultations internationales, de l'admission des étrangers et des sociétés étrangères, les auteurs du projet n'ont cependant point limité la portée de la convention aux conditions de l'établissement des étrangers ou sociétés étrangères bénéficiant d'une admission préalable.

Ils ont eu le souci d'ajouter au projet antérieur des garanties nécessaires pour le commerce des ressortissants des Etats contractants non établis sur un territoire étranger, mais désirant, soit directement, soit par intermédiaire, soit par correspondance, y poursuivre leurs affaires ou y investir leurs intérêts.

En conformité de cette conception, ils ont ajouté aux garanties usuelles d'ordre civil et judiciaire, au droit d'exercer des industries, commerce et professions, au droit de propriété de biens immeubles ou meubles, aux garanties d'ordre fiscal — soit en ce qui concerne les impositions normales, soit en ce qui concerne les charges de caractère extraordinaire — des garanties afférentes à l'exercice du commerce par les ressortissants non établis, ainsi que l'énumération de certains droits qui devraient être reconnus aux ressortissants des pays contractants, qu'ils soient établis ou non.

Le Comité a, durant sa présente session, accepté le cadre et la doctrine du projet qui lui a été soumis, se réservant de discuter les articles au cours de sa prochaine réunion. S'il parvient, à cette date, à fixer un texte accompagné des documents interprétatifs y afférents, il compte demander au Conseil l'autorisation de le soumettre pour examen aux gouvernements, afin d'initier ainsi la procédure qui doit aboutir ultérieurement à la convocation d'une conférence diplomatique, si possible, et à l'établissement d'un statut international.

6. EXÉCUTION DU MANDAT DONNÉ PAR LE CONSEIL EN CE QUI CONCERNE  
LA CONVENTION POUR L'ABOLITION DES PROHIBITIONS ET RESTRICTIONS A L'IMPORTATION  
ET A L'EXPORTATION.

Le Conseil a donné mandat au Comité économique d'examiner deux questions posées à l'occasion de la Conférence internationale pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation et de favoriser par ce moyen l'heureux aboutissement de la conférence conclusive qui, aux termes mêmes de la convention signée le 8 novembre 1927, doit se réunir en juillet prochain.

a) La première de ces questions consistait à proposer les moyens les plus efficaces pour obtenir l'adhésion des Etats, qui les pratiquent actuellement, à la *suppression des prohibitions de sortie des os et des peaux brutes*, de telle sorte que les réserves qui pourraient être faites par ces Etats, en se fondant sur l'article 6 de la Convention, puissent être évitées avant la réunion de la conférence de juillet prochain.

Le Comité économique a tenu à aborder le problème en tenant compte des conversations que chacun de ses membres avait eues avec les milieux intéressés de leurs pays et des avis d'experts choisis dans des pays intéressés non représentés au sein du Comité. Il est arrivé à la conclusion que la plupart des pays, et plus particulièrement ceux dont l'adhésion est la plus importante, sont disposés à abolir les prohibitions de sortie sur les os et sur les peaux brutes.

Mais il n'a pu méconnaître que si cette prohibition se trouve levée d'un commun accord, deux questions connexes se posent dont la première a trait aux droits d'exportation existant dans certains pays ou que certains autres pourraient substituer à la prohibition supprimée et dont la seconde vise la corrélation réclamée par certains Etats entre la liberté rendue aux matières premières susvisées et le régime tarifaire des produits transformés à l'aide de ces matières premières.

Le Comité a donc surtout porté son effort sur la doctrine qu'il y aurait lieu de soutenir pour un règlement aussi libéral que possible qui pourrait être institué à l'occasion de la suppression des prohibitions sur les os et sur les peaux et il a, d'autre part, reconnu que ce règlement ne pourrait être assuré par la seule décision d'un organe qui, comme le Comité, n'est pas composé de représentants de gouvernements, mais plutôt par une réunion qu'il se propose de convoquer au mois de mars prochain et où les gouvernements des pays intéressés enverraient des représentants mandatés par eux, sinon pour conclure un accord définitif, du moins pour préparer une solution commune qui serait proposée à l'entérinement de la conférence de juillet.

b) La seconde question confiée au Comité économique à l'occasion de la conclusion de la convention du 8 novembre est celle de l'organisation d'une enquête sur les moyens les plus expédients pour concilier les intérêts des pays désireux de se prémunir contre les *maladies des animaux et des plantes* et les intérêts des pays exportateurs de ces mêmes produits. En cette matière, la Conférence économique internationale avait préconisé des accords internationaux dans des termes qui, il est vrai, ne laissent point discerner si son intention était de préconiser des accords bilatéraux ou des unions internationales.

Au cours de la conférence pour l'abolition des prohibitions et des restrictions, un vœu analogue avait été consigné dans l'Acte final, qui avait été soutenu avec une particulière insistance par les pays agricoles dont l'exportation se heurte aux restrictions d'ordre sanitaire. Le Comité économique, répondant à l'invitation du Conseil, a considéré qu'avant d'envisager une action internationale, il convenait d'en définir les possibilités et le cadre.

Pour l'instant, il croit qu'une méthode prudente et efficace à la fois consisterait à faire déblayer la question par un petit nombre d'experts appartenant, dans une proportion pratiquement équivalente, à des pays qui préconisent des accords de cette nature et à ceux qui, jusqu'ici, s'y sont montrés défavorables.

D'après le résultat de cette première enquête, le Comité décidera s'il y a lieu de soumettre la question à un collège d'experts plus étendu dont il fixera ultérieurement la compétence et la mission.

7. STATISTIQUES.

Le Comité a estimé que le travail international de statistique devait se poursuivre dans un cadre et avec des méthodes mieux appropriées à l'œuvre d'ensemble que la Société des Nations poursuit en matière économique.

a) *Conférence de statisticiens officiels.*

Le Conseil, lors de sa session de mars dernier, a approuvé, « en principe, la proposition du Comité économique de convoquer, au cours de l'année 1928, une conférence de statisticiens officiels, en vue de l'adoption de méthodes uniformes dans l'établissement des statistiques économiques ». Le Comité économique, en soumettant alors cette proposition, avait ajouté qu'il désirerait ultérieurement formuler des propositions concrètes au sujet de l'ordre du jour de la conférence envisagée. Il vient de procéder à une nouvelle discussion de la question et suggère que le programme, dans ses grandes lignes, comprenne les questions suivantes:

a) Le cadre des statistiques économiques, c'est-à-dire le domaine de l'activité économique auquel il est désirable que s'étendent normalement les statistiques nationales;

b) Les méthodes à appliquer par les gouvernements dans l'élaboration des statistiques industrielles et commerciales, en vue de permettre la comparaison de ces statistiques.

Le Comité espère que, grâce à l'inclusion, dans le programme, de la question du cadre des statistiques économiques, la Conférence pourra adopter d'utiles résolutions d'un caractère général, approuvant les travaux en cours et donnant le mandat et l'impulsion nécessaires pour d'autres travaux qui n'ont pas encore été entrepris. Quant à la question des méthodes à appliquer au point de vue de l'élaboration des statistiques commerciales et industrielles, la Commission d'études de statistique, qui a été instituée il y a quelques années, a déjà adopté une série de résolutions, et celles de la Conférence se limiteront aux problèmes qui ont ainsi fait antérieurement l'objet des travaux préalables nécessaires.

Le Comité économique a estimé qu'il était désirable d'inviter certains experts à collaborer avec lui en vue de la préparation du *Livre Blanc* de la Conférence. Il a, en conséquence, nommé un sous-comité, composé de quatre de ses propres membres, à savoir sir Sydney CHAPMAN, M. JAHN, M. NECULCEA et le D<sup>r</sup> TRENDELENBURG, qui sera chargé de collaborer avec ces autres experts. En ce qui concerne le choix de ceux-ci, le Comité a cru utile de désigner certaines personnalités appartenant à d'importantes organisations internationales s'occupant de statistique, ainsi que les chefs de certains Bureaux nationaux de statistique.

Les noms de ces experts sont les suivants:

Mr. PRIBRAM,	Bureau international du Travail;
M. OLIVETTI,	Chambre de Commerce internationale;
M. DORA,	Institut international d'Agriculture;
M. METHORST,	Institut international de Statistique;
M. FLUX,	Board of Trade, Londres;
M. HUBER,	Bureau de Statistique de France, Paris;
D <sup>r</sup> WAGEMANN,	Bureau central de Statistique, Berlin.

Il est prévu que le Comité ainsi constitué se réunira en mars 1928 et soumettra son projet de *Livre Blanc* au Comité économique, lors de la prochaine session de celui-ci.

Comme il est à prévoir que le *Livre Blanc* ne pourra être distribué avant la fin du mois de mars 1928, le Comité suggère que la Conférence soit convoquée en novembre 1928.

#### b) *Statistiques industrielles.*

Le Comité économique a discuté, au cours de la présente session, la résolution suivante de la Conférence économique mondiale:

« La Conférence recommande que l'Organisation économique de la Société des Nations prenne toutes mesures convenables pour que les gouvernements, avec la collaboration des principales industries, élaborent des accords internationaux sur les termes, le cadre et les méthodes d'établissement de ces statistiques. »

Il a reçu, à cet égard, une lettre de M. Pirelli, président de la Chambre de Commerce internationale, dans laquelle il offre le concours de cet organisme pour les travaux mentionnés dans la résolution. Il est évidemment désirable que ces travaux se poursuivent en étroite liaison avec ceux qui ont trait à la nomenclature douanière, et M. Pirelli formule la proposition suivante:

« Dès que la Chambre de Commerce internationale sera fixée au sujet des catégories d'industries que le Comité d'experts pour l'unification de la nomenclature douanière compte examiner en premier lieu, la Chambre de Commerce internationale nommera des commissions chargées d'étudier la matière afférente à ces industries, afin de mieux assurer la liaison avec le Secrétariat de la Société des Nations, celui-ci désignera un ou plusieurs fonctionnaires pour siéger en qualité d'assesseurs au sein de ces commissions. Ils pourront ainsi mettre à la disposition de celles-ci la documentation que le Secrétariat posséderait, et contribuer à faire cadrer le plan et les méthodes envisagées par les dites commissions avec les travaux de l'Organisation économique de la Société des Nations. »

M. Pirelli a assisté à l'une des réunions du Comité économique et a exposé avec plus de détails la forme que prendrait l'organisation envisagée. Le Comité économique, lui-même, a très chaleureusement accueilli cette offre spontanée de collaboration émanant de la Chambre de Commerce internationale.

Il estime que, dans les limites de la résolution précitée et dans la mesure où cette offre s'insère dans son programme général de travail statistique, il y a lieu d'en tirer tout le profit pratique qu'elle peut comporter. Pour déterminer les modalités de la collaboration ainsi proposée, le Comité demandera l'avis du Comité d'experts qu'il compte instituer.

Il estime, en outre, qu'il serait désirable de prendre des dispositions, si cela est possible, pour qu'un membre du Comité de la nomenclature douanière fasse partie de chacun des comités industriels spéciaux chargés d'étudier les questions se rapportant à la nomenclature et à la classification industrielle.

#### c) *Commission d'études en matière de méthodologie statistique.*

Etant donné que la Conférence de statisticiens officiels, lorsqu'elle discutera le cadre à donner aux statistiques économiques, indiquera, sans aucun doute, quelles sont les catégories au sujet desquelles il est désirable de poursuivre les études de méthodologie, et comme, d'autre part, le programme de travail établi pour 1928, en ce qui concerne les questions de statistique, est déjà très chargé, le Comité économique estime qu'il n'est pas opportun de convoquer la Commission d'études en matière de méthodologie statistique, avant que la Conférence n'ait eu lieu.



## 8. ASSIMILATION DES LÉGISLATIONS EN MATIÈRE DE LETTRES DE CHANGE ET DE CHÈQUES.

On se souviendra que le Comité avait voulu avant tout s'assurer, par l'intermédiaire d'un comité d'experts choisis parmi les hommes familiarisés avec la pratique journalière des affaires, des difficultés réelles que la divergence entre les différentes législations en matière de lettres de change et de chèques oppose aux transactions commerciales.

Ayant ainsi défini la situation au point de vue pratique, il a chargé un comité, composé cette fois exclusivement de juristes, de l'élaboration de textes pouvant servir de base à des accords internationaux en vue d'éliminer les difficultés en question. Sa tâche devait se borner à un essai d'assimilation des législations du bloc dit continental, sans toutefois perdre de vue complètement l'utilité de tout rapprochement avec le système anglo-saxon.

Ce deuxième Comité<sup>1</sup> vient de commencer ses travaux et a provisoirement pris une série de résolutions relatives à la question des lettres de change. Avec l'assentiment du Comité économique, il va consacrer une ou plusieurs sessions nouvelles à l'étude des questions relatives au chèque, ainsi qu'à une élaboration plus détaillée des textes relatifs à ces deux matières.

Le Comité a donné son approbation aux tendances suivies par les experts et dont l'objet est d'arriver à la fixation de certains principes fondamentaux destinés à servir de base à un remaniement des législations des Etats, plutôt qu'à l'élaboration d'un règlement uniforme comprenant un grand nombre d'articles et dont l'acceptation en bloc serait très difficile pour les différents parlements. En même temps, et tenant compte du fait que sur certains points il paraît inévitable que les diverses législations, même si l'on considère seulement celles du type continental, continueront à présenter des divergences d'où résulteront des conflits de loi, les experts s'attachent à déterminer des règles uniformes pour la solution de ces conflits, règles qui seraient ensuite soumises à l'acceptation éventuelle des Etats.

Tant les experts que le Comité économique sont d'avis que les travaux en cours permettent d'envisager, avec des chances de succès, la convocation, dans un avenir prochain, d'une conférence internationale pour laquelle ces travaux constituent une préparation adéquate.

## 9. PROTECTION DE LA PROPRIÉTÉ SCIENTIFIQUE.

La Commission de coopération intellectuelle, saisie de cette question, notamment par un projet de convention élaboré par le sénateur Ruffini, a demandé l'avis du Comité, à propos des aspects économiques de la question.

M. Serruys, qui avait été chargé de suivre comme représentant du Comité économique les travaux de cette commission en cette matière, a assisté à une réunion d'experts provoquée par l'Institut de Coopération intellectuelle et au cours de laquelle un projet de convention internationale a été élaboré.

M. Serruys a donné connaissance de ce projet, dans ses grandes lignes, au Comité économique, lequel l'a chargé en collaboration avec le Dr Trendelenburg et sir Sydney Chapman, de lui faire rapport à la prochaine session.

## 10. PROPOSITION DE CRÉATION D'UN INSTITUT INTERNATIONAL DES MINES.

Le Comité a été saisi, par la Commission de coopération intellectuelle, du projet de création d'un institut de ce genre présenté à ladite Commission par le professeur Krahnmann.

Après avoir pris connaissance du rapport soumis par M. Neculcea, le Comité a estimé qu'il était nécessaire, avant de prendre une décision définitive, de continuer la consultation, par les membres du Comité, des milieux intéressés dans leurs pays respectifs.

D'autre part, M. Serruys restera en contact avec les membres de la Commission de coopération intellectuelle, qui ont été spécialement chargés par cet organisme d'examiner les conclusions du Comité.

## 11. EXPLOITATION DES RICHESSES DE LA MER.

Le Comité de codification du droit international, chargé de rechercher les problèmes qui lui paraissent mûrs pour une action internationale, a examiné la question de savoir « s'il est possible d'établir par voie d'entente internationale des règles concernant l'exploitation des richesses de la mer », visant par là la protection de la faune des eaux profondes contre le danger d'extermination provenant d'une exploitation contraire aux principes économiques.

La huitième Assemblée, considérant qu'il s'agissait là avant tout d'un problème d'ordre économique, a chargé le Comité d'étudier, en collaboration notamment avec le Conseil international de Copenhague, « si et dans quels termes, pour quelles espèces et dans quels parages, une protection internationale de la faune marine pourrait être établie ».

Le Comité a chargé quatre de ses membres, avec le concours du Secrétariat et en se tenant en rapport avec le Conseil précité, de faire toutes recherches préliminaires — éventuellement avec l'aide de quelques experts — susceptibles de permettre au Comité de prendre, au cours de sa prochaine session, une décision quant à la suite pratique à donner à ces travaux.

<sup>1</sup> Ce Comité est composé de MM. PERCEROU (France), président, H. VON FLOTOW (Allemagne), HERMANN-OTAVSKY (Tchécoslovaquie), X. JANNE (Belgique), SULKOWSKI (Pologne), M. VISCHER (Suisse), A. WHILLER (Italie) et E. VIVOT (Argentine).

**Annexe.**

**POLITIQUE COMMERCIALE**

**DIVISION DU TRAVAIL.**

**I. Méthodes contractuelles.**

**A.**

Pour empêcher toute augmentation nouvelle des tarifs et pour faciliter leur réduction générale et progressive;

Pour assurer, dans la mesure du possible, un régime donnant à deux Etats qui concluent un traité des possibilités commerciales appropriées à leurs productions respectives;

Pour maintenir, dans la mesure du possible, une égalité de traitement au bénéfice de tous les Etats concluant des traités avec un même pays;

Sans toutefois méconnaître la disparité des économies nationales, la protection différente qu'elles peuvent exiger, ainsi que les conceptions fiscales ou économiques sur lesquelles les tarifs se fondent;

Quelles sont les méthodes contractuelles les plus adéquates, et quelles sont les limites éventuelles de leur application?

**B.**

Ces méthodes contractuelles supposent-elles un système tarifaire unique appliqué par tous les Etats, ou sont-elles compatibles avec des systèmes tarifaires différents?

Dans le cas où elles supposent un système tarifaire unique, quel est le mécanisme de ce système?

Dans le cas où elles apparaissent compatibles avec des systèmes différents, comment ces systèmes doivent-ils être adaptés pour y correspondre?

**C.**

Quelles sont les garanties de stabilité tarifaire et d'égalité en ce qui concerne les conditions d'application des tarifs qu'il y a lieu de prévoir, si l'on adopte les méthodes contractuelles et le système tarifaire proposés, surtout, si, comme la nécessité s'en fait sentir, les Etats se donnent, pour leurs relations commerciales, un statut contractuel de longue durée ?

**II. Egalité de traitement. Clause de la nation la plus favorisée.**

**A.**

La clause de la nation la plus favorisée — dont l'application et la portée doivent être généralisées — se conçoit-elle comme une garantie de principe et comme une condition préalable de tout traité de commerce, quel que soit le régime que se proposent les parties contractantes, ou, au contraire, comme l'aboutissement pratique d'une négociation ayant, dans la mesure du possible, donné satisfaction aux intérêts respectifs des parties, soit que cette satisfaction résulte de la modération même de leurs tarifs, soit qu'elle ait été obtenue au moyen de réductions conventionnelles des tarifs consentis par les parties ou par l'une d'elles ?

**B.**

D'après la doctrine adoptée en A, quelle est la forme à donner à la clause :

Négative ou positive,

Conditionnelle ou inconditionnelle, générale ou limitée,

Définitive ou réservant la possibilité périodique d'adaptations destinées à maintenir l'équivalence des régimes consentis?

**C.**

Quelles sont les matières, intéressant l'échange des marchandises, qui, outre la matière tarifaire, devraient faire l'objet de la garantie du traitement de la nation la plus favorisée?

**D.**

D'après la doctrine adoptée en A quelle est la meilleure méthode pour prévenir :

a) Que la clause ait pour résultat un accroissement des tarifs;

b) Qu'un régime tarifaire privilégié institué au bénéfice d'un Etat tiers ou que des pénalisations imprévues imposées aux produits de la partie contractante, pour des raisons d'ordre fiscal, monétaire ou économique, puissent vicier l'application de la clause;

c) Que la valeur de la clause puisse être altérée au cours des négociations successives par le moyen de spécialisations tarifaires ou tous autres procédés de discrimination?

E.

Quelle est la nature et l'étendue des exceptions générales, spéciales ou motivées par des conditions géographiques qui, dans certains cas, peuvent être apportées au traitement de la nation la plus favorisée?

F.

Quels sont les droits que confère la clause inscrite dans les conventions bilatérales aux Etats, parties à des accords plurilatéraux, et quelles sont les obligations de ceux-ci par rapport aux Etats qui, sans être parties à ces accords plurilatéraux, ont, aux termes de conventions bilatérales, obtenu le traitement de la nation la plus favorisée?

### III. *Action internationale en matière tarifaire.*

A.

Cette action est-elle nécessairement liée à une action préalable en matière de nomenclature douanière ou de méthodes contractuelles?

B.

Dans quelle mesure l'action concertée des Etats peut-elle être provoquée à l'occasion des ententes privées conclues en ce qui touche la production ou le commerce?

C.

Quelles sont les modalités que pourraient revêtir des accords plurilatéraux en matière de tarifs, et quelles sont les conséquences de chacune de ces modalités?

D.

Quelle serait la position des Etats participants à ces accords plurilatéraux à l'égard des Etats non participants?

E.

Quels sont les travaux et études d'ensemble préalables auxquels pourrait utilement se livrer, dans l'état actuel des choses, le Comité économique, en vue de l'élaboration éventuelle d'accords de ce genre?

---

**PROTOCOLE**  
**RELATIF AUX CLAUSES D'ARBITRAGE**  
**GENÈVE, LE 24 SEPTEMBRE 1923.**

Edition contenant toutes les signatures apposées au Protocole et ratifications y relatives déposées au Secrétariat, jusqu'au 31 janvier 1928.

---

**PROTOCOL**  
**ON ARBITRATION CLAUSES**  
**GENEVA, SEPTEMBER 24, 1923**

Edition containing all Signatures affixed to the Protocol and Ratifications relating thereto deposited with the Secretariat until January 31st, 1928.

---

**PROTOCOLE<sup>1</sup> RELATIF AUX CLAUSES D'ARBITRAGE,  
GENÈVE, LE 24 SEPTEMBRE 1923.**

*Enregistré le 28 juillet 1924, par suite de son entrée en vigueur.*

Les soussignés, dûment autorisés, déclarent accepter, au nom des pays qu'ils représentent, les dispositions suivantes :

1. Chacun des Etats contractants reconnaît la validité, entre parties soumises respectivement à la juridiction d'Etats contractants différents, du compromis ainsi que de la clause compromissoire par laquelle les parties à un contrat s'obligent, en matière commerciale ou en toute autre matière susceptible d'être réglée par voie d'arbitrage par compromis, à soumettre en tout ou partie les différends qui peuvent surgir dudit contrat, à un arbitrage même si ledit arbitrage doit avoir lieu dans un pays autre que celui à la juridiction duquel est soumise chacune des parties au contrat.

Chaque Etat contractant se réserve la liberté de restreindre l'engagement visé ci-dessus aux contrats qui sont considérés comme commerciaux par son droit national. L'Etat contractant qui fera usage de cette faculté en avisera le Secrétaire général de la Société des Nations aux fins de communication aux autres Etats contractants.

2. La procédure de l'arbitrage, y compris la constitution du tribunal arbitral, est réglée par la volonté des parties et par la loi du pays sur le territoire duquel l'arbitrage a lieu.

Les Etats contractants s'engagent à faciliter les actes de procédure qui doivent intervenir sur leur territoire, conformément aux dispositions réglant, d'après leur législation, la procédure d'arbitrage par compromis.

3. Tout Etat contractant s'engage à assurer l'exécution, par ses autorités et conformément aux dispositions de sa loi nationale, des sentences arbitrales rendues sur son territoire en vertu des articles précédents.

4. Les tribunaux des Etats contractants, saisis d'un litige relatif à un contrat conclu entre personnes visées à l'article premier et comportant un compromis ou une clause compromissoire valable en vertu dudit article et susceptible d'être mis en application, renverront les intéressés, à la demande de l'un d'eux, au jugement des arbitres.

Ce renvoi ne préjudicie pas à la compétence des tribunaux au cas où, pour un motif quelconque, le compromis, la clause compromissoire ou l'arbitrage sont devenus caducs ou inopérants.

5. Le présent Protocole, qui restera ouvert à la signature de tous les Etats, sera ratifié. Les ratifications seront déposées aussitôt que possible auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Etats signataires.

6. Le présent Protocole entrera en vigueur aussitôt que deux ratifications auront été déposées. Ultérieurement, ce Protocole entrera en vigueur, pour chaque Etat contractant, un mois après la notification, par le Secrétaire général de la Société, du dépôt de sa ratification.

7. Le présent Protocole pourra être dénoncé par tout Etat contractant moyennant préavis d'un an. La dénonciation sera effectuée par une notification adressée au Secrétaire général de la Société des Nations. Celui-ci transmettra immédiatement à tous les autres Etats signataires des exemplaires de cette notification, en indiquant la date de réception. La dénonciation prendra effet un an après la date de notification au Secrétaire général. Elle ne sera valable que pour l'Etat contractant qui l'aura notifiée.

8. Les Etats contractants seront libres de déclarer que leur acceptation du présent Protocole ne s'étend pas à l'ensemble ou à une partie des territoires ci-après mentionnés, à savoir : colonies, possessions ou territoires d'outre-mer, protectorats ou territoires sur lesquels ils exercent un mandat.

Ces Etats pourront, par la suite, adhérer au Protocole séparément, pour l'un quelconque des territoires ainsi exclus. Les adhésions seront communiquées aussitôt que possible au Secrétaire général de la Société des Nations qui les notifiera à tous les Etats signataires et elles prendront effet un mois après leur notification par le Secrétaire général à tous les Etats signataires.

Les Etats contractants pourront également dénoncer le Protocole séparément pour l'un quelconque des territoires visés ci-dessus. L'article 7 est applicable à cette dénonciation.

Une copie certifiée conforme du présent Protocole sera transmise par le Secrétaire général à tous les Etats contractants.

---

<sup>1</sup> Dépôt des instruments de ratification : Finlande, le 10 juillet 1924 ; Italie, le 28 juillet 1924 ; Albanie, le 29 août 1924 ; Belgique, le 23 septembre 1924 ; Grande-Bretagne et Irlande du Nord, le 27 septembre 1924 ; Allemagne, le 5 novembre 1924 ; Roumanie, le 12 mars 1925 ; Danemark, le 6 avril 1925 ; Pays-Bas (y compris les Indes Néerlandaises, Surinam et Curaçao, 6 août 1925 ; Grèce, 26 mai 1926 ; Nouvelle-Zélande, 9 juin 1926 ; Espagne, 29 juillet 1926 ; Monaco, 8 février 1927 ; Norvège, 2 septembre 1927 ; Autriche, 25 janvier 1928.  
En outre, un certain nombre de colonies, protectorats et territoires sous mandat britanniques ont adhéré au Protocole.

**PROTOCOL<sup>1</sup> ON ARBITRATION CLAUSES,  
GENEVA, SEPTEMBER 24, 1923.**

*Registered July 28, 1924, following its entry into force.*

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 undermentioned 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.

---

<sup>1</sup> Deposit of the instruments of ratification : Finland, July 10, 1924 ; Italy, July 28, 1924 ; Albania, August 29, 1924 ; Belgium, September 23, 1924 ; Great Britain and Northern Ireland, September 27, 1924 ; Germany, November 5, 1924 ; Roumania, March 12, 1925 ; Denmark, April 6, 1925 ; The Netherlands (including the Netherlands Indies, Surinam and Curaçao), August 6, 1925 ; Greece, May 26, 1926 ; New Zealand, June 9, 1926 ; Spain, July 29, 1926 ; Monaco, February 8, 1927 ; Norway, September 2, 1927 ; Austria, January 25, 1928.  
A certain number of British Colonies, Protectorates and mandated territories have also acceded to the Protocol.

Fait à Genève, le vingt-quatrième jour de septembre, mil neuf cent vingt-trois, en un seul exemplaire, dont les textes anglais et français feront également foi, et qui restera déposé dans les archives de la Société des Nations.

Done at Geneva on the twenty-fourth day of September, one thousand nine hundred and twenty-three, 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.

Conformément au second paragraphe de l'article 1<sup>er</sup>, la Belgique se réserve la liberté de restreindre aux contrats qui sont considérés comme commerciaux par son droit national, l'engagement visé au premier paragraphe de l'article 1<sup>er</sup>

PAUL HYMANS  
1<sup>er</sup> Délégué de la Belgique

V. SIDZIKAUSKAS  
premier délégué de la Lithuanie

A. MICHALAKOPOULOS  
délégué de la Grèce  
(avec la réserve de l'art. 1<sup>er</sup>).

ROBERT CECIL  
first delegate of the British Empire

I declare that my signature applies only to Great Britain & Northern Ireland & consequently does not include any of the colonies overseas possessions or protectorates under His Britannic Majesty's sovereignty or authority or any territory in respect of which His Majesty's Govt. exercises a mandate.

AFRANIO DE MELLO FRANCO  
Délégué du Brésil.

JUAN J. AMEZAGA  
B. FERNANDEZ Y MEDINA  
(Uruguay)

*Traductions du Secrétariat de la Société des Nations :*

*Translations by the Secretariat of the League of Nations :*

In conformity with the second paragraph of Article 1, Belgium reserves the right to limit the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under national law.

PAUL HYMANS  
First Delegate of Belgium.

V. SIDZIKAUSKAS  
First Delegate of Lithuania.

A. MICHALAKOPOULOS  
Delegate of Greece.  
(Subject to the reserve mentioned in Article 1.)

ROBERT CECIL,  
Premier Délégué de l'Empire britannique.

Je déclare que ma signature s'applique seulement à la Grande-Bretagne et à l'Irlande du Nord, et par conséquent à aucune des colonies, possessions et territoires d'outre-mer, protectorats sous la souveraineté ou l'autorité de Sa Majesté britannique, ni à aucun des territoires sur lesquels Sa Majesté britannique exerce un mandat.

AFRANIO DE MELLO-FRANCO  
Delegate of Brazil.

JUAN J. AMEZAGA  
B. FERNANDEZ Y MEDINA  
(Uruguay.)

Par application de l'alinéa 2 de l'article 1<sup>er</sup> de la présente Convention, le Gouvernement français se réserve la liberté de restreindre l'engagement prévu audit article, aux contrats qui sont déclarés commerciaux par son droit national.

En vertu de l'article 8 de la présente Convention, le Gouvernement français déclare que son acceptation du présent Protocole ne s'étend pas aux Colonies, possessions ou territoires d'outre-mer, non plus qu'aux protectorats ou territoires sur lesquels la France exerce un mandat.

G. HANOTAUX

R. A. AMADOR  
(Délégué de Panama)

GARBASSO  
(pour l'Italie.)

La Principauté de Monaco se réserve la liberté de restreindre son engagement aux contrats qui sont déclarés commerciaux par son droit national.

Pour la Principauté de Monaco  
le 29. III. 24

R. ELLÈS-PRIVAT.

GOTTFRIED ASCHMANN  
(pour l'Allemagne)

Au nom du Gouvernement Royal roumain, je signe la présente Convention avec la réserve que le Gouvernement Royal pourra en toute occurrence restreindre l'engagement prévu à l'art. 1<sup>er</sup> alinéa II aux contrats qui sont déclarés commerciaux par son droit national.

N. P. COMNÈNE.  
(pour la Roumanie)

---

*Traductions du Secrétariat de la Société des Nations :*

*Translations by the Secretariat of the League of Nations :*

By virtue of paragraph 2 of Article 1 of the present Convention, the French Government reserves the right to limit the obligation mentioned in the aforesaid Article to contracts which are considered commercial under its national law.

In virtue of Article 8 of the present Convention, the French Government declares that its acceptance of the present Protocol does not include the colonies, overseas possessions or territories, or protectorates or territories in respect of which France exercises a mandate.

G. HANOTAUX

R. A. AMADOR  
(Delegate of Panama.)

GARBASSO  
(for Italy.)

The Principality of Monaco reserves the right to limit its obligation to contracts which are considered as commercial under its national law.

for the Principality of Monaco.  
29. III. 24.

R. ELLÈS-PRIVAT.

GOTTFRIED ASCHMANN  
(for Germany.)

On behalf of the Royal Roumanian Government, I sign the present Convention, subject to the reservation that the Royal Government may in all circumstances limit the obligation mentioned in Article 1, paragraph 2, to contracts which are considered as commercial under its national law.

N. P. COMNÈNE  
(for Roumania.)



En vertu de l'Article 8 du présent protocole le Gouvernement japonais déclare que son acceptation du présent protocole ne s'étend pas à ses territoires ci-après mentionnés : — Chosen, Taiwan, Karafuto, le territoire de bail de Kwantung, les territoires sur lesquels le Japon exerce son mandat.

K. ISHII  
Pour le Japon.

Par application de l'alinéa deux de l'article premier du présent protocole le Gouvernement de Sa Majesté le Roi d'Espagne se réserve la liberté de restreindre l'engagement prévu audit article aux contrats qui seraient considérés comme commerciaux par son droit national. En vertu de l'article huit du Protocole, le Gouvernement de Sa Majesté le Roi d'Espagne déclare que son acceptation du présent Protocole ne s'étend pas aux possessions espagnoles en Afrique ni aux territoires du Protectorat Espagnol au Maroc.

30 Août 1924.

J. QUIÑONES DE LEÓN.

Le Gouvernement des Pays-Bas se réserve la liberté de restreindre l'engagement visé au premier paragraphe de l'article premier aux contrats qui sont considérés comme commerciaux par le droit néerlandais.

En outre il déclare son point de vue que la reconnaissance en principe de la validité des clauses d'arbitrage ne porte nullement atteinte aux dispositions restrictives qui se trouvent actuellement dans la législation néerlandaise, ni au droit d'y introduire d'autres restrictions à l'avenir.

Pays-Bas. Pour le Royaume en Europe.

W. DOUDE VAN TROOSTWIJK

HEIKKI RENVALL.  
Pour la Finlande.

---

*Traductions du Secrétariat de la Société des Nations :*

*Translations by the Secretariat of the League of Nations :*

In virtue of Article 8 of the present Protocol, the Japanese Government declares that its acceptance of the present Protocol does not include its territories mentioned hereinafter : — Chosen, Tuiwan, Karafuto, the leased territory of Kwantung, and the territories in respect of which Japan exercises a mandate.

K. ISHII  
for Japan.

By virtue of paragraph 2 of article 1 of the Present Protocol the Government of His Majesty the King of Spain reserves the right to limit the obligation mentioned in the aforesaid article to contracts which are considered as commercial under its national law.

In virtue of article 8 of the Protocol, the Government of His Majesty the King of Spain declares that its acceptance of the present Protocol does not include the Spanish possessions in Africa and the territories of the Spanish Protectorate in Morocco.

August 30, 1924.

J. QUIÑONES DE LEÓN.

The Government of the Netherlands reserves its right to restrict the obligation mentioned in the first paragraph of Article 1 to contracts which are considered as commercial under Netherlands law.

Further, it declares its opinion that the recognition in principle of the validity of arbitration clauses in no way affects either the restrictive provisions at present existing under Netherlands law or the right to introduce other restrictions in the future.

Netherlands. For the Kingdom in Europe.

W. DOUDE VAN TROOSTWIJK

HEIKKI RENVALL  
for Finland.

— 1 —

En signant le Protocole, fait à Genève le 24 septembre 1923, relatif aux clauses d'arbitrage je soussigné Représentant du Gouvernement Danois auprès du Secrétariat de la Société des Nations, déclare relativement à l'article 3 ce qui suit : D'après le droit danois les sentences arbitrales rendues par un tribunal d'arbitrage ne sont pas immédiatement exigibles, mais il est nécessaire, dans chaque cas, pour les rendre exigibles, de s'adresser aux tribunaux ordinaires. Au cours des procédés devant ces tribunaux la sentence arbitrale sera cependant admise généralement sans examen ultérieur comme base pour le jugement définitif de l'affaire. — Sauf ratification. —

Genève, le 30 mai 1924

Pour le Danemark :

A. OLDENBURG.

Pour la Norvège  
le 5 août 1924

CHR. L. LANGE

Pour la Confédération Suisse  
le 10 Septembre 1924.

MOTTA.

Par application de l'alinéa 2 de l'article 1-<sup>er</sup> du présent Protocole, le Gouvernement Letton se réserve la liberté de restreindre l'engagement prévu dans le dit article aux contrats qui sont déclarés commerciaux par son droit national.

Pour la Lettonie,  
le 12 Septembre 1924.

L. SEJA

J. GUSTAVO GUERRERO

Pour le Salvador  
13 septembre 1924.

Pour le Chili  
le 16 Septembre 1924.

ARMANDO QUEZADA A.  
E. VILLEGAS

---

*Traductions du Secrétariat de la Société des Nations :*

*Translations by the Secretariat of the League of Nations :*

On signing the Protocol on arbitration clauses done at Geneva on September 24, 1923, I, the undersigned representative of the Danish Government, accredited to the Secretariat of the League of Nations, make the following declaration in respect of Article 3: Under Danish law, arbitral awards made by an arbitral tribunal do not immediately become operative; it is necessary in each case, in order to make an award operative, to apply to the ordinary Courts of Law. In the course of the proceedings, however, the arbitral award will generally be accepted by such Courts without further examination, as a basis for the final judgment in the affair. — Subject to ratification.

Geneva, May 30, 1924.

For Denmark.  
A. OLDENBURG

For Norway.  
August 5, 1924.  
CHR. L. LANGE

For the Swiss Confederation,  
September 10, 1924.  
MOTTA.

By virtue of paragraph 2 of Article 1 of the present Protocol the Latvian Government reserves the right to limit the obligation mentioned in the aforesaid article to contracts which are considered as commercial under its national law.

For Latvia,  
September 12, 1924.  
L. SEJA

J. GUSTAVO GUERRERO  
For Salvador,  
September 13, 1924.

For Chile,  
September 16, 1924.  
ARMANDO QUEZADA A.  
E. VILLEGAS.

**Pays-Bas.** Pour les trois territoires d'outre-mer, Indes Néerlandaises, Surinam et Curaçao. Le Gouvernement néerlandais se réserve la liberté de restreindre l'engagement visé au premier paragraphe de l'article premier aux contrats qui sont considérés comme commerciaux par le droit néerlandais. En outre il déclare son point de vue, « que la reconnaissance en principe de la validité des clauses d'arbitrage ne porte nullement atteinte aux dispositions restrictives qui se trouvent actuellement dans les législations de ces territoires, ni au droit d'y introduire d'autres restrictions à l'avenir. »

W. DOUDE VAN TROOSTWIJK  
20 Septembre 1924.

Pour le Paraguay  
Genève le 29 Septembre 1924  
R. V. CABALLERO

Pour l'Autriche  
Genève le 24 novembre 1924  
E. PFLÜGL

The Siamese Government in signing this Protocol does so under reservation that it thereby assumes no obligation to enforce the provisions of this Convention in violation of existing or future Treaty provisions granting to Foreigners exemption from Siamese Jurisdiction.

PHYA SANPAKITCH PREECHA  
19th May 1925.

---

*Traductions du Secrétariat de la Société des Nations :*

*Translations by the Secretariat of the League of Nations :*

Netherlands. For the three territories beyond the seas, Netherlands Indies, Surinam and Curaçao.

The Government of the Netherlands reserves its right to restrict the obligation mentioned in the first paragraph of Article 1, to contracts which are considered as commercial under Netherlands law.

Further, it declares its opinion " that the recognition in principle of the validity of arbitration clauses in no way affects either the restrictive provisions at present existing under Netherlands law or the right to introduce other restrictions in the future ".

September 20, 1924.

W. DOUDE VAN TROOSTWIJK

For Paraguay,  
Geneva, September 29, 1924.  
R. V. CABALLERO

For Austria,  
Geneva, November 24, 1924.  
E. PFLÜGL

Le Gouvernement siamois signe le présent Protocole, avec la réserve qu'il n'assume par là aucune obligation de mettre en vigueur les dispositions de la présente Convention en violation de dispositions présentes ou futures de traités exemptant des étrangers de la juridiction siamoise.

PHYA SANPAKITCH PREECHA  
19 mai 1925.

Au nom du Gouvernement de la République de Pologne je signe le présent Protocole avec la réserve que conformément à l'alinéa 2 de l'article premier l'engagement prévu audit article s'appliquera uniquement aux contrats qui sont déclarés commerciaux par le droit national polonais.

Genève, le 22 septembre 1925

GAËTAN D. MORAWSKI.

J. ALLEN.

for New Zealand  
Geneva 11th of March 1926

F. SOKAL.

pour la Ville Libre de Dantzig  
Genève le 5 Août 1927.

---

*Traduction du Secrétariat de la Société des Nations :*

*Translation by the Secretariat of the League of Nations :*

*Poland.* On behalf of the Government of the Polish Republic, I sign the present Protocol under reservation that, in conformity with paragraph 2 of Article 1, the undertaking contemplated in the said article will apply only to contracts which are declared to be commercial in accordance with national Polish law.

Geneva, September 22, 1925.

GAËTAN D. MORAWSKI.

J. ALLEN.

Pour la Nouvelle-Zélande  
Genève le 11 mars 1926

F. SOKAL

for the Free City of Danzig  
Geneva, 5th of August 1927.

---

**Pour copie conforme :  
Pour le Secrétaire général,**

**Certified true copy :  
For the Secretary General,**

*Conseiller juridique du Secrétariat.*

*Legal Adviser of the Secretariat.*

C. S. O. 1.

LEAGUE OF NATIONS

Geneva, April 3rd, 1928.

ECONOMIC COMMITTEE

INTERNATIONAL CONFERENCE  
ON  
**ECONOMIC STATISTICS**

GENEVA, 1928

PREPARATORY DOCUMENTS

<p>Publications of the League of Nations II. ECONOMIC AND FINANCIAL 1928. II. 6.</p>
--

## CONTENTS.

---

	Page
1. INTRODUCTION . . . . .	5
2. AGENDA.—Part I : THE SCOPE OF ECONOMIC STATISTICS . . . . .	10
3. AGENDA.—Part II : STATISTICAL METHODS :	
I. Statistics of International Trade . . . . .	12
II. Census of Industrial Production . . . . .	14
III. Mining and Metallurgical Statistics . . . . .	17
IV. Indices of Industrial Activity . . . . .	64
V. Fishery Statistics. . . . .	66

### ANNEXES.

I. Tables illustrating the Statistical Methods adopted by Various Countries in the Compilation of International Trade Statistics . . . . .	67
II. Summary of Observations received from Various Governments on certain of the Statistical Methods proposed . . . . .	79
III. Resolutions relating to Statistics adopted by the World Economic Conference. .	99

## INTRODUCTION

---

### 1. PREFATORY REMARKS.

At its twenty-first session, the Economic Committee put forward a proposal to the Council of the League of Nations suggesting that :

“ Steps should be taken in the near future with a view to bring more closely to the notice of the various Governments the importance of adopting uniform methods in the compilation of economic statistics and of ascertaining to what extent each Government is prepared to apply the principles which have been laid down.

“ It accordingly recommends that a Conference to which all Governments should be invited to send official statisticians should be convened during the course of the year 1928 with this end in view. ”

The Council at its forty-fourth session, in April 1927, passed the following resolution with reference to this proposal :

“ The Council . . . . approves in principle the Economic Committee's proposal to convene a Conference of official statisticians some time in 1928 with a view to the adoption of uniform methods for the establishment of economic statistics. ”

In pursuance of this resolution, therefore, the Economic Committee, at its twenty-third session, in December 1927, devoted its attention to the problem of the details of the programme of the proposed Conference, and suggested to the Council :

(a) That the broad lines of the programme should be as follows :

“ (1) The scope of economic statistics, *i.e.*, the field of economic activity which it is desirable that national statistics should normally cover ;

“ (2) The methods to be applied by Governments in the compilation of industrial and commercial statistics, in order to achieve comparability. ”

(b) That it would be desirable to request certain experts to collaborate with it in drafting the Preparatory Documents of the Conference. It therefore appointed a Sub-Committee of four of its own members to collaborate with eight experts in this work.

The Council of the League of Nations, at its forty-ninth session, in March 1928, approved the procedure suggested by the Economic Committee and authorised the Secretary-General, in agreement with the Chairman of the Economic Committee, to fix the exact date of the Conference and to issue the necessary invitations.

### 2. THE CHARACTER OF THE AGENDA.

The Agenda of the Conference falls into two parts, somewhat different in character. Part I deals with the question of scope ; Part II deals with the question of method.

Part I of the Agenda has been drafted by the special committee of experts referred to immediately above. Part II has originated in the manner indicated below.

With reference to Part I of the Agenda, the Economic Committee stated in its report, approved by the Council in March 1928, that it hoped that, “ by including the scope of economic statistics in the programme, the Conference may pass useful resolutions of a general character approving the work which is in progress, and give a mandate and impulse to other work not yet undertaken ”.

The second part of the Agenda of the International Statistical Conference deals with the problem of the methods to be applied in the compilation of statistics relating to :

- (1) International Trade ;
- (2) Censuses of Industrial Production ;
- (3) Mining and Metallurgical Production ;
- (4) Indices of Industrial Activity ;
- (5) Fisheries.



All these subjects excepting the third have been studied by a special committee set up by the Council of the League of Nations in accordance with a scheme of co-operation agreed between the Economic Committee of the League and the International Institute of Statistics. Reports and resolutions drawn up by this special committee have been submitted to the International Institute of Statistics and approved by it. The resolutions (but not the reports) dealing with statistics of international trade, censuses of industrial production and fishery statistics were subsequently circulated to the Governments of Member States and the United States of America by the Council of the League of Nations for comment and eventual adoption. The Council further circulated a set of forms compiled by the Imperial Mineral Resources Bureau relating to mineral and metallurgical statistics.

As the resolutions concerning indices of industrial activity were only carried by the International Institute of Statistics in January 1928, they have not been circulated by the Council of the League of Nations.

In Annex II, the replies received from a number of Governments containing observations on the resolutions circulated are summarised.

The scope of the Agenda of the Conference is indicated by the draft resolutions (Part I and Part II of the Agenda) submitted for its consideration.

It should be observed that the resolutions in the second part of the Agenda referring to the methods to be adopted in the compilation of economic statistics do not cover all those classes of statistics envisaged in Part I of the Agenda. The League of Nations contemplates continuing the work which has been conducted up to now on the many intricate questions of methodology which remain for consideration in the case of a number of categories of statistics, the desirability of publishing which, indicated in the first part of the Agenda, will no doubt be debated by the Conference. On the other hand, the resolutions in Part II of the Agenda in certain cases refer to fields of statistics not covered or not completely covered by Part I. It is felt, however, that it may prove desirable to consider the possibility of laying down now the principles on which these classes of statistics should be compiled. These principles would form a common model and ideal for the use of countries as they find themselves in a position to extend the scope of their statistics beyond the minimum indicated in Part I of the Agenda. Only by this means will it prove possible to achieve comparability between the data supplied by those countries whose statistics are most highly developed.

It has in this connection been deemed desirable to make a distinction in Part I of the Agenda between those classes of statistics which are normally collected in the great majority of States and those which are more rarely compiled, and further between the primary official function of collecting and publishing statistical data on the one hand and the subsequent elaboration of estimates based on these data on the other.

### 3. THE SCOPE OF ECONOMIC STATISTICS.

A. The term "economic statistics" is defined somewhat differently by different authorities. In official statistics no precise definition is normally given. A broad distinction may, however, be drawn between those countries which classify as financial statistics data referring to banking, the money market, stock exchanges, etc., and those which include these classes of statistics under the general head of "economic". The practice of the League of Nations has been to adopt the more restricted definition, and the present Conference is not directly concerned with financial problems.

The first part of the Agenda, which deals with the scope of economic statistics, has been drafted with the consideration in mind that the primary object is to obtain a survey of productive activity in the widest sense of that term.

B. Of particular interest in this connection are the estimates of national income which have been framed in certain countries. Such estimates, from their very nature, necessarily cover the whole field of economic activity more completely than any other class of economic statistics. Although their importance is now generally recognised, and should certainly not be neglected, most Governments have refrained from compiling such estimates themselves on account of the great technical difficulties involved, and also because it is scarcely possible to hope to attain a very high degree of accuracy.

For these reasons, reference in the draft agenda to this important subject is confined to a recommendation that Governments should, so far as possible, endeavour to elaborate official statistics so as to facilitate the compilation of estimates of national income at regular intervals.

### 4. STATISTICS OF OCCUPATIONS.

A knowledge of the distribution of the population according to its various activities can only be obtained from occupational statistics. Although it may be open to doubt whether they fall within the field of economic statistics proper, they are clearly of great importance

for the study of economic life, for the light they throw on the development of different branches of human activity and on the relative demand for labour which the occupations afford. In most countries they constitute a part of the official statistics, the data being collected either in connection with the population censuses or by special censuses of occupation. But though their importance is thus officially recognised, they require in many cases to be further developed and generally to be rendered internationally comparable.

In the compilation of these statistics, a number of problems of method arise. Of these, the most essential is that of classification, which involves both the question of the classification of persons by industries or by occupations and the question of the framework within which this classification should be made. These problems have been discussed by the International Conference of Labour Statisticians at Geneva in 1924, 1925 and 1926, and certain resolutions adopted.

#### 5. GENERAL CENSUSES OF ESTABLISHMENTS.

These censuses, which take the establishment as a unit, have up to the present been the only class of statistics giving a general view of industries based upon the unit of organisation within each industry. By studying the different factors of production within the establishment, it is possible, with the aid of these censuses, to get an insight into the details of industrial organisation. As is indicated in Part I of the Agenda, it would appear to be desirable that such censuses should show the numbers of persons and the mechanical power employed, and that, wherever such statistics exist, their compilation should be pursued.

#### 6. SPECIAL STATISTICS OF INDUSTRIES.

In most countries there are no general censuses of establishments, such industrial statistics as are published being obtained by means of separate investigations into each industry. These special studies have certain advantages. They allow of a more thorough investigation into individual industries than can be accomplished by a general census. It is, however, difficult to lay down general rules regarding them. The varying character of the industries themselves renders a variety of treatment unavoidable. Statistics of establishments will, however, prove inadequate unless they are combined with statistics of production, and statistics of production will be unsatisfactory unless they are so arranged as to show statistics of establishments.

A. *Agriculture*.—The World Economic Conference laid special emphasis on the desirability of improving the periodical statistics of agriculture. It drew attention in particular to the utility of agricultural censuses on the lines proposed by the International Institute of Agriculture and to the necessity of organising nationally and internationally the speedy transmission to agriculturists of information on harvests, stocks, consumption and the movements of different commodities.

B. *Forestry*.—The statistics of forestry are in many countries relatively undeveloped in spite of the great importance of a sound knowledge of the timber supplies and the possibilities of future production. Current information regarding the forests, even in the majority of the main timber-producing countries, and the relation between timber contents, annual growth and cut are to a large extent built on estimates which lack any adequate statistical foundation. It is thus very difficult to obtain a true view of the situation. Attention is therefore drawn in the first part of the Agenda to the desirability of developing this class of statistics in those countries whose contribution to the timber supplies of the world is of importance.

C. *Fisheries*.—The importance of fishery statistics varies greatly from country to country and it cannot be expected that all Governments will find it worth their while to elaborate this class of statistics in great detail. The draft resolution contained in Part I of the Agenda is intended as a practical minimum for those countries in which the fishing industry is of importance. It will be noted that the resolutions of the International Institute of Statistics contained in Part II of the Agenda are considerably more ambitious in character.

D. *Mines*.—Statistics of mines have existed for a longer period than most statistics of industry, and those of mining output are more complete than other production statistics.

A number of the methodological problems arising in connection with the compilation of this class of statistics are dealt with at great length in the second part of the Agenda. It may well be that the Conference will not deem it desirable to pursue the proposals there made to their last detail. The progress which has already been achieved, however, in the compilation

of mineral statistics is such that it has been considered wise to give somewhat special emphasis to them also in the first part of the Agenda.

The metallic content of ores differs widely from country to country, and indeed often from mine to mine, and for this reason the statistics of smelter production are generally of greater value than those of mining output.

*E. Manufacturing Industry.*—The development of the statistics of manufacturing industries has in most countries been very slow. As a rule, these statistics have up to now consisted essentially of statistics of establishments. For some countries and for some branches of industry, no figures other than those given in the statistics of occupations are available.

Statistics of industrial production are lacking in most countries and in others are of a relatively recent date. But industrial statistics which fail to give details of actual production have a very restricted value, and it is desirable that careful attention should be accorded to this question. The problem of statistics of industrial production was dealt with at the meeting of the International Institute of Statistics in Rome in 1925 and the resolutions adopted are given in the second part of the Agenda. Clearly the practical use of censuses of production will depend upon how often they are undertaken.

It is not absolutely necessary to compile each year the more detailed information that may be given by a complete census. As indicated in the above-mentioned resolutions, monthly returns adequate for the compilation of an index of industrial activity ought to be made in addition to the yearly returns. Such indices are already compiled in several countries, and attention was drawn to their importance by the World Economic Conference in May 1927. The problem of the manner in which they should be compiled was discussed at the meeting of the International Institute of Statistics in Cairo in 1928. The resolutions then adopted will be found in the second part of the Agenda.

Further, the problem of the classification of products is of outstanding importance. It has up to the present been treated essentially from the point of view of classifying establishments.

If statistics of production are to supply all the information required, they must be classified also according to the nature of the product. At the same time, it is of great importance that this classification should be in conformity with that adopted for trade statistics. Only in this manner may the two classes of statistics be rendered fully significant, as they will then together afford an idea of the extent of the home market and of the manner in which it is satisfied.

At the present moment, the problem of classification is being actively pursued under the direction of the Economic Committee. A special committee is studying the problem of tariff classification, on which, in the great majority of countries, trade statistical classification is based, and the International Chamber of Commerce, in collaboration with the League of Nations, is taking steps with a view to achieving international comparability in certain classes of industrial products. Constant contact is being maintained between those responsible for the two lines of research, so that the final results achieved may be in uniformity with one another.

## 7. TRADE.

*A. Domestic Trade.*—Statistics of domestic trade are but little developed. The information available, apart from that obtained in the censuses of occupation and establishments, is scanty. Such trade, however, plays a dominant part in economic activity, and there are so many politico-economic problems connected with it that it is highly desirable to perfect this class of statistics. The Danish census of establishments taken in 1925, which gives information concerning the turnover of the commercial undertakings, constitutes an interesting piece of pioneer work in this domain. It is believed that, if official statistics generally were developed in this direction, many of the industrial problems which now obtain might be solved.

*B. Foreign Trade.*—Foreign trade returns date from an earlier period than most other economic statistics. They were dealt with at the meeting of the International Institute of Statistics in Brussels in 1923. The resolutions then adopted are to be found in the second part of the Agenda.

¶ It is obviously of the utmost importance that these statistics should be internationally comparable. Here the most pressing need is to obtain uniform rules regarding the determination of the country of origin and the country of destination, and to secure a uniform nomenclature.

Both questions are treated in the resolutions mentioned above. The problem of nomenclature will, however, be largely solved if an international tariff nomenclature is drawn up and generally accepted, for on tariff classification is normally based the trade statistical classification. In view of this fact, the Conference will no doubt determine what action it

will be desirable to take in this connection after consideration of the stage which has been reached in the work on tariff classification at the moment that the Conference actually meets.

C. *Transport and Shipping*.—Internal transport statistics do not constitute part of the Agenda of the Conference. It is desirable, however, to emphasise their importance, more especially in view of the new problems to which the recently developed means of transport by road and by air have given rise. They are at present receiving the serious consideration of the Transit Organisation of the League of Nations. Shipping statistics, which are so closely allied to those of foreign trade, have been included in the first part of the Agenda.

#### 8. STOCKS.

The question of the publication of figures showing the stocks of certain commodities in the principal purchasing and consuming countries and in transit is one which it is felt requires further consideration before any proposals of a comprehensive character can be made. These statistics are at present but little developed owing to the grave difficulties which have to be surmounted. Considerable progress has, however, been made in recent years, more especially in the United States of America, and the International Federation of Cotton Spinners' and Manufacturers' Associations has for a number of years past published periodical statistics of the mill stocks of raw cotton. But comprehensive international statements of the stocks of other important commodities are rarely to be obtained, and such figures as are available are for the most part irregular or unreliable. It is widely held that the compilation and publication of more precise statistics relating to stocks would in many cases be of general benefit to industry, and for this reason a draft resolution is submitted in Part I of the Agenda for consideration by the Conference. This resolution, it will be noted, is conservative in character.

#### 9. STATISTICS OF PRICES.

In a large number of countries periodical indices of wholesale and of retail price movements are prepared at regular intervals. The International Conferences of Labour Statisticians have paid considerable attention to the problems of method involved in the preparation of indices of the cost of living. The problem of method connected with the formation of indices of wholesale price changes has not been dealt with in Part II of the Agenda. It has, however, received considerable attention in the past and the study of this question will no doubt be pursued in the future.

It would appear to be desirable that all Governments should compile and publish regularly wholesale and retail price indices, together with complete information concerning the commodities whose prices are utilised and the statistical methods adopted in the compilation of these indices. Information on these points should, moreover, be furnished whenever changes are made in the composition or construction of the index numbers.

#### 10. STATISTICS OF BUSINESS ACTIVITY.

In addition to the indices of industrial activity referred to earlier, the broader problem of measuring fluctuations in general business activity is becoming of increasing importance. The classes of statistics that may be found useful in this connection vary considerably with the economic structure of the countries concerned. In the first part of the Agenda reference to this important question has been made.

---

## AGENDA

### Part I.—The Scope of Economic Statistics.

The Conference recommends :

1. That in view of the recognised importance to each country of figures being available to show the economic position and development in the world as a whole and in different countries on a comparable basis, it is highly desirable that each country should :

(a) Publish certain classes of such statistics as are agreed to be adequate for these purposes, and

(b) Collect and arrange such figures on an agreed basis in order that the results may be as comparable as possible.

2. That therefore each country should provide officially the following classes of figures and observe the principles adopted by the Conference as a result of the discussions of Part II of this agenda.

#### OCCUPATIONS.

(a) Statistics showing the occupations of the population, to be collected and published at least for the closing year of each decade, that is to say, in respect of 1930, 1940, 1950 and so on, or otherwise for years as near as possible to these dates.

#### ESTABLISHMENTS.

(b) General censuses of industrial and commercial establishments at regular intervals, whether in connection with the censuses of population or of industrial production or independently. These censuses of establishments should show :

- (1) The numbers employed, distinguishing sexes, and adults from young people ;
- (2) Power in use, distinguishing steam, gas, oil, electric and water power.

#### STATISTICS OF DIFFERENT INDUSTRIES.—PRODUCTION.

(c) 1. General censuses of agriculture on the lines proposed by the International Institute of Agriculture, to be taken if possible in respect of the closing year of each decade, that is to say, in respect of 1930, 1940, 1950 and so on, or otherwise for years as near as possible to these dates.

2. Annual statistics showing both the distribution of area under the main crops and harvest returns.

3. Periodic returns of the number of the chief species of live-stock, if possible annually.

(d) Periodic surveys of forest resources, to be taken by the chief timber-producing countries, data being collected regarding forest area and, whenever possible, timber content, annual growth and annual cut ; distinction to be made as far as possible according to the character of the timber.

(e) Returns by countries to whose economy fishing is important, showing for calendar years the products of the main sea fisheries landed, the nationalities of the boats from which they are landed, together with the numbers and classes of national boats engaged in sea fishing and of the persons employed in them. When the returns are not complete, an indication should be given of the approximate extent to which they are defective.

(f) Annual returns of the output of minerals and metals, including at least the following, when they are of national importance :

1. *Non-metallic minerals.*

Coal (bituminous and anthracite), lignite and coke  
Monazite  
Nitrates  
Petroleum  
Phosphates  
Potash minerals  
Sulphur

2. *Ores of those metals specified below which are marked with an asterisk, and pyrites.*

3. *Metals (Smelter production).*

*Aluminium	*Copper	*Manganese	*Silver
Antimony	Gold	*Molybdenum	Tin
Arsenic	*Iron and steel	*Nickel	Tungsten
Bismuth	*Lead	*Platinum	Zinc

(g) A complete *Census of Industrial Production* (see Part II of the Agenda), to be taken if possible in respect of the closing year of each decade, that is to say, in respect of 1930, 1940, 1950 and so on, or otherwise for years as near as possible to these dates.

(h) Statistical series at regular intervals indicating the variations of the activity of the most representative industries. In this connection, production indices of these industries to be compiled and published, at least at quarterly intervals, designed with the object of showing the variations in activity compared with that in the census year, and based on returns, voluntary or otherwise, statistically adequate for the end in view<sup>1</sup>.

INDEX NUMBERS OF PRICES.

(i) Index numbers expressing the general movement of wholesale and retail prices from month to month ; a short statement to be published by each Government indicating the commodities included in the indices and the methods employed in their compilation.

EXTERNAL TRADE AND SHIPPING.

(j) Annual returns of the quantity and value of imports and exports. The most important trading countries should also publish monthly figures showing the more significant aspects of their trade, and in any case trade by value and by weight. (See Part II of the Agenda.)

(k) Annual, and if possible quarterly or preferably monthly, returns showing the net tonnage of mercantile vessels engaged in foreign trade entering and leaving national ports with cargo and in ballast, distinguishing the nationalities of the vessels.

• • •

The Conference further recommends that in all countries in which the basic economic statistics are sufficiently developed to render such a course opportune careful attention should be paid to the possibility of :

(a) Further elaborating official statistics so as to facilitate the compilation of estimates of national income at regular intervals ;

(b) Publishing statistical series at regular intervals of such a character as to indicate the variations of economic activity in the widest sense of that term ;

(c) Collecting and publishing returns of the visible stocks of the more important raw materials of industry.

---

<sup>1</sup> After experience of the indices of industrial activity referred to above, it may eventually become desirable to take additional censuses of production, either complete or in respect of the chief industries, in the years 1935, 1945 and so on, or more frequently. The intervals to be bridged by the indices of industrial production recommended above will thus be shortened and the danger of these indices tending to show an increasing divergence from fact towards the end of each decade lessened.

---

## AGENDA

### Part II.—Statistical Methods.

#### I. INTERNATIONAL TRADE STATISTICS.

*Recommendations and Opinions adopted by the International Institute of Statistics at its Fifteenth Session (Brussels 1923).*

##### I. Nomenclature of Goods.

The International Institute of Statistics :

Having noted the divergencies in the nomenclature of goods in statistics of international trade and recognising the difficulty of establishing uniform rules applicable to all national publications,

Is of opinion :

- (1) That the common nomenclature laid down by the Brussels Convention of December 31st, 1913, might provisionally serve as a basis for the international statistics to be compiled by the International Bureau of Commercial Statistics set up in Brussels under the above-mentioned Convention ;
- (2) That such improvements as may be suggested by experience should be introduced into the common nomenclature ;
- (3) That an index of the goods included under each item of the common nomenclature should be compiled in several languages ;
- (4) That the International Bureau of Commercial Statistics should be enabled to begin work as soon as possible.

##### II. Determination of Values.

The International Institute of Statistics is of opinion, as it stated in 1891, that it would be desirable to generalise the system of valuations based on special declarations, while allowing the system of official valuations to continue in force as a means of verification where it already obtains and that it would also be desirable to regulate by international conventions the manner in which the system is applied and particularly the manner in which valuations are checked.

The declared value of goods should be *c.i.f.* frontier or port on importation and *f.o.b.* frontier or port on exportation.

##### III. The Determination of Weights and Quantities.

The International Institute of Statistics recommends that precise definitions be established in this connection by means of international conventions ; it expresses the opinion that, in any case, a clear indication should be given in statistical publications as to how weights and quantities are reckoned, and what is the precise meaning of the terms : gross weight, net weight, legal net weight.

##### IV. The Classification of Foreign Trade.

The International Institute of Statistics is of opinion that statistics of international trade should make it possible to ascertain exactly the special trade of each State. Special trade should not include any part of transit trade ; the imposition of a statistical duty appears to offer a method of minimising the confusion which often arises between special trade and transit trade. Uniform regulations should be agreed to as regards goods introduced into the country or exported abroad for the purposes of undergoing additional treatment.

The International Institute of Statistics is, moreover, of opinion that, when countries re-organise their trade statistics, the following general principles might with advantage be adopted :

(a) *Special trade and general trade indicated in separate tables.*

1. Special imports (into the Customs territory).

These should include all goods directly imported for domestic consumption or cleared from bond for the same purpose, and all goods declared for transformation or additional treatment. Re-packing and re-sorting do not constitute transformation or additional treatment.

2. **Special exports.**

These should include all exported goods produced in the country or nationalised.

Nationalised goods should be taken to mean goods coming from abroad placed at the free disposal of the importers after payment of any duties to which they may be liable, and those which have undergone transformation or supplementary treatment and which have been admitted temporarily duty free for these purposes.

With the exception of goods the exclusion of which is specifically recommended above, general trade should be taken to include : as regards imports, everything arriving from abroad or from the colonies, regardless of the origin or destination of the goods and intended either for consumption or for warehousing in bond, or for re-exportation or transit ; and, as regards exports, everything leaving the country for a foreign destination, whatever may be the origin of the goods in question.

When the improvement trade referred to at the end of paragraph I of this chapter is shown in special tables, the International Institute of Statistics recommends that the full value of each category of goods (material plus added value) should be shown both on arrival and departure, and that separate tables shall be drawn up to this effect.

(b) *General trade and special trade not indicated separately.*

In this case it is desirable that at least exports and re-exports should be indicated separately. The re-exports should include all goods imported and subsequently exported without undergoing any physical process ; their re-packing and re-sorting are not considered as constituting a physical process for this purpose.

(c) *General remarks.*

It is desirable that the tables of each country should indicate the quantities (and the values if possible) of coal and other fuel supplied in ports to foreign-trade shipping separately : (a) to national vessels, and (b) to foreign vessels.

The temporary importation and exportation of goods involving no commercial transaction (e.g., goods for exhibition, horse-races, etc.) should be excluded from the statistics of international trade.

Ships' stores, in view of the technical difficulty of their inclusion, should likewise be excluded.

Gold coin, gold bullion, and silver coin should be shown in special tables. Refined and unrefined gold should be indicated separately, under both weight and value.

Fishery products, which are regarded by a State as national produce, should not be included in the imports of that State.

## V. **Provenance and Destination of Goods.**

The International Institute of Statistics :

Having noted the divergencies existing between the various statistics of international trade as regards the method of determining the country of importation and exportation ;

Considering that it may be desirable to take count of the individual points of view from which this question is regarded ;

Recognising that a complete departure from the methods followed by any State would be open to the objection that it would render the resulting statistics incomparable with those previously published ;

Is of opinion that it is desirable, with a view to rendering international trade statistics comparable in the future, that mention should be made, on importation, both of the country of provenance and of the country whence the goods were originally consigned to the importing country ; on exportation, both of the country of immediate destination and of the country to which the goods are consigned.

If, however, for any reason this dual indication is not possible, there should be shown, in any case, on importation, the country whence the goods were originally consigned to the importing country ; on exportation, the country to which the goods are consigned.

Goods consigned on optional bills of lading should be shown separately as consigned " for orders ".

The International Institute of Statistics recommends that an international convention should be concluded for the purpose of rendering uniform the countries of provenance and destination shown in the various national statistics of international trade.

## VI. **Period covered by International Trade Statistics.**

With a view to obtaining uniformity in the periods covered by trade statistics, it would be desirable to adopt the civil calendar year (January 1st to December 31st) and the civil calendar month (the first to the last day of the month).

---



## II. CENSUS OF INDUSTRIAL PRODUCTION.

*Recommendations and Opinions adopted by the International Institute of Statistics at its Sixteenth Session (Rome 1925).*

The International Institute of Statistics :

Considering that it would be of great advantage if a census of industrial production were taken from time to time in all countries for those industries which are carried on on an important scale, and that the value of such a series of censuses of industrial production would be increased if the procedure adopted in each such country were similar ;

Recommends that the following principles should, as far as possible, be accepted as governing such procedure.

### 1. Period of Enquiry.

The particulars to be ascertained should relate, in general, to the calendar year. In the case of enterprises whose accounts are prepared for a year ending otherwise than on December 31st, however, particulars should be taken for the business year of which the major part falls within the calendar year to which the census relates.

### 2. Scope of Enquiry.

(a) The census of industrial production should cover all branches of manufacturing activity, including building and other works of construction, and also mining and metallurgy.

(b) In the case of operations on the border line between manufacturing industry on the one hand, and agriculture, fishing, transport or commerce on the other (such as dairying, wool-scouring, slaughtering, sawmilling, packing, etc.), it will be necessary to determine in each case whether the nature and the organisation of the work and the processes employed are rather characteristic of industry than of agriculture, transport, etc., and should or should not fall within the scope of a census of industrial production.

### 3. Limits of Enquiry.

(a) In principle, particulars should be secured in respect of all establishments in the industries covered by the census (see 2 above), whether owned by private persons or firms, by joint-stock companies or co-operative organisations, or by the State or local government authorities.

(b) In view of the special difficulties connected with securing reliable and adequate information in the case of very small establishments, it is recommended that, where the production of such establishments is in the aggregate of small importance relative to that of the industry concerned, the particulars required from them should be limited to the simplest data and that aggregate figures for the industry should be prepared by adding to the particulars ascertained for the larger establishments estimates of the aggregates for the small establishments prepared on the best available basis from the data thus obtained. The estimated figures should be shown separately from the others.

In cases in which the aggregate production of small establishments, in particular that of domestic workshops, represents a proportion of the production in the industry concerned too great to be treated satisfactorily by means of such estimates, the particulars relating to small establishments might advantageously be ascertained by means of special enquiries limited to selected representative establishments.

(c) Repair and finishing work and work executed upon material supplied by customers should be included except in so far as the conditions of the preceding paragraph apply.

### 4. Units of Enquiry.

The particulars to be ascertained should relate to individual establishments. In cases in which a firm carries on several industries in separate establishments, separate particulars should be obtained for each such establishment. Where, in the same works or factory, there are carried on branches of industry for which it is customary to maintain separate accounts, such branches being also commonly carried on as separate enterprises in the country concerned, separate particulars relating to each of these branches are desirable.

This separation of accounts should, however, not be regarded as essential in respect of small branches subsidiary to the main enterprises such, for example, as those engaged in carrying out repairs to vehicles used in connection with the main business of the establishment concerned.

## 5. The Main Heads of Enquiry.

### A. Products and Costs.

In order that the results secured may permit of the elimination of duplicate records of the same goods by different establishments, and of the determination of the values created in the course of manufacturing processes, the following particulars should be ascertained :

(a) *Products*.—Particulars relating to quantity may be omitted and values only indicated in respect of products the nature of which is such as to require, for a rational statement of quantity, an exhaustive enumeration of the various items of output singly or in very small groups.

Separate particulars should be given in respect of each class of products having a considerable importance in the economic life of the community to which the census relates. The subdivision of the various classes of products should be carried far enough to permit of a statement of their quantity in terms of a unit suitable to their nature.

The values of the several products to be ascertained should be their cash value at the time and place of delivery to purchasers by the producers or their agents. Partially finished goods in stock at the beginning and at the end of the year to which the accounts relate should be valued on the basis of the material used and work done on such goods up to the date of valuation for the purposes of the census. Goods manufactured during the year, but remaining unsold at the end of the year, should be included at their market value at the end of the year.

Goods transferred from one establishment to another under the same proprietorship, separate particulars for which are ascertained in accordance with Section 4 above, should be recorded at their market value at the time of transfer.

(b) *Materials used*.—The quantities and values of the materials used in the production of the goods enumerated under (a) above, should include materials used in repairs to buildings and plant employed in their production, when such repairs are carried out by the employees of the establishment. Separate particulars should be ascertained for each of the more important materials, both raw and partially manufactured, for the cost of fuel and electric or other power consumed, for tools replaced and for packing material used in the year of account. Limitations corresponding to those expressed in (a) above should apply to the statements of quantity and to the degree of detail procured.

The values of the several materials to be ascertained should be their cash value at the time and place of delivery to purchasers. Partially manufactured goods transferred from another establishment under the same proprietorship should be valued as specified in paragraph (a) above.

(c) *Work given out*.—For each establishment included in the census there should be shown, for purposes of comparison with other particulars given, the value and, if possible, the quantity of work given out to be done by other establishments. The value to be shown is the payment made for the work.

(d) *Depreciation charges*.—The ascertainment of the appropriate charges in respect of wear and tear and depreciation of structures and plant, though desirable for a satisfactory solution of the problem of production, is shown by experience to be difficult, if not impracticable, on the basis of mass statistics secured by the ordinary census procedure. As information on this head is desirable for a satisfactory determination of the values created in the course of the processes of manufacture, the International Institute of Statistics recommends that the appropriate allowances to be made in respect of depreciation should be ascertained approximately for each of the principal industries by means of special enquiries regarding typical cases.

### B. Factors of Production.

(a) *Personnel*.—In cases in which a record of the number of man-hours worked in the period covered by the census is available, that record furnishes the best basis of the statistics of persons engaged in the industries concerned. Where particulars of this character are not available, it is desirable to ascertain the average number of persons employed and, with that end in view, particulars should be obtained of the numbers employed at intervals during the year sufficiently frequent to enable a reliable average figure to be calculated. The information should also show separately the number of adults and children and the numbers of males and females. Particulars showing separately the administrative and operative staffs are also desirable in all cases in which the scale of operations is such as to call for such separation of functions. The former should include directing and managing staff, including working owners, office staff and technical staff (*e.g.*, draughtsmen in engineering works).

In cases in which the work of an industrial establishment is carried on partly by persons working at the factory or office, partly by persons working in their own homes, and also in cases in which there is maintained a reserve of workpeople receiving payment from the establishment to which they are attached, separate particulars relating to home workers or to workers maintained in reserve should be procured.

(b) *Plant*.—Particulars relating to the mechanical equipment of industry should show the horse-power or kilowatts of engines employed in works and factories, distinguishing the principal types of engines—steam, gas, oil, water, electric, etc. For the various industries, particulars of the types of machinery employed that are in each case most characteristic of the industry concerned are desirable.

Machinery ordinarily working during the year of return should be distinguished from machinery ordinarily in reserve.

(c) *Wages*.—The Institute is of opinion that, while particulars relating to wages are not an essential element in a census of industrial production, it is nevertheless of great importance that the aggregate of the amounts paid in wages and salaries in the census year should be ascertained. This additional information would greatly increase the value of the conclusions to be derived from a study of the census results.

(d) *Capital invested in industry*.—Information relating to the capital invested in industry would be of great assistance in determining the approximate allowances to be made in respect of depreciation, the productive capacity and for other purposes. The Institute is, however, of opinion that a census of production cannot, in all countries, serve as the means for securing satisfactory information on this subject.

## 6. Secrecy of Information obtained.

Secrecy of details relating to individual businesses should be maintained by the officials concerned.

While the public interest is of necessity the prime consideration, attention should be given to all justifiable considerations in regard to private interests involved in the publication or communication to persons other than those engaged in the census of particular items of information furnished in connection therewith.

It is desirable that laws authorising the collection of documents necessary for the census should establish penalties for any violation of secrecy.

## 7. Frequency and Periodicity.

It is desirable that a census of industrial production should be repeated at intervals of not more than ten years. In cases in which such a census is not repeated at short intervals, e.g., within two years, annual or monthly particulars of the gross production of the leading industries of the country would serve as a basis for estimating the essential elements for the intervening periods, and would also serve to determine the relation of the census year to the business cycle.

## 8.

In the case of countries which desire to obtain statistics of the production of certain products by quantity and by value without undertaking a general census of production, it is suggested that the principles contained in resolutions 1, 3, 4, 5 A (a) and 5 A (b) should be applied.

---

### III. MINING AND METALLURGICAL STATISTICS.

*Report of the Governors of the Imperial Mineral Resources Bureau on a Proposed Uniform Method of recording Mining and Metallurgical Statistics.*

Note.—*The paragraphs and skeleton forms in the original report relating to accidents, health and strikes as well as references to British units of value, measurement and capacity, are omitted in this reprint.*

Hitherto it has been impossible to institute proper statistical comparisons as between different countries, or make correct deductions in regard to the output, consumption, and value of minerals as between countries by reason of the absence of a uniformity in statistical records relative thereto. Consequently, the Bureau, at the very outset of its career, found difficulty in meeting adequately one of the several requirements imposed upon it by its Royal Charter, viz., the collection, co-ordination and dissemination of information as to resources, production, treatment, consumption, and requirements of every mineral and metal.

The Bureau, therefore, drew up a statement of what it conceived to be essential requirements in respect of statistical returns from different parts of the British Empire, and dispatched this to all the corresponding members of the Bureau in India, the Dominions and Crown Colonies, and the Government Departments and Technical Institutions in Great Britain for criticism and comment.

Thereafter, the Governors delegated to the Advisory Technical Committees the work of drawing up the skeleton forms in which returns should be made in order to meet the requirements of the Bureau in the light of the criticisms which they had received. When these tabular forms were drafted they were submitted to various departments for criticism and to all the Dominions and Crown Colonies for criticism and comment.

On receipt of these criticisms the Governors of the Bureau set up a small committee of Governors to investigate the criticisms and to meet them as far as practicable. This work has now been completed and the Governors have finally approved the skeleton tables in the form attached hereto.

The Imperial Mineral Resources Bureau would like to have statistical returns for each country relating to all minerals and metals of any commercial value in respect of :

- (a) Production ;
- (b) Exports ;
- (c) Imports ;
- (d) Consumption ;
- (e) Value ;
- (f) Persons employed ;
- (g) Accidents and health ;  
and, wherever possible, as to
- (h) Cost of production ;
- (i) Wages ;
- (j) Workmen's compensation.

It is, however, not possible at present to obtain complete and uniform statistics under all these heads.

It must be remembered that, in connection with returns of production and value, these are in many cases given voluntarily by mine owners, etc. ; thus in the United Kingdom, in the case of minerals under the Metalliferous Mines Act, the return of the value of mineral sold is of a voluntary character, whereas in the case of coal the returns as to production and value are compulsory.

#### THE TABLES.

In the first instance the Governors have deemed it advisable to consider coal and the commoner metalliferous ores. The present issue of tables therefore relate to :

- |               |                                 |
|---------------|---------------------------------|
| (1) Tin,      | (6) Nickel,                     |
| (2) Tungsten, | (7) Cobalt,                     |
| (3) Copper,   | (8) Coal, coke and by-products, |
| (4) Lead,     | (9) Aluminium and bauxite,      |
| (5) Zinc,     | (10) Iron and steel.            |

At a later stage petroleum, the precious metals, minor metals, and miscellaneous minerals will be considered.

The terms *Production* and *Consumption* are, in each case, capable of having more than one interpretation put upon them. In the case of coal, "production" may mean the actual drawings from the mine before cleaning, or with or without deduction for mine consumption and workmen's coal. In the case of mica, the return of output from a mine is of little use without some indication of the quantity and value of each grade marketed. Gems provide analogous cases. These points have been largely met in the attached tables or will be met in those yet remaining to be issued.

The year for which returns are made varies in different countries. The standard which the Governors have adopted is from January 1st to December 31st inclusive. This appears to be the best period to take, it being that in use in the majority of the countries constituting the British Empire, and seems best suited for the transaction of business generally as most firms make up their books on the calendar year principle.

*Imports and Exports.*—With regard to imports, it is desirable that there should be given wherever possible the source of the *Imports*. With regard to *Exports*, the country to which exported.

*Stocks and Consumption.*—Great difficulty would be experienced in obtaining figures in regard to stocks and consumption—in fact, it would be impossible to obtain suitable figures in all except a few cases. The Bureau, therefore, has had reluctantly to abandon the proposal, at least for the present. For the purposes of returns, consumption and absorption are, of course, synonymous terms—thus, though little gold is actually consumed in the sense, say, that iron and tin are consumed, yet it is absorbed in the form of coin and jewellery, and it is in international circulation.

*Persons employed.*—The number of employees at a mine may be subject to considerable variation, and the method of ascertaining the number requires very careful consideration. Probably the best method is to add the average monthly ascertainments and divide the figure by 12. Valuable information could also be given where the total number of year-shifts worked is known, which would, of course, represent the actual amount of time-work, and a comparison between the two figures would give a fairly accurate record of absenteeism, which would be voluntary and involuntary absenteeism combined.

It is desirable that there should be a return as to the class of labour, *i.e.*, differentiation as between native labour, white labour, etc., also the number of adult males and females and girls and boys (by boy is to be understood any male person under the age of 16 years, and by girl a female under the age of 16).

*Hours of Work.*—Whilst it is highly desirable that information should be forthcoming regarding the period of time constituting a shift in respect of the different classes of persons employed, it is considered that this matter would be better dealt with separately in respect of different groups of minerals. The information in this respect is available as to coal in most countries and is important for legislative purposes. The information is not so easily obtained in the case of some other minerals.

. . . . .

*Costs of Production, Transport, etc.*—Statistics in respect of these returns are, of course, very desirable if procurable, but the Governors are very doubtful as to whether they would, in the majority of cases, be forthcoming if asked for—especially as regards cost of production.

In cases where *collective* costs can usefully be made this should be done as far as practicable, but it should be clearly understood that in no case will costs of production be published with reference to individual concerns.

In respect of cost of transport, it is difficult to define this item—especially as regards freights—as the difficulty arises of determining the ports as between which the costs are to be taken.

In some cases the figures necessary for the completion of the tables may not be available, especially in regard to countries whose mineral development is in its infancy. The tables relative to coal, iron and steel will be those chiefly affected, but as development proceeds the necessity for the fuller information will become evident in these countries and it will then be forthcoming. In the meantime, the Governors ask that the information should be sent to the Bureau as far as it is obtainable.

February 1924.

R. A. S. REDMAYNE,  
Chairman of the Governors,  
Imperial Mineral Resources Bureau.

## THE SKELETON FORMS.

### TIN.

#### I. MINES TABLE.\*

Ore raised.**				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

\*\* If produced by dredging, please state.

#### II. TREATMENT WORKS TABLE.\*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.

#### III. IMPORTS OF ORE.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

#### IV. IMPORTS OF CONCENTRATES.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

TIN (continued).

V. IMPORTS OF CRUDE METAL.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

VI. IMPORTS OF REFINED METAL.

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

VII. EXPORTS OF ORE.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

VIII. EXPORTS OF CONCENTRATES.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

IX. EXPORTS OF CRUDE METAL.

Exported to	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

TIN (continued).

X. EXPORTS OF REFINED METAL.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

TUNGSTEN.

I. MINES TABLE. \*

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

II. TREATMENT WORKS TABLE. \*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.



TUNGSTEN (*continued*).

III. IMPORTS OF ORE.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

IV. IMPORTS OF CONCENTRATES.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

V. IMPORTS OF CRUDE METAL.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

VI. IMPORTS OF REFINED METAL.

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

VII. EXPORTS OF ORE.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

VIII. EXPORTS OF CONCENTRATES.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

TUNGSTEN (continued).

IX. EXPORTS OF CRUDE METAL.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

X. EXPORTS OF REFINED METAL.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

COPPER.

I. MINES TABLE.\*

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

II. TREATMENT WORKS TABLE.\*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.

**COPPER (continued).**

**III. IMPORTS OF ORE.**

Source.	Quantity (tons)	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**IV. IMPORTS OF CONCENTRATES.**

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**V. IMPORTS OF CRUDE METAL.**

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**VI. IMPORTS OF REFINED METAL (Ingots, Pigs, Slabs and Wire Bars).**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**VII. IMPORTS OF COPPER SCRAP.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**VIII. IMPORTS OF BRASS SCRAP.**

Source	Quantity (tons).	Value	
		Total, c.i.f.	Per ton, c.i.f.

COPPER (continued).

**IX. IMPORTS OF MANUFACTURED COPPER, SHEETS, BARS, WIRE, TUBES  
(excluding articles that may properly be included under hardware).**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**X. EXPORTS OF ORE.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**XI. EXPORTS OF CONCENTRATES.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**XII. EXPORTS OF CRUDE METAL.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**XIII. EXPORTS OF REFINED METAL (Ingots, Pigs, Slabs and Wire Bars).**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

**XIV. EXPORTS OF COPPER SCRAP.**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

COPPER (continued).

XV. EXPORTS OF BRASS SCRAP.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

XVI. EXPORTS OF MANUFACTURED COPPER, SHEETS, BARS AND WIRE, TUBES (excluding articles that may properly be included under hardware).

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

LEAD.

I. MINES TABLE.\*

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

II. TREATMENT WORKS TABLE.\*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.

LEAD (continued).

III. IMPORTS OF ORE.

Source.	Quantity (tons).	Average Metal content.				Value.	
		Lead (per cent).	Zinc (per cent).	Silver (per ton).	Gold (per ton).	Per ton, c.i.f.	Total, c.i.f.

IV. IMPORTS OF CONCENTRATES.

Source.	Quantity (tons).	Average Metal content.				Value.	
		Lead (per cent).	Zinc (per cent).	Silver (per ton).	Gold (per ton).	Per ton, c.i.f.	Total, c.i.f.

V. IMPORTS OF BASE BULLION.

Source.	Quantity (tons).	Average Metal content.			Value.	
		Lead (per cent).	Silver (per ton).	Gold (per ton).	Per ton, c.i.f.	Total, c.i.f.

VI. IMPORTS OF LEAD (Soft and Antimonial).

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

VII. IMPORTS OF LEAD SHEETS AND PIPES.

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

LEAD (continued).

VIII. IMPORTS OF LEAD OXIDE AND SALTS.

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

IX. EXPORTS OF ORE.

Exported to.	Quantity (tons).	Average Metal content.				Value.	
		Lead (per cent).	Zinc (per cent).	Silver (per ton).	Gold (per ton).	Per ton, f.o.b.	Total, f.o.b.

X. EXPORTS OF CONCENTRATES.

Exported to.	Quantity (tons).	Average Metal content.				Value.	
		Lead (per cent).	Zinc (per cent).	Silver (per ton).	Gold (per ton).	Per ton, f.o.b.	Total, f.o.b.

XI. EXPORTS OF BASE BULLION.

Exported to.	Quantity (tons).	Average Metal content.			Value.	
		Lead (per cent).	Silver (per ton).	Gold (per ton).	Per ton, f.o.b.	Total, f.o.b.

XII. EXPORTS OF LEAD (Soft and Antimonial).

Exported to	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

LEAD (continued).

XIII. EXPORTS OF LEAD OXIDE AND SALTS.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o. b.

ZINC.

I. MINES TABLE.\*

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

II. TREATMENT WORKS TABLE.\*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.



**ZINC (continued).**

**III. IMPORTS OF ORE.**

Source	Quantity (tons).	Average Metal content.				Value.	
		Zinc (per cent).	Lead (per cent).	Gold (per ton).	Silver (per ton).	Per ton, c.i.f.	Total, c.i.f.

**IV. IMPORTS OF CONCENTRATES.**

Source.	Quantity (tons).	Average Metal content.				Value.	
		Zinc (per cent).	Lead (per cent).	Gold (per ton).	Silver (per ton).	Per ton, c.i.f.	Total, c.i.f.

**V. IMPORTS OF SPELTER.**

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

**VI. IMPORTS OF HIGH-GRADE ZINC.**

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

**VII. IMPORTS OF ZINC BOILER PLATES.**

Source.	Quantity (tons)	Value.	
		Per ton, c.i.f.	Total, c.i.f.

ZINC (continued).

VIII. IMPORTS OF ZINC OXIDE.

Source.	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

IX. IMPORTS OF LITHOPONE.

Source	Quantity (tons).	Value.	
		Per ton, c.i.f.	Total, c.i.f.

X. EXPORTS OF ORE.

Exported to.	Quantity (tons).	Average Metal content.				Value.	
		Zinc (per cent).	Lead (per cent).	Gold (per ton).	Silver (per ton).	Per ton, f.o.b.	Total, f.o.b.

XI. EXPORTS OF CONCENTRATES.

Exported to.	Quantity (tons).	Average Metal content.				Value.	
		Zinc (per cent).	Lead (per cent).	Gold (per ton).	Silver (per ton).	Per ton, f.o.b.	Total, f.o.b.

XII. EXPORTS OF SPELTER.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

ZINC (continued).

XIII. EXPORTS OF HIGH-GRADE ZINC.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

XIV. EXPORTS OF ZINC BOILER PLATES.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

XV. EXPORTS OF ZINC OXIDE.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

XVI. EXPORTS OF LITHOPONE.

Exported to.	Quantity (tons).	Value.	
		Per ton, f.o.b.	Total, f.o.b.

NICKEL.

I. MINES TABLE.\*

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

NICKEL (continued).

II. TREATMENT WORKS TABLE.\*

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.

III. IMPORTS OF ORE.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

IV. IMPORTS OF CONCENTRATES.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

V. IMPORTS OF MATTE, SPEISS OR CRUDE METAL.

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

NICKEL (continued).

VI. IMPORTS OF REFINED METAL (Ingots, Rondelles, Shot and Pellets).

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

VII. IMPORTS OF NICKEL OXIDE.

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

VIII. IMPORTS OF OTHER NICKEL SALTS.

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

IX. IMPORTS OF MANUFACTURED NICKEL IN SHEETS, BARS, IRON, TUBES, &c.  
(excluding articles that may be properly included under hardware).

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

X. EXPORTS OF ORE.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

XI. EXPORTS OF CONCENTRATES.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**NICKEL (continued).**

**XII. EXPORTS OF MATTE, SPEISS OR CRUDE METAL.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**XIII. EXPORTS OF REFINED METAL (Ingots, Rondelles, Shot and Pellets).**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

**XIV. EXPORTS OF NICKEL OXIDE.**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

**XV. EXPORTS OF OTHER NICKEL SALTS.**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

**XVI. EXPORTS OF MANUFACTURED NICKEL, SHEETS, BARS, IRON, TUBES, &c.  
(excluding articles that may be properly included under hardware).**

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

**COBALT.**

**I. MINES TABLE.\***

Ore raised.				Ore treated.				Products obtained.					
Quantity.	Nature of Ore raised.	Metal content.		Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Kinds of Mineral present.	Metal content.		Value at Mine estimated.
		Quantity.	Per cent.			Quantity.	Per cent.				Quantity.	Per cent.	

\* This table has reference only to ore mined in the country.

**II. TREATMENT WORKS TABLE.\***

Ores, Concentrates or other Material treated.								Products obtained.									
From domestic ores, etc.				From foreign ores, etc.				Refined.			Unrefined.						
Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Kinds of Material treated.	Quantity.	Kinds of Mineral present.	Metal content.		Description.	Quantity.	Value at Works estimated.	Description.	Quantity.	Metal content.		Value at Works estimated.
			Quantity.	Per cent.				Quantity.	Per cent.						Quantity.	Per cent.	

\* This table has reference to all ore, whether mined in the country or not, which has been subject to metallurgical treatment, and of course does not include ore exported but not subject to treatment.

**III. IMPORTS OF ORE.**

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**IV. IMPORTS OF CONCENTRATES.**

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**COBALT (continued).**

**V. IMPORTS OF MATTE, SPEISS OR CRUDE METAL.**

Source.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, c.i.f.	Per ton, c.i.f.

**VI. IMPORTS OF REFINED METAL.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**VII. IMPORTS OF COBALT OXIDE.**

Source.	Quantity (tons).	Value	
		Total, c.i.f.	Per ton, c.i.f.

**VIII. IMPORTS OF OTHER COBALT SALTS.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**IX. EXPORTS OF ORE.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

**X. EXPORTS OF CONCENTRATES.**

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.



COBALT (continued).

XI. EXPORTS OF MATTE, SPEISS OR CRUDE METAL.

Exported to.	Quantity (tons).	Average Metal content (per cent).	Value.	
			Total, f.o.b.	Per ton, f.o.b.

XII. EXPORTS OF REFINED METAL.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

XIII. EXPORTS OF COBALT OXIDE.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

XIV. EXPORTS OF OTHER COBALT SALTS.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

COAL, ETC., COKE AND BY-PRODUCTS.

PEAT.

I. PEAT PRODUCED IN..... \* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Loaded at mine for dispatch, including sales to local trade.	Used for steam and heat.	Used for recovery of "by-products".	Total quantity.	Price per ton at works or f.o.r. nearest railway station.

\* Here add name of country.

### LIGNITE AND BROWN COAL.

#### II. LIGNITE AND BROWN COAL PRODUCED IN.....\* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Gross out- put.**	Net output.†	Loaded at mines for dispatch, including sales to local trades.	Used by em- ployees.	Used for steam and heat (at mines).	Used for recovery of " By- pro- ducts " at colli- eries.	Total quan- tity.	Average value per ton at mine.	Number of persons employed.§		
									Under- ground.	Surface.	Total
Total....											

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

† "Net output" should be weight of coal ("output" less dirt) picked out by hand or mechanical means, including washeries.

§ Average is to be arrived at by taking the number of persons appearing in the books at the end of each month divided by the number of months, and is intended to include all persons employed at the colliery in winning, raising, screening, washing and dispatching coal and incidental minerals raised at the colliery, including administrative staff on the mine premises, but excluding all those engaged upon any subsidiary manipulation of the product, such as coking, briquetting; or in transport outside the colliery sidings; shipping, farming, cottages, &c.

(Administrative staff means men ordinarily employed in connection with the management of the colliery or in or about its offices, and includes under-managers, surveyors, draughtsmen, and weighers, dispatch clerks, time-keepers, store-keepers, who are wholly or mainly employed in clerical work.)

### BITUMINOUS COAL.

#### III. BITUMINOUS COAL PRODUCED IN.....\* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Gross out- put.**	Net output.†	Loaded at mines for dispatch, including sales to local trades.	Used by em- ployees.	Used for steam and heat (at mines).	Used for recovery of " By- pro- ducts " at colli- eries.	Total quan- tity.	Average value per ton at mine.	Number of persons employed.§		
									Under- ground.	Surface.	Total.

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

† "Net output" should be weight of coal ("output" less dirt) picked out by hand or mechanical means, including washeries.

§ Average is to be arrived at by taking the number of persons appearing in the books at the end of each month divided by the number of months, and is intended to include all persons employed at the colliery in winning, raising, screening, washing and dispatching coal and incidental minerals raised at the colliery, including administrative staff on the mine premises, but excluding all those engaged upon any subsidiary manipulation of the product, such as coking, briquetting; or in transport outside the colliery sidings; shipping, farming, cottages, &c.

(Administrative staff means men ordinarily employed in connection with the management of the colliery or in or about its offices, and includes under-managers, surveyors, draughtsmen, and weighers, dispatch clerks, time-keepers, store-keepers, who are wholly or mainly employed in clerical work.)

### ANTHRACITE COAL.

#### IV. ANTHRACITE COAL PRODUCED IN..... \* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Gross out- put.**	Net output.+	Loaded at mines for dispatch, including sales to local trades.	Used by em- ployees.	Used for steam and heat (at mines).	Used for recovery of "By- pro- ducts" at colli- eries.	Total quan- tity.	Average value per ton at mine.	Number of persons employed.§		
									Under- ground.	Surface.	Total.

\* Here add name of country.  
 \*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.  
 + "Net output" should be weight of coal ("output" less dirt) picked out by hand or mechanical means.  
 § Average is to be arrived at by taking the number of persons appearing in the books at the end of each month divided by the number of months, and is intended to include all persons employed at the colliery in winning, raising, screening, washing and dispatching coal and incidental minerals raised at the colliery, including administrative staff on the mine premises, but excluding all those engaged upon any subsidiary manipulation of the product, such as coking, briquetting; or in transport outside the colliery sidings; shipping, farming, cottages, &c.  
 (Administrative staff means men ordinarily employed in connection with the management of the colliery or in or about its offices, and includes under-managers, surveyors, draughtsmen, and weighers, dispatch clerks, time-keepers, store-keepers, who are wholly or mainly employed in clerical work.)

### LIGNITE.

#### V. LIGNITE MINED BY DIFFERENT METHODS IN..... \* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Gross output** mined by hand.		Gross output** mined by machine.		Gross output** from coal quarries or steam shovel pits.		Gross output** if not classified under previous headings.		Total gross output of mines.
	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	

\* Here add name of country.  
 \*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

### BITUMINOUS COAL.

#### VI. BITUMINOUS COAL MINED BY DIFFERENT METHODS IN..... \* IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Gross output** mined by hand.		Gross output** mined by machine.		Gross output** from coal quarries or steam shovel pits.		Gross output** if not classified under previous headings.		Total gross output of mines.
	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	

\* Here add name of country.  
 \*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

### ANTHRACITE COAL.

#### VII. ANTHRACITE COAL MINED BY DIFFERENT METHODS IN.....\* IN THE YEAR.....

States, Provinces, Districts or Coalfields.	Gross output ** mined by hand.		Gross output ** mined by machine.		Gross output ** from coal quarries or steam shovel pits.		Gross output ** if not classified under previous headings.		Total gross output of mines
	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	Quantity.	Percentage of total output of mines.	

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

### LIGNITE.

#### VIII. "OUTPUT" LIGNITE MINED BY MACHINE IN.....\* IN THE YEAR.....

States, Provin- ces, Districts or Coalfields.	Number and type of machine in use.				Total Number of machines.	Gross output mined * by each type of machine in tons.				Total tons.	Percentage of the total gross output mined by machines.
	Percus- sion.	Bar.	Chain.	Disc.		Percus- sion.	Bar.	Chain.	Disc.		

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

### BITUMINOUS COAL.

#### IX. "OUTPUT" BITUMINOUS COAL MINED BY MACHINE IN.....\* IN THE YEAR.....

States, Provin- ces, Districts or Coalfields.	Number and type of machine in use.				Total Number of machines.	Gross output mined** by each type of machine in tons.				Total tons.	Percentage of the total gross output mined by machines.
	Percus- sion.	Bar.	Chain.	Disc.		Percus- sion.	Bar.	Chain.	Disc.		

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

### ANTHRACITE COAL.

#### X. "OUTPUT" ANTHRACITE COAL MINED BY MACHINE IN.....\* IN THE YEAR.....

States, Provin- ces, Districts or Coalfields.	Number and type of machine in use.				Total Number of machines.	Gross output mined** by each type of machine in tons.				Total tons.	Percentage of the total gross output mined by machines.
	Percus- sion.	Bar.	Chain.	Disc.		Percus- sion.	Bar.	Chain.	Disc.		

\* Here add name of country.

\*\* "Gross output" should be weight of coal (inclusive of dirt) passing over the pit-top weighing machine.

**XI. QUANTITY AND VALUE OF COKE MANUFACTURED AT GAS WORKS IN .....\***  
**FOR THE YEAR.....**

States, Provinces, Districts or Coalfields.	Quantity of coal carbonised at gas works.	Quantity of coke sold from gas works.	Average value of coke sold at gas works (per ton).
---	---	---------------------------------------	--

\* Here add name of country.

**XII. QUANTITY AND VALUE OF METALLURGICAL COKE MANUFACTURED IN .....\***  
**FOR THE YEAR.....**

States, Provinces, Districts or Coalfields	Quantity of coal carbonised.		Quantity of coke produced.		Quantities of coke produced at all coke ovens, including those attached to iron and steel works, and percentage of coke produced to coal carbonised.					Average value of coke produced at coke ovens (per ton).
	In beehive and other non-recovery ovens.	In by-product ovens.	From beehive and other non-recovery ovens.	From by-product ovens.	Foundry (tons).	Furnace (tons).	Breeze (tons).	Total.		
								(Tons).	(Per cent).	

\* Here add name of country.

**XIII. NUMBER AND KIND OF COKING OVENS IN USE IN.....\* IN THE YEAR.....**

Country.	NUMBER AND KIND OF OVENS.										Total.
	Without recovery of by-products.			With recovery of by-products.							
	Beehive.	Coppée.	Other kinds.	Coppée.	Simon Carvés.	Otto Hilgenstock.	Semet Solvay.	Koppers.	Simplex.	Other kinds.	
<b>Total...</b>											

\* Here add name of country.

**XIV. QUANTITY AND VALUE OF BRIQUETTES PRODUCED AND AMOUNT OF COAL USED IN THE MANUFACTURE THEREOF AT WORKS IN.....\* IN THE YEAR.....**

States, Provinces, Districts or Coalfields.	Quantity of coal used in the manufacture of briquettes (tons).			Quantity of briquettes produced (tons).			Average selling price per ton f.o.r.		
	Bituminous.	Anthracite.	Lignite or brown coal.	Bituminous.	Anthracite.	Lignite or brown coal.	Bituminous.	Anthracite.	Lignite or brown coal.

\* Here add name of country.

In respect of columns II, III and IV, state whether fresh mined or taken from waste heap.

**XV. QUANTITY OF BY-PRODUCTS (OTHER THAN COKE AND SULPHATE OF AMMONIA) SOLD IN.....\* SHOWING QUANTITY AND AVERAGE VALUE PER UNIT OF MEASUREMENT OR CAPACITY RESPECTIVELY AT WORKS IN THE YEAR.....**

States, Provinces, Districts or Coalfields	Un-treated tar	Pitch	Boiled tar	Creosote and heavy oils	Naphthalene	Anthracene (reduced to pure)	Carbolic oil and Carbolic acid	Cresols	Crude benzol	90 % benzol and motor benzol	Solvent and heavy naphtha	Other direct products from tar	Liquid ammonia, i.e., 88 ammonia solution	Ammonium chloride
	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Per cent of NH <sub>3</sub> Quantity Average value per.....

\* Here add name of country.

**XVI. QUANTITY OF SULPHATE OF AMMONIA PRODUCED IN.....\* WITH VALUE AT WORKS FOR THE YEAR.....**

States, Provinces, Districts or Coalfields.	Quantity (tons).	Value at works.	
		Total value.	Average value per ton.
Total .. .. .			

\* Here add name of country.

ANTHRACITE COAL.

XVII. DISPOSALS OF ANTHRACITE COAL PRODUCED IN.....\*  
IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Loaded at mines for dispatch (see Table 4, column IV).	Consumed on railways.	Consumed on coasting steamers (bunkers).	Consumed in factories.	Consumed by iron and steel industries.	Consumed by other metal and mineral industries.	Consumed by brick works, potteries, glass works and chemical works.	Consumed by gas works.	Domestic consumption.	Exported.	Export bunkers.	Put into stocks not specifically reported	Total.
---	--	-----------------------	--	------------------------	--	---	---	------------------------	-----------------------	-----------	-----------------	---	--------

\* Here add name of country.

BITUMINOUS COAL.

XVIII. DISPOSALS OF BITUMINOUS COAL PRODUCED IN.....\*  
IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Loaded at mines for dispatch (see Table 4, column IV).	Consumed on railways.	Consumed on coasting steamers (bunkers).	Consumed in factories.	Consumed by iron and steel industries.	Consumed by other metal and mineral industries.	Consumed by brick works, potteries, glass works and chemical works.	Consumed by gas works.	Domestic consumption.	Exported.	Export bunkers.	Put into stocks not specifically reported	Total.
---	--	-----------------------	--	------------------------	--	---	---	------------------------	-----------------------	-----------	-----------------	---	--------

\* Here add name of country.

LIGNITE AND BROWN COAL.

XIX. DISPOSALS OF LIGNITE AND BROWN COAL PRODUCED IN.....\*  
IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Loaded at mines for dispatch (see Table 2, column IV).	Consumed on railways.	Consumed on coasting steamers (bunkers).	Consumed in factories.	Consumed by iron and steel industries.	Consumed by other metal and mineral industries.	Consumed by brick works, potteries, glass works and chemical works.	Consumed by gas works.	Domestic consumption.	Exported.	Export bunkers.	Put into stocks not specifically reported	Total.
---	--	-----------------------	--	------------------------	--	---	---	------------------------	-----------------------	-----------	-----------------	---	--------

\* Here add name of country.

XX. DISPOSALS OF METALLURGICAL COKE PRODUCED WITHIN.....\*  
IN THE YEAR..... (in tons).

States, Provinces, Districts or Coalfields.	Loaded at coke ovens for dispatch (see Table 11, column IX).	Sent to iron and steel works within country of production.	Sent to other manufactories within country of production.	Exported.	Not specifically reported.	Total.
--	---	---	--	-----------	----------------------------------	--------

\* Here add name of country.

XXI. QUANTITY OF ORIGINAL CONSIGNMENTS\* OF COAL CARRIED  
ON INDIVIDUAL RAILWAY SYSTEMS IN.....\*\* IN THE YEAR.....

Country.	Name of railway.	Quantity carried (tons).
----------	------------------	-----------------------------

\* By "original consignment" is meant coal produced on the particular railway or canal system and not simply transported from other railway or canal systems.

\*\* Here add name of country.

XXII. QUANTITY OF ORIGINAL CONSIGNMENTS\* OF COAL CARRIED ON WATERWAYS  
WITHIN .....\*\* IN THE YEAR.....

Country.	Name of country.	Quantity carried (tons).
----------	------------------	-----------------------------

\* By "original consignment" is meant coal produced on the particular railway or canal system and not simply transported from other railway or canal systems.

\*\* Here add name of country.

XXIII. EXPORTS OF COAL FROM.....\* WITH PORTS OF SHIPMENT, COUNTRIES  
EXPORTED TO, QUALITY, QUANTITY AND AVERAGE VALUE OF COAL PER TON F.O.B FOR EACH  
COUNTRY IN THE YEAR.....

Country.	Port of shipment.	Coun- tries exported to.	Anthracite.		Bituminous coal.		Brown coal or lignite.		Total quantity (tons).	Total value.
			Quantity (see Table 16, columns XI & XII) (tons).	Average value per ton.	Quantity (see Table 17, columns XI & XII) (tons).	Average value per ton.	Quantity (see Table 18, columns XI & XII) (tons).	Average value per ton.		

\* Here add name of country.



**XXIV. QUANTITY OF METALLURGICAL COKE EXPORTED FROM.....\* WITH PORTS OF SHIPMENT, COUNTRIES EXPORTED TO, QUANTITY AND AVERAGE VALUE OF COKE PER TON F.O.B. FOR EACH COUNTRY IN THE YEAR.....**

Country.	Port of shipment.	Countries exported to.	Quantity (tons).	Average value per ton, f.o.b.
----------	-------------------	------------------------	------------------	-------------------------------

\* Here add name of country.

**XXV. QUANTITY OF BRIQUETTES EXPORTED FROM.....\* WITH PORTS OF SHIPMENT, COUNTRIES EXPORTED TO, QUANTITY AND AVERAGE VALUE PER TON F.O.B. FOR EACH COUNTRY IN THE YEAR.....**

Country.	Port of shipment.	Countries exported to.	Quantity (tons).	Average value per ton, f.o.b.
----------	-------------------	------------------------	------------------	-------------------------------

\* Here add name of country.

**XXVI. QUANTITY OF SULPHATE OF AMMONIA EXPORTED FROM.....\* WITH PORTS OF SHIPMENT, COUNTRIES EXPORTED TO, QUANTITY AND AVERAGE VALUE PER TON F.O.B. FOR EACH COUNTRY IN THE YEAR.....**

Country.	Port of shipment.	Countries exported to.	Quantity (tons).	Average value per ton, f.o.b.
----------	-------------------	------------------------	------------------	-------------------------------

\* Here add name of country.

**XXVII. QUANTITY OF BY-PRODUCTS (OTHER THAN COKE AND SULPHATE OF AMMONIA) EXPORTED FROM.....\* SHOWING PORTS OF SHIPMENT, COUNTRIES EXPORTED TO, QUANTITY AND AVERAGE VALUE PER UNIT OF MEASUREMENT OR CAPACITY RESPECTIVELY, F.O.B. FOR EACH COUNTRY IN THE YEAR.....**

States, Provinces, Districts or Coalfields	Port of Shipment	Countries exported to													
		Un-treated tar	Pitch	Boiled tar	Creosote and heavy oils	Naphthalene	Anthracene (reduced to pure)	Carbolic oil and carbolic acid	Cresols	Crude benzol	90 % 50 % benzol and motor benzol	Solvent and heavy naphtha	Other direct products from tar	Liquid ammonia, i.e., 88 ammonia solution	Ammonium chloride
		Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per ton	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Quantity Average value per.....	Per cent of NH <sub>3</sub> Quantity Average value per.....
<b>Total</b>															

\* Here add name of country.

**XXVIII. QUANTITY AND VALUE OF COAL IMPORTED INTO.....\* WITH NAME OF COUNTRY FROM WHENCE CONSIGNED, PORT OF UNLOADING, AND VALUE PER TON F.O.B. AT SUCH PORT IN THE YEAR.....**

Country whence exported.	Port of delivery.	Anthracite coal.		Bituminous coal.		Brown coal or lignite.	
		Quantity (tons).	Value per ton discharged ex ship at port of unloading.	Quantity (tons).	Value per ton discharged ex ship at port of unloading.	Quantity (tons).	Value per ton discharged ex ship at port of unloading.

\* Here add name of country.

**XXIX. QUANTITY AND VALUE OF METALLURGICAL COKE IMPORTED INTO.....\* WITH NAME OF COUNTRY FROM WHENCE CONSIGNED AND PORT OF SHIPMENT, PORT OF UNLOADING, TOTAL VALUE AND VALUE PER TON F.O.B. AT SUCH PORT IN THE YEAR.....**

Country whence exported.	Port of delivery.	Quantity (tons).	Value per ton discharged ex ship at port of unloading.
--------------------------	-------------------	------------------	--

\* Here add name of country.

**XXX. QUANTITY AND VALUE OF BRIQUETTES IMPORTED INTO.....\* WITH NAME OF COUNTRY FROM WHENCE CONSIGNED, PORT OF UNLOADING, TOTAL VALUE AND VALUE PER TON F.O.B. AT SUCH PORT IN THE YEAR.....**

Country whence exported.	Port of delivery.	Quantity (tons).	Value.	Value per ton discharged ex ship at port of unloading.
--------------------------	-------------------	------------------	--------	--

\* Here add name of country.

**XXXI. QUANTITY AND VALUE OF SULPHATE OF AMMONIA IMPORTED INTO.....\* WITH NAME OF COUNTRY FROM WHENCE CONSIGNED, PORT OF UNLOADING, TOTAL VALUE AND VALUE PER TON F.O.B. AT SUCH PORT IN THE YEAR.....**

Country whence exported.	Port of delivery.	Quantity (tons).	Value.	Value per ton discharged ex ship at port of unloading.
--------------------------	-------------------	------------------	--------	--

\* Here add name of country.

**XXXII. QUANTITY AND VALUE OF BY-PRODUCTS (OTHER THAN COKE AND SULPHATE OF AMMONIA) IMPORTED INTO.....\* WITH NAME OF COUNTRY WHENCE CONSIGNED, PORT OF UNLOADING, VALUE PER UNIT OF MEASUREMENT OR CAPACITY RESPECTIVELY F.O.B. AT SUCH PORT IN THE YEAR.....**

Country from whence exported	Port of delivery	Un-treated tar		Pitch		Boiled tar		Creosote and heavy oils		Naphthalene		Anthracene (reduced to pure)		Carbolic oil		Cresols		Crude benzol		90%, 50% benzol and motor benzol		Solvent and heavy naphtha		Other direct products from tar		Liquid ammonia, i.e., 88 ammonia solution		Ammonium chloride				
		Quantity	Average value per ton	Quantity	Average value per ton	Quantity	Average value per ton	Quantity	Average value per ton	Quantity	Average value per ton	Quantity	Average value per ton	Quantity	Average value per.....	Quantity	Average value per.....	Quantity	Average value per.....	Quantity	Average value per.....	Quantity	Average value per.....	Quantity	Average value per.....	Quantity	Average value per.....	Per cent. of NH <sub>3</sub>	Quantity	Average value per.....		
<b>Total</b>																																

\* Here add name of country.

**XXXIII. PERSONS EMPLOYED IN COAL MINES\* IN.....\*\* IN THE YEAR.....**

States, Provinces, Districts or Coalfields.	Number of mines at work in December.	Persons employed.									Total above ground.	Total above and underground.	
		Underground.			Above ground.								
		Males.			Males.			Females.					
		Age under 16.	Age over 16.	Total.	Age under 16.	Age over 16.	Total.	Age under 16.	Age over 16.	Total.			
<b>Total ..</b>													

\* Peat excluded.

\*\* Here add name of country.

Persons employed to be arrived at by summing up the number appearing in the pay list at the end of each month divided by the number of months, and is intended to include all persons employed at the colliery in winning, raising, screening, washing and dispatching coal and incidental minerals raised at the colliery, including administrative staff on the mine premises, but excluding all those engaged upon any subsidiary manipulation of the product, such as coking, briquetting; or in transport outside the colliery sidings; shipping, farming, cottages, &c.  
(Administrative staff means men ordinarily employed in connection with the management of the colliery or in or about its offices, and includes under-managers, surveyors, draughtsmen, and weighers, despatch clerks, time-keepers, store-keepers, who are wholly or mainly employed in clerical work.)

### LIGNITE OR BROWN COAL.

**XXXIV. LIGNITE OR BROWN COAL PER COAL-GETTER EMPLOYED IN COAL MINES IN.....\***  
**IN THE YEAR.....**

States, Provinces, Districts or Coalfields.	Average number of men actually at work on coal getting, including mechanical coal cutting during the year.	Total number of coal-getter man shifts.	Total tons got by men shown in column II.	Average tonnage per man per shift.	Average tonnage per man per annum.	Number of hours in coal-hewing day.
---	---	---	---	--	--	--

\* Here add name of country.  
 Persons employed to be arrived at by summing up the number appearing in the pay list at the end of each month divided by the number of months.

### BITUMINOUS COAL.

**XXXV. BITUMINOUS COAL PER COAL-GETTER EMPLOYED IN COAL MINES IN.....\***  
**IN THE YEAR.....**

States, Provinces, Districts or Coalfields.	Average number of men actually at work on coal getting, including mechanical coal cutting during the year.	Total number of coal-getter man shifts.	Total tons got by men shown in column II.	Average tonnage per man per shift.	Average tonnage per man per annum.	Number of hours in coal-hewing day.
---	---	---	---	--	--	--

\* Here add name of country.  
 Persons employed to be arrived at by summing up the number appearing in the pay list at the end of each month divided by the number of months.

### ANTHRACITE COAL.

**XXXVI. ANTHRACITE COAL PER COAL-GETTER EMPLOYED IN COAL MINES IN.....\***  
**IN THE YEAR.....**

States, Provinces, Districts or Coalfields.	Average number of men actually at work on coal getting, including mechanical coal cutting during the year.	Total number of coal-getter man shifts.	Total tons got by men shown in column II.	Average tonnage per man per shift.	Average tonnage per man per annum.	Number of hours in coal-hewing day.
---	---	---	---	--	--	--

\* Here add name of country.  
 Persons employed to be arrived at by summing up the number appearing in the pay list at the end of each month divided by the number of months.

**XXXVII. SUMMARY OF LABOUR STRIKES IN THE COAL MINES IN.....\***  
**IN THE YEAR.....**

**XXXVIII. NUMBER OF PERSONS KILLED OR INJURED, AND NUMBER OF DEATHS PER 1,000  
 PERSONS EMPLOYED, PER 1,000 MAN-SHIFTS AND PER 1,000,000 TONS OF MINERAL RAISED  
 IN AND ABOUT COAL MINES IN..... IN THE YEAR.....**

**XXXIX. FATAL ACCIDENT TABLE.**  
**NUMBER OF FATAL ACCIDENTS IN AND ABOUT COAL MINES IN.....**  
**IN THE YEAR.....**

**XL. ACCIDENT TABLE.**  
**NUMBER OF ACCIDENTS (OTHER THAN FATAL) IN AND ABOUT COAL MINES IN.....**  
**IN THE YEAR.....**

**ALUMINIUM AND BAUXITE.**

**I. MINES TABLE.—BAUXITE.**

Category.*	Raised (tons).	Despatched or transferred for concentration or other treatment.		Stocks remaining at mines.	
		Quantity (tons).	Value per ton at mines.	31st December previous year (tons).	31st December (tons).

\* To be recorded under the categories :

- Category 1. Bauxite containing 60 or more per cent of alumina.
- "  2.  "  "  from 50 up to 60 per cent of alumina.
- "  3.  "  "  "  30 " 50 "  "

**II. IMPORTS OF BAUXITE.**

Source.	Quantity (tons).	Category.*	Value.	
			Total, c.i.f.	Per ton, c.i.f.

\* To be recorded under the categories :

- Category 1. Bauxite containing 60 or more per cent of alumina.
- "  2.  "  "  from 50 up to 60 per cent of alumina.
- "  3.  "  "  "  30 " 50 "  "

**III. IMPORTS OF CRYOLITE.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**ALUMINIUM (continued).**

**IV. IMPORTS OF REFINED ALUMINA.**

Source.	Quantity (tons).		Value.	
	Hydrated.	Not hydrated.	Total, c.i.f.	Per ton, c.i.f.

**V. IMPORTS OF VIRGIN METAL.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**VI. IMPORTS OF SECONDARY OR SCRAP METAL.**

Source.	Quantity (tons).	Value.	
		Total, c.i.f.	Per ton, c.i.f.

**VII. IMPORTS OF SEMI-MANUFACTURED METAL (SHEETS, RODS, WIRE AND TUBES).**

Source.	Quantity (tons)	Total value, c.i.f.
---------	-----------------	---------------------

**VIII. IMPORTS OF MANUFACTURED METAL.**

Source.	Quantity (tons).	Total value, c.i.f.
---------	------------------	---------------------

**IX. EXPORTS OF BAUXITE.**

Exported to.	Quantity (tons).	Category.*	Value.	
			Total, f.o.b.	Per ton, f.o.b.

\* To be recorded under the categories :

- |          |    |  |
|----------|----|--|
| Category | 1. | Bauxite containing 60 or more per cent of alumina. |
| "        | 2. | " " from 50 up to 60 per cent of alumina.          |
| "        | 3. | " " 30 " 50 " "                                    |

ALUMINIUM (continued).

X. EXPORTS OF REFINED ALUMINA.

Exported to.	Quantity (tons).		Value.	
	Hydrated.	Not hydrated.	Total, f.o.b.	Per ton, f.o.b.

XI. EXPORTS OF VIRGIN METAL.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

XII. EXPORTS OF SECONDARY OR SCRAP METAL.

Exported to.	Quantity (tons).	Value.	
		Total, f.o.b.	Per ton, f.o.b.

XIII. EXPORTS OF SEMI-MANUFACTURED METAL (SHEETS, RODS, WIRE AND TUBES).

Exported to.	Quantity of metal (tons).	Total value of metal, f.o.b.
--------------	---------------------------	------------------------------

XIV. EXPORTS OF MANUFACTURED METAL.

Exported to.	Quantity of metal (tons).	Total value of metal, f.o.b.
--------------	---------------------------	------------------------------

**IRON AND STEEL.**

(In Tons.)

**IRON ORE.**

**TABLE I. PRODUCTION OF IRON ORE IN.....**

	Bessemer Ore† low in phosphorus.	Phosphoric Ore.	Total.
<i>Magnetite.</i>			
Quantity of ore raised .. .. .			
Estimated iron content .. .. .			
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
<i>Hæmatite.</i>			
Red :			
Quantity of ore raised .. .. .			
Estimated iron content .. .. .			
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
Brown (including bog ore) :			
Quantity of ore raised .. .. .			
Estimated iron content .. .. .			
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
<i>Carbonate ores.</i>			
Quantity of ore raised .. .. .			
Estimated iron content .. .. .			
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
<i>Manganiferous iron-ore.*</i>			
Quantity of ore raised .. .. .			
Estimated metal content	Fe .. .. .		
	Mn .. .. .		
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
<i>Chromiferous and nickeliferous iron-ore.**</i>			
Quantity of ore raised .. .. .			
Estimated metal content	Fe .. .. .		
	Ni .. .. .		
	Cr .. .. .		
Stocks of raw ore :			
1st January .. .. .			
31st December .. .. .			
Total .. .. .			

\* Manganiferous iron-ores are those containing 5 to 30 per cent of manganese and 30 to 65 per cent of iron.

\*\* Chromiferous and nickeliferous iron-ores are those oxide iron-ores that contain not more than 5 per cent of nickel and chromium.

† Low phosphorus iron ore, commonly called Bessemer ore, used for the purpose of making hæmatite pig-iron for conversion by the acid process into steel, to conform to the British standard specification, may be defined as an ore in which the quantity of phosphorus is not more than one part for 2,000 parts of iron contained in the ore. This means that for an ore containing 50 per cent of iron, the phosphorus content must not exceed 0.025 per cent.



TABLE II.

DISPOSAL OF IRON ORE PRODUCED IN.....

	Magnetite.	Hæmatite.		Carbonate ores.	Other kinds of ore.	Total.
		Red.	Brown.			
Ore raised .. .. .						
Raw ore despatched from mines without treatment .. .. .						
Raw ore treated at mines :						
Calcined, concentrated :						
(a) mechanically .. .. .						
(b) magnetically .. .. .						
Treated ore despatched from mines :						
(i) quantity .. .. .						
(ii) estimated metal content .. .. .						
Stocks of treated ore at mines :						
1st January .. .. .						
31st December .. .. .						

TABLE III.

IMPORTS OF IRON ORE INTO.....

Country of Origin.	Bessemer Ore low in phosphorus.*	Phosphoric Ore.	Manganiferous.		Other kinds.	Total.
			Low in phosphorus.	Phosphoric Ore.		

TABLE IV.

EXPORTS OF IRON ORE (DOMESTIC PRODUCE) FROM.....

Country* of Destination.	Bessemer Ore low in phosphorus.*	Phosphoric Ore.	Manganiferous.		Other kinds.	Total.
			Low in phosphorus.	Phosphoric Ore.		

TABLE V.

RE-EXPORTS OF IRON ORE FROM.....

Country of Destination.	Bessemer Ore low in phosphorus.*	Phosphoric Ore.	Manganiferous.		Other kinds.	Total.
			Low in phosphorus.	Phosphoric Ore.		

\* Low phosphorus iron ore, commonly called Bessemer ore, used for the purpose of making hæmatite pig-iron for conversion by the acid process into steel, to conform to the British standard specification, may be defined as an ore in which the quantity of phosphorus is not more than one part for 2,000 parts of iron contained in the ore. This means that for an ore containing 50 per cent of iron, the phosphorus content must not exceed 0.025 per cent.

PIG IRON AND FERRO-ALLOYS.

TABLE VI.

PRODUCTION OF PIG IRON AND FERRO-ALLOYS IN.....

	Total Production (tons).	Used in own works.		Despatched (tons).	Average Number of furnaces during year.		
		Molten (tons).	Cold (tons).		In Blast.	Idle.	Total.
Hæmatite .. .. .							
Basic .. .. .							
Foundry .. .. .							
Forge .. .. .							
Direct castings .. .. .							
Alloys :							
Ferro-silicon .. .. .							
Spiegeleisen .. .. .							
Ferro-manganese .. .. .							
Ferro-chrome .. .. .							
Silico-manganese .. .. .							
Other alloys (specify kind) .. .. .							
Other qualities (if any) (specify kind) .. .. .							
Total .. .. .							

PARTICULARS OF BLAST AND ELECTRIC FURNACES IN.....

	Blast.	Electric.
Number of furnaces in existence at 31st December (year) .. .. . (Please state how many, if any, of these have been idle for five years or more.)		
Number of furnaces built during (year) .. .. .		
Number of furnaces dismantled during (year) .. .. .		
Number of furnaces in course of erection at 31st December (year) .. .. .		

TABLE VII.

MATERIALS CONSUMED IN PRODUCTION OF PIG IRON IN.....

	Materials consumed.					Fuel consumed.			
	Ore.*		Lime stone (tons).	Cinder and scale (tons).	Purple ore** (tons).	Scrap, &c. (tons).	Raw coal (tons).	Coke (tons).	Total coal equivalent (tons).
	Domestic (tons).	Imported (tons).							
Hæmatite .. .. .									
Basic .. .. .									
Foundry <sup>†</sup> .. .. .									
Forge .. .. .									
Alloys .. .. .									
Other qualities (if any) (specify kind)									
Total .. .. .									

\* If any used calcined, please give uncalcined equivalent.

\*\* The residue of cupreous iron pyrites.

**TABLE VIII.**

**IMPORTS OF PIG IRON AND FERRO-ALLOYS INTO.....**

Kind.	From (chief countries).						(Other countries).	Total.
Hematite .. ..								
Basic .. .. .								
Foundry .. .. .								
Forge .. .. .								
Direct castings..								
Alloys :								
Ferro-silicon ..								
Spiegeleisen ..								
Ferro-manganese..								
Ferro-chrome ..								
Silico-manganese..								
Other alloys (specify kind) .. ..								
Other qualities (if any) (specify kind) ..								
<b>Total ..</b>								

**TABLE IX.**

**EXPORTS OF PIG IRON (DOMESTIC PRODUCE) FROM.....**

Kind.	Into (chief countries).						(Other countries).	Total.
Hematite .. ..								
Basic .. .. .								
Foundry .. .. .								
Forge .. .. .								
Direct castings..								
Alloys :								
Ferro-silicon ..								
Spiegeleisen ..								
Ferro-manganese..								
Ferro-chrome ..								
Silico-manganese..								
Other alloys (specify kind) .. ..								
Other qualities (if any) (specify kind) ..								
<b>Total ..</b>								

TABLE X.

RE-EXPORTS OF PIG IRON FROM.....

Kind.	Into (chief countries).						(Other countries).	Total.
Hæmatite .. ..								
Basic .. ..								
Foundry .. ..								
Forge .. ..								
Direct castings ..								
Alloys :								
Ferro-silicon ..								
Spiegeleisen ..								
Ferro-manganese ..								
Ferro-chrome ..								
Silico-manganese ..								
Other alloys (specify kind) ..								
Other qualities (if any) (specify kind) ..								
Total ..								

WROUGHT IRON.

TABLE XI.

FORGE PLANT AND PRODUCTION IN.....

(I) *Plant.*

	Total effective.	Average Number working.
Puddling furnaces .. .. .		
Scrap and bushelling furnaces .. .. .		
Forge rolling mills .. .. .		

(II) *Materials Consumed.*

Pig Iron ..... tons.  
 Scrap ..... tons.

(III) *Production and Disposal of Semi-Finished Material.*

	Approximate stock* (tons).	Total make (tons).	Received for re-rolling (tons).	Used in own works (tons).	Dispatched as semi-finished (tons).	Approximate stock** (tons).
Puddled iron bars and iron billets.						
Scrap, ball furnace and bushelling bars .. .. .						

\* At end of previous year.  
 \*\* At end of year.

TABLE XII.

FINISHING MILLS IN.....

(I) *Plant.*

Number of Rolling Mills..... Average Number working in.....

(II) *Production.*

	Iron (tons).	Steel* (tons).
Rounds, squares and flats .. .. .		
Angles, tees, shapes, sections and slit nail rods .. .. .		
Rolled tube hoops and strips .. .. .		
Rolled hoops and strips other than tube .. .. .		
Sheared strip .. .. .		
Plates $\frac{1}{2}$ -in. (3 mm.) thick and over .. .. .		
Sheets under $\frac{1}{2}$ -in. (3 mm.) for galvanising or tinning .. .. .		
Other sheets under $\frac{1}{2}$ -in. (3 mm.) .. .. .		
Wire rods .. .. .		
Other finished material** .. .. .		
Total .. .. .		

\* Please give details of " Other finished material, " such as " rails under 50 lbs (25 kg. per meter) " &c...

\*\* Tonnage which has already been included in the Annual Steel Return should not be given.

TABLE XIII.

COAL CONSUMPTION IN.....

	Total (tons).
In puddling and scrap and ball furnaces .. .. .	
All other processes .. .. .	
Total .. .. .	

STEEL.

TABLE XIV.

FURNACES AND CONVERTERS IN.....

	Bessemer converters.	Open hearth.	Elec- tric.	Stock converters.	Tro- penas.
Number existing at Dec. 31* :					
Acid .. .. .					
Basic .. .. .					
Average number working during .. .. .					
Acid .. .. .					
Basic .. .. .					
Number built during .. .. .					
Acid .. .. .					
Basic .. .. .					
Number dismantled during .. .. .					
Acid .. .. .					
Basic .. .. .					
Number in course of erection at Dec. 31 :					
Acid .. .. .					
Basic .. .. .					

\* Please state here the size of the furnaces in existence on Dec. 31 and, in the case of electric furnaces, the type of furnace, *i e.*, whether Heroult, electric metals, &c.

**TABLE XV.**  
**PRODUCTION OF STEEL INGOTS AND CASTINGS IN.....**

	Total production.		Ingots bought (if any) (tons).	Ingots sold (if any) (tons).	Used in own works (tons).
	Ingots (tons).	Castings (tons).			
Open hearth : Acid .. .. .					
Basic .. .. .					
Bessemer : Acid .. .. .					
Basic .. .. .					
Electric .. .. .					
Stock converter .. .. .					
Tropenas .. .. .					
<b>Total .. .. .</b>					

**TABLE XVI.**  
**PRODUCTION OF BASIC SLAG IN .....**

Containing.			
Under 5 % P <sub>2</sub> O <sub>5</sub> (tons).	From 5 % to 10 % P <sub>2</sub> O <sub>5</sub> (tons).	From 10 % to 15 % P <sub>2</sub> O <sub>5</sub> (tons).	Over 15 % P <sub>2</sub> O <sub>5</sub> (tons).
<b>Total .. .. .</b>			

**TABLE XVII.**  
**MATERIALS CONSUMED IN THE PRODUCTION OF STEEL INGOTS AND CASTINGS IN .....**

Type of Furnace.	Materials consumed.						Total charge (tons).
	Pig Iron.		Scrap.		Fe.- Mang.. Fe.-Sil. (tons).	Ore (tons).	
	Own make (tons).	Bought (tons).	Pro- duced in own works (tons).	Bought (tons).			
Open hearth : Acid .. .. .							
Basic .. .. .							
Bessemer : Acid .. .. .							
Basic .. .. .							
Electric .. .. .							
Stock converter .. .. .							
Tropenas .. .. .							
<b>Total .. .. .</b>							

TABLE XVIII.

ROLLING MILLS IN.....

	Number in existence on December 31.	Number constructed during year.	Number dismantled during year.	Number in course of erection on December 31.
Cogging mills .. .. .				
Rail mills .. .. .				
Plate mills .. .. .				
Rod mills .. .. .				
Section, bar, hoop, strip and merchant mills .. .. .				
Sheet mills .. .. .				
Tinplate mills .. .. .				

TABLE XIX.

ROLLING MILL PRODUCTION IN.....

(a) *Semi-finished Production.*

	Total make (tons).	Dispatched in semi- finished form (tons).	Received from other works for re-rolling (tons).	Used in own works (tons).
Billets, blooms and slabs .. .. .				
Sheet bars .. .. .				
Tinplate bars .. .. .				

(b) *Finished Production.*

N.B.—Please exclude material rolled for your account by re-rollers, who will include the figures in their own returns.

	Tons.
Forgings—general .. .. .	
Forgings, tyres, wheels and axles .. .. .	
Bright cold drawn and bright cold rolled steel .. .. .	
Plates—boiler quality .. .. .	
Steel plates $\frac{1}{2}$ -in. (3 mm.) thick and over .. .. .	
Sheets—under $\frac{1}{2}$ -in. (3 mm.) thick other than sheets for galvanising and tin plates .. .. .	
Tin, terne and black plates .. .. .	
Galvanised sheets .. .. .	
Rails—50 lbs. per yd (25 kg. per meter) and over : (a) Open-hearth .. .. .	
.. .. . (b) Bessemer .. .. .	
Rails—under 50 lbs. per yd (25 kg. per meter) : (a) Open-hearth .. .. .	
.. .. . (b) Bessemer .. .. .	
Grooved tram rails .. .. .	
Sleepers and fishplates .. .. .	
Sections—angles, channels, tees (finished weight) .. .. .	
Rolled girders, joists and beams (finished weight) .. .. .	
Rounds, squares, flats and hexagons .. .. .	
Wire rods .. .. .	
Hoops and strips .. .. .	
Spring steel .. .. .	
Total .. .. .	

TABLE XX.

FUEL CONSUMPTION IN STEEL FURNACES AND ROLLING MILLS IN.....

	In steel furnaces, rolling mills, &c. (tons).	Other consumption such as locos, &c. (tons).
Raw coal consumed .. .. .		
Coke consumed .. .. .		

TABLE XXI.

IMPORTS, EXPORTS AND RE-EXPORTS OF IRON AND STEEL AND MANUFACTURES THEREOF.

(Details as to source of imports and destination of exports to be stated in each case.)

*(The classification given below is that in use in the United Kingdom.)*

	Imports.		Exports.		Re-exports.	
	Quantity (tons).	Value.	Quantity (tons).	Value.	Quantity (tons).	Value.
<i>Ingots other than of special steel .. .. .</i>						
<i>Blooms, billets, slabs, other than of special steel :</i>						
Iron .. .. .						
Steel .. .. .						
<i>Bars, rods, angles, shapes and sections, other than of special steel :</i>						
Iron .. .. .						
Steel : Sheet bars .. .. .						
Tinplate bars .. .. .						
Wire rods .. .. .						
Other .. .. .						
<i>Special steels .. .. .</i>						
<i>Castings in the rough :</i>						
Iron .. .. .						
Steel .. .. .						
<i>Forgings in the rough :</i>						
Iron .. .. .						
Steel .. .. .						
<i>Steel girders, beams, joists and pillars .. .. .</i>						
<i>Iron or steel hoops and strips .. .. .</i>						
<i>Hoops, baling and barrel .. .. .</i>						
<i>Hoops and strips for tubes .. .. .</i>						
<i>Iron and steel :</i>						
Plates and sheets, not galvanised, not tinned, &c. :						
Iron : Plates and sheets, not under $\frac{1}{8}$ -in. (3 mm.) thick .. .. .						
Plates and sheets under $\frac{1}{8}$ -in. (3 mm.) thick .. .. .						
Steel : Plates and sheets not under $\frac{1}{8}$ -in. (3 mm.) thick .. .. .						
Armour plates .. .. .						
Other sorts .. .. .						
Black sheets under $\frac{1}{8}$ -in. (3 mm.) thick .. .. .						
Black plates (including Canada plates) .. .. .						
Plates and sheets, coated :						
Galvanised sheets : Flat .. .. .						
Corrugated .. .. .						
Tinned plates .. .. .						
Tinned sheets .. .. .						
Terne plates .. .. .						
Terne sheets .. .. .						
Tinned plates and sheets, shaped, decorated, printed, &c., for boxes and other containers .. .. .						
Other coated plates .. .. .						
<i>Pipes and fittings, cast .. .. .</i>						



TABLE XXI (continued).

	Imports.		Exports.		Re-exports.	
	Quantity (tons).	Value.	Quantity (tons).	Value.	Quantity (tons).	Value.
<i>Tubes, pipes and fittings :</i>						
Cast :						
Up to 6-in. (15 cm.) diameter : Pipes for heating (including radiators) .. .. .						
Pipes for other purposes .. .. .						
Fittings for .. .. .						
Over 6-in. (15 cm.) diameter : Pipes .. .. .						
Fittings for .. .. .						
<i>Tubes and pipes, and fittings, wrought :</i>						
Wrought : Weldless tubes .. .. .						
Welded tubes .. .. .						
Cased tubes .. .. .						
Fittings for wrought tubes, &c. :						
Wrought .. .. .						
Malleable cast .. .. .						
<i>Railway, &amp;c., material :</i>						
Steel rails, new :						
Grooved for trams .. .. .						
Railway (including conductor rails for electric traction) .. .. .						
Sleepers and fishplates .. .. .						
Tyres and axles .. .. .						
Railway wheels and axles (complete) (Number of sets and tons) .. .. .						
Railway spikes .. .. .						
Railway material not elsewhere specified .. .. .						
<i>Wire :</i>						
Fencing : Barbed .. .. .						
Other sorts (diameter and tons) .. .. .						
Uninsulated electric (diameter and tons) .. .. .						
Other descriptions (diameter and tons) .. .. .						
<i>Wire manufactures :</i>						
Cables and rope (except insulated telephone and telegraph cables) .. .. .						
Wire netting .. .. .						
Wire nails (including staples) .. .. .						
Wire mattresses .. .. .						
Other manufactures of wire .. .. .						
<i>Nails and tacks (other than wire nails), rivets and washers</i> .. .. .						
<i>Screws (for wood)</i> .. .. .						
<i>Bolts and nuts (including screws for metals)</i> .. .. .						
<i>Manufactures of cast iron :</i>						
Stoves, grates and ranges, for domestic cooking and heating :						
For coal and other solid fuel .. .. .						
For gas .. .. .						
Sanitary cisterns (flushing tanks) .. .. .						
Baths (porcelain enamelled or other finish) .. .. .						
Other sanitary cast-iron goods, enamelled or not (such as sinks, basins, lavatories, closets, &c.) .. .. .						
Cooking and washing boilers .. .. .						
Other descriptions .. .. .						
<i>Fencing material (other than fencing wire) of cast or wrought iron :</i>						
Standards .. .. .						
Other sorts (i.e., gates, grills, fences, trellis, &c.) .. .. .						
<i>Anchors and grapnels</i> .. .. .						
<i>Axles for road vehicles, other than motor-cars</i> .. .. .						
<i>Chain cables</i> .. .. .						
<i>Chains, other, including tackle made of chain :</i>						
For power transmission .. .. .						
For other purposes .. .. .						
<i>Springs (excluding springs for ordinance, small arms, clocks, watches, motor-cars, motor-cycles and musical instruments) :</i>						
Laminated .. .. .						
Coil .. .. .						
<i>Needles :</i>						
Hosiery (latch) .. .. .						
Other descriptions .. .. .						

TABLE XXI (continued).

	Imports.		Exports.		Re-exports.	
	Quantity (tons).	Value.	Quantity (tons).	Value.	Quantity (tons).	Value.
<i>Safes</i> .. .. .						
<i>Cash and deed boxes, trunks, suit-cases, &amp;c., of sheet iron or steel</i>						
<i>Furniture, metallic, for hospitals and office use, &amp;c.</i> .. .. .						
<i>Bedsteads, complete, and finished parts thereof (including finished tubes)</i> .. .. .						
<i>Hollow-ware (household, kitchen, &amp;c., utensils) :</i>						
• Of iron and steel :						
Cast, not enamelled, &c. .. .. .						
Cast, enamelled .. .. .						
Cast, tinned .. .. .						
Wrought, not enamelled .. .. .						
Wrought, enamelled .. .. .						
Wrought, galvanised .. .. .						
Of tinned plate .. .. .						
<i>Manufactures of iron or steel, unenumerated</i> .. .. .						
<i>Iron and steel scrap</i> .. .. .						
<i>Basic slag</i> .. .. .						

#### IV. INDICES OF INDUSTRIAL ACTIVITY.

*Recommendations and Opinions adopted by the International Institute of Statistics at its Seventeenth Session (Cairo 1927-28).*

The International Institute of Statistics is of opinion that :

I. It is desirable that in all countries with adequately developed industries, even when no general census of production is taken, statistics should be published concerning these industries at as brief intervals as possible having regard to the character of the several products.

II. In so far as the technical conditions of the various industries permit, these statistics should show actual production in terms not only of value but also of quantity, so as to indicate separately the two essential elements of the statistics of production.

III. It is desirable to supplement the statistics with regard to quantity and value, referred to in paragraph II above, by other indices of industrial activity. These indices are especially necessary when no production statistics are available.

For the purposes of these indices, the following data concerning various factors of production may be employed, subject to the reservations mentioned in the resolutions relating to censuses of production passed at the Rome Session in 1925 with a view to ensuring their correct interpretation :

- (a) Raw materials employed in production in the industry concerned ;
- (b) Equipment in operation, and, if necessary, its relation to plant in existence (blast-furnaces, loom-hours, spindle-hours, etc.) ;
- (c) Power employed (kilowatt-hours, horse-power, quantity of coal used in generating power, etc.) ;
- (d) Workers effectively employed (number of operatives and administrative staff, number of days worked, number of hours worked, aggregate wages paid).

IV. In addition, the following information might with advantage be given, although it does not directly refer to the production of the period under consideration :

- (a) Orders received (value and, as far as possible, quantity of goods ordered during the period) ;
- (b) Quantity and value of sales during the period ;
- (c) Quantity and value of orders still to be executed at the end of the period.

Such information is particularly necessary when the information referred to in Resolutions II and III for any particular industry cannot be obtained.

V. For purposes of international comparison, it would be expedient, in the first instance, to secure statistics and indices of production for the following industries in countries in which these industries are of sufficient importance :

1. Mining industry (crude petroleum, coal and other fuel, metallic ores and other minerals).
2. Metallurgical industries :
  - (a) Iron-smelting and steel works ;
  - (b) Iron and steel (forges, rolling-mills and wire-drawing) ;
  - (c) Other metals (foundries, rolling-mills and wire-drawing).
3. The following mechanical industries :
  - (a) Shipbuilding (steel) ;
  - (b) Locomotives ;
  - (c) Railway rolling-stock ;
  - (d) Road motor vehicles.
4. Textile industries (spinning and weaving) :
  - (a) Cotton ;
  - (b) Wool ;
  - (c) Silk ;
  - (d) Artificial silk ;
  - (e) Linen ;
  - (f) Hemp (including phormium) ;
  - (g) Jute.

With a view not only to comparing the production of the important industries in the various countries, but to obtaining for each country an adequate idea of its total industrial activity, the following industries might be shown in addition to those given above, or certain of these industries selected according to their importance in the country considered and the availability of data concerning them.

1. Industries usually subject to excise duties :

- (a) Brewing ;
- (b) Distilling of alcoholic beverages ;
- (c) Tobacco manufacture ;
- (d) Sugar manufacture and refining ;
- (e) Manufacture of matches.

- 2. Flour-milling.
- 3. Oilseed-crushing.
- 4. Soap-making.
- 5. Tanning.
- 6. Manufacture of boots and shoes.
- 7. Petroleum-refining.
- 8. Manufacture of artificial fertilisers.
- 9. Wood-pulp production.
- 10. Manufacture of paper and cardboard.
- 11. Manufacture of glassware.
- 12. Manufacture of cement.
- 13. Brick- and tile-making.

VI. It is desirable that the statistics of the quantity of production (or if direct quantitative data are lacking, indices of that quantity) should be secured monthly. If it is necessary to confine the monthly data to indirect indices, it is desirable that statistics of quantity should be given for each year.

VII. Endeavours should be made to encourage autonomous official or private organisations, scientific institutions, industrial institutions or associations to compile statistics of the character discussed in the preceding paragraphs in addition to the statistics of Government administrative services.

VIII. It is essential that steps should be taken to assure those from whom statistical data are sought that the secrecy of the details furnished is fully guaranteed.

IX. The tables published for each industry should define precisely the character of the industry (principal goods produced and processes of manufacture), and should indicate clearly whether the whole industry is covered by the statistics, and, if not, approximately to what proportion of the whole industry they refer. The results obtained from the censuses of production should be utilised for this purpose. When the form in which the annual statistics are established differs from that of the census, an explanatory note should be attached to explain the discrepancies resulting from this fact.

## V. FISHERY STATISTICS.

---

*Recommendations and Opinions adopted by the International Institute of Statistics at its Fifteenth Session (Brussels 1923).*

---

The International Institute of Statistics is of opinion that it would be desirable for each country to publish statistics showing :

1. The quantity and value of all fishery products (including crustaceans, molluscs and shellfish of every kind) grouped as follows :

- (a) The products of sea fisheries landed direct in the country (indicating the nationality of the boats) ;
- (b) The products of fisheries in inland waters ;
- (c) The products of fisheries imported from other countries ;
- (d) The products of fisheries exported to other countries.

2. The number of persons engaged in fisheries, classified, as far as possible, by categories of employment according to the extent to which fishing is regarded :

- (a) As the main, or
- (b) As the secondary employment of those engaged upon it.

3. The number and class of boats and appliances employed in fishing.

4. As far as possible, the localities in which the fish were caught and the period spent in fishing.

It is desirable for countries to indicate as far as possible the total quantity of fish caught by all fishing-boats irrespective of the place of landing.

ANNEX I.

INTERNATIONAL TRADE STATISTICS.

Table I.—Trade Valuation. (Resolution II.)

*Note.*—“ Commission ” means a body establishing values (for “ Official ” valuations) or controlling them (for “ Declared ” valuations). “ S.O. ” means that the Statistical Office establishes the “ Official ” valuations. “ Merchants ” or “ Chamber ” means that merchants or chambers of commerce are consulted by the officials.

Country	Imports	Exports	Remarks	
Albania .....	Declared c.i.f.	Declared f.o.b.	Exports exclude inland freight. Merchants (imports). Chamber and Merchants (exports).	
Argentina .....	Official c.i.f.	Official f.o.b.		
Australia .....	Declared f.o.b. + 10 %.	Declared f.o.b.	Commission.	
Austria .....	Declared c.i.f.	Declared f.o.b.		
Belgo-Luxemburg Economic Union ...	Declared c.i.f.	Declared f.o.b.	Commission, until early in 1926. Exports include duty and taxes, and sometimes freight.	
Bolivia .....	Declared c.i.f.	Declared f.o.b.		
Brazil .....	Declared c.i.f.	Declared f.o.b.	Total freight (imports), by countries, is published. Exports include duty.	
Bulgaria .....	Declared c.i.f.	Declared f.o.b.	Commission.	
Canada .....	Declared f.o.b.	Declared f.o.b.	Merchants (exports).	
Chile .....	Declared f.o.b.	Declared f.o.b.	Exports exclude duty.	
China .....	Declared c.i.f.	Declared f.o.b.	Exports include duty.	
Colombia .....	Declared c.i.f.	Declared f.o.b.	Important corrections by Statistical Bureau (exports). Exports exclude duty.	
Costa Rica .....	Mainly declared c.i.f.	Mainly official f.o.b.	Imports, S.O. for about 3 %, viz. livestock. Exports, S.O. for about 85-90 % (coffee and bananas). Exports include duty.	
Cuba .....	Declared f.o.b.	Declared f.o.b.	Consultative Board.	
Czechoslovakia .....	Declared c.i.f.	Declared f.o.b.		
Denmark .....	Declared c.i.f.	Declared f.o.b.	Exports include duty.	
Dominican Republic ..	Declared f.o.b.	Declared f.o.b.		
Dutch East Indies .....	Mainly official c.i.f.	Mainly official f.o.b.	Tariff price-lists, frequently revised. Exports exclude duty.	
Ecuador .....	Declared c.i.f.	Declared f.o.b.	Imports sometimes exclude freight and insurance. Exports include duty.	
Egypt .....	Mixed c.i.f.	Mainly official f.o.b.	For over 50 % of imports and about 98 % of exports, “ Official ” (Customs valuation tariff is revised in consultation with merchants).	
Estonia .....	Declared c.i.f.	Declared f.o.b.	Exports sometimes exclude loading charges of timber.	
Finland .....	Declared c.i.f.	Declared f.o.b.		
France .....	Official (annual). Declared (monthly), c.i.f.	Official f.o.b. (But monthly, declared, in 1927).	Commission.	
Germany .....	Mixed (1) c.i.f.	Declared f.o.b.	Commission.	
Greece .....	Declared c.i.f.	Declared f.o.b.	Formerly Commission.	
Guatemala .....	Declared. By sea, f.o.b. + 25 % ; by land, c.i.f.	Official f.o.b.	S.O. Exports exclude duty.	
Haiti .....	Declared c.i.f.	Declared f.o.b.	Exports include duty.	
Honduras .....	Declared f.o.b.	Declared f.o.b.	Exclusive consular fee of 3 % (imports). Exclusive duty (exports).	
Hungary .....	Declared c.i.f.	Declared f.o.b.	Commission.	
India .....	Declared c.i.f.	Declared f.o.b.	Consultative experts.	
Irish Free State .....	Declared c.i.f.	Declared f.o.b.		
Italy .....	Declared c.i.f.	Declared f.o.b.		
Japan .....	Declared c.i.f.	Declared f.o.b.		
Latvia .....	Declared c.i.f.	Declared f.o.b.		
Lithuania .....	Declared c.i.f.	Declared f.o.b.		
Malaya, British .....	Declared c.i.f.	Declared f.o.b.		
Mexico .....	Declared f.o.b.	Mixed f.o.b.		
				Exports, official (S.O.), for about 30-40 % (metals).

(1) From I.X.28, all to be “ Declared ”.

Country	Imports	Exports	Remarks
Netherlands .....	Declared c.i.f.	Declared f.o.b.	Merchants, for exports. Exports exclude duty and taxes. Imports, declared, if <i>ad valorem</i> . Imports include consular fee of 0.9%. Exports, official (S.O.), for about 60-65 % (bananas). Exports include duty. Imports, the 1925 tariff. Exports, S.O. Exports exclude duty.
New Zealand.....	Declared f.o.b. + 10 %.	Declared f.o.b.	
Nicaragua .....	Declared f.o.b.	Declared f.o.b.	
Norway .....	Mainly official c.i.f.	Declared f.o.b.	Imports include consular fee of 0.9%. Exports, official (S.O.), for about 60-65 % (bananas). Exports include duty. Imports, the 1925 tariff. Exports, S.O. Exports exclude duty.
Panama .....	Declared f.o.b.	Mixed f.o.b.	
Paraguay .....	Official c.i.f.	Official f.o.b.	Exports, declared, for metallic minerals. Exports exclude duty. Exports exclude duty. Exports, official (tariff), if <i>ad valorem</i> . Exports exclude duty. Commission. Exports include duty. S.O. For exports, of coffee (about 90 % of total), provisionally declared, finally official (S.O.). Exports include duty.
Persia .....	Declared c.i.f.	Declared f.o.b.	
Peru .....	Declared f.o.b. + 20 %.	Mixed f.o.b.	
Poland .....	Declared c.i.f.	Declared f.o.b.	Exports, official (tariff), if <i>ad valorem</i> . Exports exclude duty. Commission. Exports include duty. S.O. For exports, of coffee (about 90 % of total), provisionally declared, finally official (S.O.). Exports include duty.
Portugal .....	Declared c.i.f.	Mainly declared f.o.b.	
Roumania .....	Official c.i.f.	Official f.o.b.	Exports, official (tariff), if <i>ad valorem</i> . Exports exclude duty. Commission. Exports include duty. S.O. For exports, of coffee (about 90 % of total), provisionally declared, finally official (S.O.). Exports include duty.
Russia (U.S.S.R.) ....	Official c.i.f.	Official f.o.b.	
El Salvador.....	Declared c.i.f.	Mixed f.o.b.	
Serbs, Croats and Slovenes, Kingdom of the ....	Declared c.i.f.	Declared f.o.b.	Exports include duty. Commission. Imports, official (S.O.), for about 20 %.
Siam .....	Declared c.i.f.	Declared f.o.b.	
Spain .....	Official c.i.f.	Official f.o.b.	Imports, official (S.O.), for about 20 %.
Sweden .....	Mainly declared c.i.f.	Declared f.o.b.	
Switzerland .....	Declared c.i.f.	Declared f.o.b.	For imports, total freight is published.
Union of South Africa.	Declared f.o.b.	Declared f.o.b.	
United Kingdom .....	Declared c.i.f.	Declared f.o.b.	S.O. Exports include duty and taxes. Exports, official (Customs valuation tariff is revised in consultation with merchants), for about 50 % (coffee, cocoa, etc.). Exports include duty and taxes.
United States of America .....	Declared f.o.b.	Declared f.o.b.	
Uruguay .....	Official c.i.f.	Official f.o.b.	
Venezuela .....	Declared f.o.b.	Mixed f.o.b.	

**Table II.—Countries publishing General trade, Transit trade, etc. (Resolution IV.)**

*Note.*—“ Continental system ” means that tables of Special trade are published, these being, for imports, “ imports for home consumption, comprising direct and ex warehouse, without distinction ”, and, for exports, “ exports from the free internal circulation, comprising national and nationalised goods, without distinction ”. “ Anglo-Saxon system ” means that tables of Special trade are not published, and that the imports show “ imports for home consumption direct, plus imports into warehouse, without distinction ”, and the exports show “ exports from the free internal circulation, plus exports ex warehouse, without distinction, but distinguishing between domestic and foreign produce ”. Variations from these norms are noted in Table III, “ Remarks ” column.

*Note.*—Unless otherwise stated, transit and transshipments are excluded from special trade in the “ Continental ”, and from general trade in the “ Anglo-Saxon ”, countries.

Country	Tables published
<b>A. “ Continental system ” countries showing tables for categories of trade falling outside their Special trade :</b>	
Algeria .....	General trade, by value.
Austria .....	Transit tables, by weight.

Country	Tables published
Belgo-Luxemburg Economic Union .....	Transit tables, by weight and value. Formerly, also general trade (Belgium).
Bulgaria .....	Transit tables.
Chile .....	Transit trade, and ships' stores transhipped ( <i>reembarque a rancho</i> ); both by value.
Czechoslovakia .....	Transit tables.
Estonia .....	Transit tables.
France .....	General trade, by value and weight. Transit (until 31.XII.26; thereafter excluded from the statistics).
Germany .....	Direct transit (by weight) and "Gesamteigenhandel" (total real trade —by weight and value), the two together forming general trade.
Greece .....	Direct transit, by weight. General trade (incl. transit) by weight and value.
Hungary .....	Transit tables.
Italy .....	General trade, by value.
Latvia .....	Transit.
Lithuania .....	Transit.
Netherlands .....	Transit ("with transhipment" and "without transhipment" separately) warehouse movement and general trade; all by weight only.
Paraguay .....	Transit (port of Asunción).
Poland .....	Transit.
Portugal .....	Re-exports (ex warehouse), transit, transhipment, and general trade, this last being the total of the preceding three plus special trade (because the re-exports ex warehouse are not reckoned in the general imports until re-exportation takes place). All by value.
Spain .....	Formerly, certain transit, by value.
Sweden .....	General trade, by value.
Switzerland .....	Direct transit, "Commerce effectif" (total real trade), warehousing, and various categories of frontier trade. Formerly, also general trade.
Uruguay .....	Provision by Decree was made for total real trade, direct transit, and general trade, but figures are not yet published. Certain hides, wool, etc., in transit direct are included in special trade.

B. "Continental system" countries which show Special Trade tables only :

Albania, Argentine, Bolivia, Canada, China, Dutch East Indies, Egypt, Finland, Japan, Peru, Roumania, Russia (U.S.S.R.), Kingdom of the Serbs, Croats and Slovenes.

Country	Tables published
C. "Anglo-Saxon system" countries showing tables for categories of trade falling outside their General trade :	
Denmark .....	Until 1922-23, direct transit was excluded from the general tables and shown in separate tables; thereafter, all transit is (a) included, without distinction, in general trade, when on Danish account and (b) excluded altogether from the statistics, when on foreign account.
Dutch East Indies (1913)...	During the period of compilation on the Anglo-Saxon system (1913 and earlier), transit was included in the general tables. Amount small.
India .....	Transhipments (other than transhipments under bond), whether on through bill of lading or not, are included in the general tables, undistinguished. Amount small.
Irish Free State .....	Transit tables.
Netherlands (1917-19) .....	When the figures were compiled on the Anglo-Saxon system (1917-19), transit was excluded from the general tables and shown in separate tables. Warehouse movement was also shown separately.
Norway .....	Transit tables, for a part (direct transit of iron ore from Sweden via Narvik).
Union of South Africa .....	Transhipments are not published and are excluded from general trade. Transit is shown in two separate tables: (a) Transit "inwards" (from overseas towards the interior of the African continent) and (b) Transit "outwards" (from the African interior towards overseas). Transit "inwards" was formerly included in the general tables.
United Kingdom .....	"Transhipments under bond" tables. Also tables for a part of the transhipments included, in fact, in general imports and exports, viz., "duty-free goods in transit on through bills of lading".
U.S.A. ....	Transit and transhipment table.
Venezuela .....	Transit table.

D. "Anglo-Saxon system" countries which show General Trade tables only :

Australia, Brazil, Ceylon, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, British Malaya, Mexico, New Zealand, Nicaragua, Nigeria, Panama, Philippines, El Salvador and Siam.



**Table III.—Systems followed, and Statistical Treatment of Improvement trade, Temporary trade, etc., in Special trade. (Resolution IV.)**

*Abbreviations:* "C" = Continental, "A-S" = Anglo-Saxon, "I" = Improvement trade, "R" = Repair trade.

*Notes:* (1) For definitions of "Continental system" and "Anglo-Saxon system" see Table II. Variations from those norms, affecting Special trade, are shown in the "Remarks" column hereunder.

(2) By "active improvement trade" is meant: improvement within the country mentioned of foreign goods imported and subsequently re-exported; by "passive improvement trade" is meant the national or nationalised goods exported for improvement abroad and subsequently re-exported.

(3) In the last two columns of this table, blanks mean "No information".

Country	System	Remarks	Improvement and Repair trade	Other Temporary trade, etc.
Albania .....	C		Included, but not distinguished.	
Algeria .....	C			
Argentina .....	C			
Australia .....	A-S		I included, not distinguished; R included, and mostly at "added" value. Amounts small.	Re-imports, temporary exports and returned goods are included. Temporary imports, excluded.
Austria .....	C		I included; R excluded. Both published.	Excluded, but published. Re-imports are excluded.
Belgo-Luxemburg Economic Union.	C	Imports are divided into direct and ex warehouse.	Active I included; passive excluded. Both distinguished.	Excluded.
Bolivia .....	C	Exports divided (for totals) into national and nationalised.		
Brazil .....	A-S	Re-exports excluded. Amount small.		Re-imports excluded.
Bulgaria .....	C		Active included; passive excluded. Neither is published.	Excluded, if within the time-limit (6 months).
Canada .....	C	Exports divided into national and nationalised.	I included, not distinguished.	Re-imports included.
Ceylon .....	A-S			
Chile .....	C	Exports divided into national and nationalised.	I included, not distinguished.	Re-imports included.
China .....	C	Exports divided into national and nationalised.		
Colombia .....	A-S	Re-exports are still included with domestic exports, but now distinguished.		Re-imports included.
Costa Rica .....	A-S	Re-exports are included, partly distinguished, with domestic exports. Amount small.		
Cuba .....	A-S			
Czechoslovakia .....	C	Exports divided (totals).	Included, distinguished.	Excluded, but published.
Denmark .....	A-S	Re-exports are available at two values, the import and the export value.	Included, not distinguished.	Excluded. Returned goods are excluded, but published, by weight.
Dominican Republic	A-S			
Dutch East Indies ..	C	Exports divided (except gold and silver).	I excluded and not published.	
Ecuador .....	A-S			
Egypt .....	C	Exports divided into national and nationalised.		

Country	System	Remarks	Improvement and Repair trade	Other Temporary trade, etc.
Estonia .....	C		I included ; R excluded. Neither is distinguished.	Excluded, except exports (and re-imports) for uncertain sale.
Finland .....	C	Exports divided into national and nationalised.		
France .....	C		Active I excluded (except sugar, etc.) but published. Passive excluded.	Some imports included. Exports excluded.
Germany .....	C	Also shows imports on the A-S system (totals).	Active I, on internal account, included ; other active and all passive excluded. Each is published.	Excluded.
Greece .....	C		Excluded and not published.	Excluded. Dutiable re-imports included.
Guatemala .....	A-S	Re-exports are now recorded, but by weight only. Amount small.		
Haiti .....	A-S			
Honduras .....	A-S	Exports not divided.		
Hungary .....	C		Included, distinguished.	Excluded. Returned goods are excluded.
India .....	A-S		I included, not distinguished. Amount small.	
Irish Free State .....	A-S		Included, partly distinguished.	Excluded. Until 31.XII. 25, certain horses exported were included.
Italy .....	C		Active I (raw materials, included ; other, excluded) ; passive I (cereals), included ; each is published. R excluded and not published.	Excluded. Re-imports are included.
Japan .....	C	Exports divided into national and nationalised.	Excluded and not published.	Excluded, but figures are published for goods exhibited abroad. Re-imports are included, distinguished.
Latvia .....	C		Excluded, but published.	
Lithuania .....	C		I included. The value is " added " value only.	
Malaya, British .....	A-S	Exports not divided.		
Mexico .....	A-S	Exports not divided.		
Netherlands .....	C	Also shows, by weight, imports and exports on the A-S system.	I included, not distinguished.	Excluded.
New Zealand .....	A-S		I included, not distinguished ; R included, and mostly at " added " value. Amounts small.	Re-imports, temporary exports and returned goods are included. Temporary imports, excluded.
Nicaragua .....	A-S		R included, at " added " value.	Temporary trade is excluded. Re-imports are included.
Nigeria .....	A-S			
Norway .....	A-S			
Panama .....	A-S	Re-exports often include transit not included in imports.		Returned foreign goods are mostly excluded from exports, but are not deducted from imports.
Paraguay .....	C	Nationalised re-exports are distinguished in special exports.		Temporary trade excluded. Re-imports included.
Peru .....	C	Exports divided into national and nationalised.	I included.	
Philippines .....	A-S			
Poland .....	C		Now excluded.	Now excluded.
Portugal .....	C		Included.	Included.
Roumania .....	C		I included.	
Russia (U.S.S.R.) .....	C			Re-imports are excluded.

Country	Syst- tem	Remarks	Improvement and Repair trade	Other Temporary trade, etc.
El Salvador .....	A-S	Exports no longer divided, but re-exports are small.		
Serbs, Croats and Slovenes, Kingdom of the..	C		Now included. The value is "added" value only. I is included.	Excluded. Re-imports are excluded.
Siam .....	A-S		I is excluded and no longer published.	Temporary trade and returned goods are excluded and no longer published.
Spain .....	C			
Sweden .....	C		Active I included. Passive I mostly excluded.	Excluded ; so also re-imports and returned goods.
Switzerland .....	C	Nationalised re-exports are excluded, unless they have undergone a physical process ; but figures are published.	Excluded, but published.	Excluded, but published.
Union of South Africa .....	A-S		Included, not disting.	Re-imports included.
United Kingdom ...	A-S		I is included, not distinguished. R is excluded unless important. But passive R, dutiable <i>ad valorem</i> , is included at the "added" value.	Excluded, except a few imports (watch-cases for assay ; gun-barrels for proofing).
United States of America .....	A-S	Also shows imports for home consumption, by value.	I included, not distinguished.	Included, except temporary imports in "imports for home consumption".
Uruguay .....	C		I excluded.	
Venezuela .....	A-S	All incoming goods, other than transit, are "direct" imports ; the warehousing system does not exist. Exports are divided.		Re-imports included.

**Table IV.—Statistical treatment of Bunker Fuel and Other Ships' Stores exported, and Fresh Fish, etc., imported from extra-territorial waters. (Resolution IV (c).)**

*Note.*—In this table "F" means "on foreign vessels" ; "N" means "on national vessels". Blanks mean "no information".

Country	Bunker fuel exported	Other ships' stores exported	Fishery products imported
Albania .....			
Argentina .....	Included, distinct from cargo, but F and N not distinguished.	Same as bunkers.	
Australia .....	Excluded, but published. No distinction between F and N.	Same as bunkers.	Excluded (except whale fisheries, which are included, by flag).
Austria .....	F included. N excluded.	F included. N excluded.	N excluded.
Belgo-Luxemburg Economic Union .....	F included, distinct from cargo. N excluded.	Same as bunkers.	N excluded.
Bolivia .....			
Brazil .....			
Bulgaria .....	F included. N excluded.	F included. N excluded.	N excluded. F included, by flag.
Canada .....			N excluded. F included.

Country	Bunker fuel exported	Other ships' stores exported	Fishery products imported
Chile .....	Included, distinct from cargo, but F and N not distinguished.	Same as bunkers.	Excluded, except whale oil, which is included, distinct from oil from foreign territory.
China .....	Included.	Included.	F included, by flag. N excluded.
Colombia .....			F included, by flag. N excluded.
Costa Rica .....			N excluded.
Cuba .....			F included. N excluded.
Czechoslovakia .....	Excluded.	Excluded.	F included. N excluded.
Denmark .....	Excluded.	Excluded, but published for some items.	
Dominican Republic .....			
Dutch East Indies .....	Included, distinguished.		
Ecuador .....	Included.	Included.	
Egypt .....	Included, distinct from cargo, but F and N not distinguished.		
Estonia .....	Excluded, but published.	Assimilated to bunkers.	
Finland .....			
France .....	Included, distinct from cargo, and distinguishing F and N (from I.I. 25, N is excluded, but published).	Same as bunkers.	" Grande pêche " (e.g. cod included. " Petite pêche " (sardine, herring, mackerel) excluded.
Germany .....	F included, distinct from cargo. N mostly excluded.	Same as bunkers.	N excluded, but published.
Greece .....	Excluded.	Excluded.	N excluded. F included.
Guatemala .....			
Haiti .....			
Honduras .....			
Hungary .....	Included.	Excluded.	
India .....	Excluded, except drawbacks.	Excluded, except drawbacks.	Excluded.
Irish Free State .....	Excluded.	Excluded.	N excluded.
Italy .....	Included, distinct from cargo, and distinguishing F and N.	Same as bunkers.	N excluded, but published.
Japan .....	Excluded, but published, distinguishing F and N.	Same as bunkers.	Excluded, but published.
Latvia .....	Excluded.	Excluded.	
Lithuania .....			
Mexico .....			
Netherlands .....	F included, by flag, distinct from cargo. N excluded, but published.	F included by flag, distinct from cargo. N excluded.	Excluded, but published, distinguishing F and N.
New Zealand .....	Included, distinct from cargo, but F and N not distinguished.	Excluded, except if <i>ex</i> warehouse or drawback.	Excluded (except whale fisheries).
Nicaragua .....			
Norway .....	Excluded.	Excluded.	N excluded. F included.
Panama .....	Excluded, except foreign produce, which is included in re-exports.		Excluded.
Paraguay .....			
Peru .....	Included, distinct from cargo, but F and N not distinguished.		
Poland .....			N excluded.
Portugal .....	Included, distinct from cargo, and partly distinguishing F and N.	Included, distinct from cargo, but not distinguishing F and N.	N excluded. F included, by flag, assimilated to fish from foreign territory.
Roumania .....	F included. N excluded.	F included. N excluded.	
Russia (U.S.S.R.) .....			
El Salvador .....			
Serbs, Croats and Slovenes, Kingdom of the .....			

Country	Bunker fuel exported	Other ships' stores exported	Fishery products imported
Siam .....	Excluded.	Included, if dutiable, assimilated (except rice) to cargo.	
Spain .....	Included, not disting.		N excluded.
Sweden .....	Excluded.	Excluded.	
Switzerland .....			Excluded.
Union of South Africa ...	F included, by flag, distinguished from cargo. N excluded, but figures available.	Same as bunkers.	
United Kingdom .....	Excluded, but published, by weight. No distinction between F and N.	Mainly excluded.	N excluded. F included, by flag, distinct from fish from foreign territory.
United States of America	Excluded, but published. No distinction between F and N.	Excluded.	N excluded.
Uruguay .....	Excluded, but published.	Included distinct from cargo. No distinction between F and N.	Excluded.
Venezuela .....			

**Table V.—Gold Bullion Headings.** (Resolution IV (c).)

Country	Headings	Remarks
Albania .....	Gold and platinum together (imports).	Excluded from exports, and figures not available.
Algeria .....	Raw, lumps, ingots, bars, dust and broken.	
Argentine .....	Included with specie, undistinguished therefrom, as "metálico".	Also, in "merchandise", "gold in nuggets, ingots and powder" (imports).
Australia .....	Bullion (bar, dust, ingot and sheet).	Also, gold contained in matte.
Austria .....	Raw and scrap.	Also : (1) sweepings of precious metals ; (2) platinum and other (unenumerated) precious metals, raw and scrap.
Belgo-Luxemburg Economic Union .....	Unwrought, in lumps, ingots, cast bars or dust ( <i>poudre</i> ), including scrap and broken.	
Bolivia .....	Ores. Sulphides. "Cements". Bullion. Scrap.	
Brazil .....	Imports : bullion (bar, dust, ingots and scrap). Exports : "gold, native", <i>i.e.</i> unrefined.	
Bulgaria .....	Bullion and scrap.	
Canada .....	Gold "in bars, blocks, ingots, drops, sheets or plates, unmanufactured" (imports). Gold bullion (exports).	For exports, also a "merchandise" heading : "gold-bearing quartz, dust, nuggets and bullion, obtained direct from mining operations."
Ceylon .....	<i>Imports</i> : Gold leaf ; Gold bullion. <i>Exports</i> : Gold bullion.	
Chile .....	Unwrought.	
China .....	Bars, dust, leaf, etc.	
Colombia .....	<i>In imports</i> : gold and platinum, in bars, bullion and dust. <i>In exports</i> : Bars ; dust ; amalgam ; nuggets ; precipitates ; lumps ; scrap ; gold-and-silver in bars ; unspecified.	Also, ores, quartz, and various mixed-metal bars, etc.
Costa Rica .....	Bullion (distinguishing, in exports, between bars and unrefined lumps).	
Cuba .....	Gold in bars or dust.	
Czechoslovakia .....	Unrefined. Scrap.	Also, gold and silver sweepings, filings, etc., melted or not.
Denmark .....	Bullion.	

Country	Headings	Remarks
Dominican Republic.....		Included in "merchandise", undistinguished.
Dutch East Indies.....	Unminted : Refined ; Unrefined.	Exports disting. between "Refined" and "Unrefined".
Ecuador.....	Bars. Dust. Melted gold.	
Egypt.....	Bullion.	
Estonia.....	Bars, strips and sheets.	
Finland.....	Gold, unwrought (including scrap).	
France.....	Bullion, bar, ingot, dust and scrap.	
Germany.....	Fine or alloyed, crude or bullion. Melted scrap. Scrap, sweepings and filings.	In exports, "gold : scrap, sweepings and filings" is assimilated to "silver : filings and scrap".
Greece.....	Bullion, ingots, bars, etc.	
Guatemala.....	Bullion ( <i>pasta</i> ), ingots, dust, bars, lumps and scrap.	
Haiti.....		Included in "merchandise", undistinguished.
Honduras.....	Remelted gold. Other bullion.	
Hungary.....	Unmanufactured and scrap.	Also, gold and silver sweepings, filings, etc.
India.....	Bullion (bar, ingot and other uncoined).	
Irish Free State.....	Unrefined, in dust, amalgam ( <i>i.e.</i> lumps), and bars. Refined, in bars.	
Italy.....	Gold in ingots, bars, dust and scrap.	
Japan.....	Bullion.	
Latvia.....	Unwrought (including dust, sheet and "broken").	Also "gold and silver : scrap".
Lithuania.....	Bullion.	
Malaya, British.....	Bullion.	
Mexico.....	Bullion. Ores. Concentrates. Cyanides. Precipitates. Slag. Amalgam. Dust. Sulphides and mattes.	Also bullion, ores, etc., of each combination of metals ( <i>e.g.</i> gold-silver, copper-gold-silver, gold-silver-lead, etc.).
Netherlands.....	Bars, ingots and nuggets.	Distinguished from "dust and scrap" (now treated as "merchandise").
New Zealand.....	Bullion (bar, dust, ingot and sheet). Content of : (i) ore and auriferous quartz ; (ii) concentrates, slime, tailings, etc. ; (iii) sweepings, filings, scrap, etc.	
Nicaragua.....	<i>In Imports</i> , in "merchandise", undistinguished. <i>In Exports</i> : Amalgam ; bars ; dust ; concentrates ; precipitates ; tailings ; gold-and-silver bars (mixed metal).	
Nigeria.....	<i>In Imports</i> : Bullion, gold. <i>In Exports</i> : Gold, raw.	
Norway.....	Unmanufactured.	
Panama.....	<i>In Exports</i> : Bars, dust. <i>In Imports</i> : Unmanufactured, including ingots, dust, bars, scrap and dentists' gold.	
Paraguay.....		Excluded, and figures not available.
Persia.....	Gold in ingots. Gold and platinum jewellery.	
Peru.....	<i>In Imports</i> : Bullion. <i>In Exports</i> : Bars ; nuggets and dust ; gold-and-silver bars or ingots (gold predominant in weight) ; precipitates ; gold-and-silver precipitates.	Also, in exports, filings and waste, of gold and silver. Excluding "merchandise" headings, viz., content of : amalgam, leaf, ores, matte, sulphides, precipitates (other than here mentioned), concentrates, and mixed-metal bars (other than here mentioned).
Philippines.....	Gold bullion. Gold ores.	
Poland.....	Raw. Scrap and broken. Ingots, sheet, leaf, wire, etc.	
Portugal.....	Bars.	Also, in "merchandise", dust, scrap and broken articles.
Roumania.....	Gold for jewellers' work, in plates and rolled bars, etc. Gold, raw and scrap.	

Country	Headings	Remarks
Russia (U.S.S.R.) El Salvador	Ingots or bars, refined. Ingots or bars, unrefined. Dust, scrap, tailings, slimes, etc.	Excluded, and figures not available.
Serbs, Croats and Slovenes, Kingdom of the Siam Spain	Unmanufactured and waste. Bullion. Bullion, bars, dust, sheets, scrap, etc.	Also gold leaf.
Sweden	Unwrought. Scrap, plate, sheet and wire.	
Switzerland Union of South Africa	Unwrought. In Imports: "Bullion: gold." In Exports: "Gold, bar" (but, previous to the starting of refining operations in 1923, "gold, raw").	The gold content of slag or concentrates or lead bar is (and was) included in "merchandise" separately.
United Kingdom	Bullion, unrefined, in dust, amalgam (i.e. lumps), and bars. Bullion, refined, in bars.	
United States of America	Gold contained in ore and base bullion. Bullion, refined.	
Uruguay	Bar, ingot or dust.	
Venezuela	Bullion. Alluvial grains and dust (deep and surface, distinguished).	

**Table VI.—Methods of Recording Countries of Provenance and Destination.**  
(Resolution V.)

*Note.*—In this table "I" means "for imports"; "E" means "for exports"; "Origin" means "country of production or final manufacture". "Alternative" means that, when data for the normal method are lacking, the method stated is followed, in the order of preference shown.

Country	Imports	Exports	Remarks
Albania	Consignment.	Consignment.	
Argentine	Origin.	Final destination.	"For orders" shown separately (25% to 30% of total) (1).
Australia	Origin.	Real destination.	I, formerly also consignment. "For orders" are provisionally distinguished, but finally corrected.
Austria	Origin.	Consumption.	Alternatives: I, purchase, consignment; E, latest known destination.
Belgo-Luxemburg Economic Union	Consignment.	Actual destination.	
Bolivia	Real consignment	Real consignment	
Brazil	Real consignment	Consignment.	"For orders" distinguished (amount small).
Bulgaria	Original consignment.	Final destination.	
Canada	Consignment.	Final destination.	
Chile	Consignment.	Final destination.	"For orders" no longer distinguished.
China	Shipment.	Discharge.	
Colombia	Consignment.	Consignment.	
Costa Rica	Consignment.	Consignment.	
Cuba	Origin.	Consignment.	
Czechoslovakia	Purchase.	Sale.	Also, I, origin (totals only). <i>Note:</i> In practice, I and E, real consignment in many cases.
Denmark	Purchase.	Sale.	In special cases: I, consignment; E, consumption.
Dominican Republic	Consignment.	Consignment.	E, final destination, when possible.
Dutch East Indies	Consignment.	Consignment.	"For orders" shown separately.
Ecuador	Consignment.	Consignment.	"For orders" no longer distinguished, but credited to probable destination.
Egypt	Origin.	Final destination.	Alternatives: I, consignment; E, last country known.

(1) From 1927, "for orders" to be shown by final destination.

Country	Imports	Exports	Remarks
Estonia .....	Origin.	Consumption.	Alternatives : I, purchase, consignment ; E, sale, consignment.
Finland .....	Purchase.	Sale.	
France .....	Purchase.	Real consignment	Alternative : I, consignment.
Germany .....	Origin.	Consumption.	Alternatives : I, commercial origin, con- signment ; E, final destination.
Greece .....	Consignment.	Consumption.	Alternat. : E, latest known destination.
Guatemala .....	Consignment.	Consignment.	
Haiti.....	Consignment.	Consignment.	
Honduras.....	Consignment.	Consignment.	
Hungary .....	Origin.	Consignment.	Alternatives : I, sale, direct consignment.
India .....	Consignment.	Final destination.	
Irish Free State.....	Consignment.	Consignment, i.e. final known destination.	
Italy .....	Origin.	Consumption.	Alternatives : I, consignment ; E, latest known destination.
Japan .....	Production.	Final destination.	
Latvia .....	Origin.	Final destination.	
Lithuania.....	Origin.	Final destination.	In practice, not absolute.
Mexico .....	Consignment.	Consignment.	
Netherlands.....	Consignment.	Final destination.	Formerly purchase and sale.
New Zealand .....	(a) Consignment. (b) Origin.	Real destination.	
Nicaragua .....	Consignment.	Consignment.	" Options " credited to first optional port.
Norway .....	Purchase.	Sale.	In special cases : E, consignment.
Panama .....	Consignment.	Consignment.	
Paraguay .....	Consignment.	Consignment.	
Peru .....	Consignment.	Consignment.	
Poland .....	Origin.	Probable con- sumption.	Alternatives : I, original consignment ; E, latest known destination.
Portugal.....	Purchase.	Real consignment	Alternative : I, origin.
Roumania .....	Consignment.	Sale.	I, from Turkey and Greece, largely re- consignment or transshipment.
Russia (U.S.S.R.).....	Consignment.	Consignment.	Alternative : I, transshipment.
El Salvador.....	Consignment.	Consignment.	
Serbs, Croats and Slovenes, Kingdom of the....	Real consignment	Final destination.	Alternatives : I, receipt ; E, delivery.
Siam .....	Consignment.	Consignment.	" For orders " shown separately.
Spain .....	Origin.	Real destination.	Formerly, also : I, consignment ; E, immediate destination.
Sweden.....	Purchase.	Sale.	
Switzerland .....	Origin.	Consumption.	Alternative : most distant country, in point of time.
Union of South Africa.	Origin.	Final destination.	Alternative : I, shipment.
United Kingdom.....	Consignment.	Final destination.	Re-exports shown also by provenance.
United States of America .....	Consignment.	Real destination.	
Uruguay .....	Origin.	Real destination.	
Venezuela .....	Consignment.	Consignment.	

**Table VII.—Statistical Year, and Periodicity of interim tables. (Resolution VI.)**

*Note.*—In this table, " monthly " in the third column means that monthly figures are published monthly ; " quarterly ", that quarterly figures are published quarterly.

Country	Year ending	Interim period	Remarks
Albania .....	December 31st.		
Algeria .....	December 31st.	Quarterly.	
Argentine.....	December 31st.	Quarterly or half- yearly.	Monthly totals are now published monthly.
Australia .....	June 30th.	Monthly and quarterly.	
Austria .....	December 31st.	Monthly and quarterly.	
Belgo-Luxemburg Economic Union....	December 31st.	Monthly.	
Bolivia .....	December 31st.		



Country	Year ending	Interim period	Remarks	
Brazil	December 31st.	Monthly and quarterly.	Monthly (certain articles and not totalled). Quarterly (for each port, but not totals). Monthly figures published quarterly. Published annually are : quarterly imports (summary) and bananas exported (monthly, weight). The coffee figures are for September years. Monthly totals are published half-yearly.	
Bulgaria	December 31st.	Monthly.		
Canada	March 31st.	Monthly.		
Ceylon	December 31st.	Monthly.		
Chile	December 31st.			
China	December 31st.			
Colombia	December 31st.			
Costa Rica	December 31st.			
Cuba	December 31st and June 30th.	Half-yearly.		
Czechoslovakia	December 31st.	Monthly.		
Denmark	December 31st.	Monthly.	Monthly totals are published annually. Monthly (Java and Madura). Proposed (1927) for all ports. The monthly figures are officially compiled but semi-officially published.	
Dominican Republic	December 31st.			
Dutch East Indies	December 31st.			
Ecuador	December 31st.	Monthly.		
Egypt	December 31st.	Monthly.		
Estonia	December 31st.	Monthly.		
Finland	December 31st.	Monthly.		
France	December 31st.	Monthly.		
Germany	December 31st.	Monthly.		
Greece	December 31st.	Monthly.		
Guatemala	December 31st.		Monthly figures run from 26th of previous month to 25th of current month, except December (November 26th-December 31st) and January (January 1st-25th). From February 1923 the Gregorian calendar (i.e. Western or New Style) has replaced the Julian.	
Haiti	September 30th.	Monthly.		
Honduras	July 31st.	Monthly.		
Hungary	December 31st.	Quarterly.		
India	March 31st.	Monthly.		
Irish Free State	December 31st.	Monthly and quarterly.		
Italy	December 31st.	Monthly.		
Japan	December 31st.	Monthly.		
Latvia	December 31st.	Monthly.		
Lithuania	December 31st.	Monthly.		
Malaya, British	December 31st.	Monthly.	Also monthly (totals). Also annual, December 31st.	
Mexico	December 31st.	Monthly.		
Netherlands	December 31st.	Monthly.		
New Zealand	December 31st.	Monthly and quarterly.		
Nicaragua	December 31st.			
Nigeria	December 31st.			
Norway	December 31st.	Monthly.		
Panama	Compiled and published half-yearly, June 30th and December 31st.			
Paraguay	December 31st.			
Persia	March 22nd.			
Peru	December 31st.	Monthly and quarterly.	Monthly figures, published quarterly. Monthly figures are published quarterly.	
Philippines	December 31st.			
Poland	December 31st.	Monthly and quarterly.		
Portugal	December 31st.	Quarterly.		
Roumania	December 31st.	Monthly.		
Russia (U.S.S.R.)	September 30th.	Monthly.		
El Salvador	December 31st.			
Serbs, Croats and Slovenes, Kingdom of the	December 31st.	Half-yearly.		
Siam	March 31st.	Quarterly.		
Spain	December 31st.	Quarterly.		
Sweden	December 31st.	Monthly.	Gregorian calendar since 1918. Monthly totals are published annually. Monthly totals are available monthly. Gregorian calendar in post-war years. Monthly totals are available monthly. Formerly monthly.	
Switzerland	December 31st.	Monthly.		
Union of South Africa	December 31st.	Monthly.		
United Kingdom	December 31st.	Monthly.		
United States of America	December 31st.	Monthly.		
Uruguay	December 31st.	Monthly.		
Venezuela	December 31st.	Monthly.		
	Half-yearly tables, published half-yearly. The summary figures are for calendar years.			Summary monthly figures are published half-yearly.

## ANNEX II.

### Summary of Observations received from Various Governments on the Resolutions relating to Statistics of International Trade, Census of Industrial Production, Mining and Metallurgical Statistics, Indices of Industrial Activity and Fishery Statistics.

#### I. STATISTICS OF INTERNATIONAL TRADE.

##### *General Remarks.*

Replies have been received from the following States: Albania, Australia, Austria, Belgium, Canada, Czechoslovakia, Cuba, Denmark, Finland, Germany, Hungary, India, Irish Free State, Italy, Latvia, New Zealand, Norway, Poland, Sweden, Switzerland, the Union of South Africa and the United Kingdom. Several of these replies criticise the nomenclature and classification adopted at the International Convention of Brussels (1913) which it was recommended, in Resolution 1, should be provisionally maintained. The first two clauses of this resolution read as follows:

“ The International Institute of Statistics . . . is of opinion :

“ 1. That the common nomenclature laid down by the Brussels Convention of December 31st, 1913, might provisionally serve as a basis for the international statistics to be compiled by the International Bureau of Commercial Statistics set up in Brussels under the above-mentioned Convention ;

“ 2. That such improvements as may be suggested by experience should be introduced into the common nomenclature. ”

It is maintained by certain Governments that the Brussels classification is inadequate for purposes of economic analysis and that its revision is an essential step in a general measure for the improvement of international trade statistics. In this connection it is desirable to explain :

(1) That the recommendation to maintain the Brussels classification provisionally was based largely on the consideration that a more profound and radical alteration of the trade statistical classification than that adopted at Brussels was felt to be required and that such a change was necessarily dependent upon the possibility of modifying the classification employed in commercial tariffs, since most trade statistics are based on tariff nomenclature and classification ;

(2) That, in accordance with the resolutions of the Economic Conference, steps have already been taken with a view to attaining greater uniformity in *tariff nomenclature and classification*. A Committee was appointed in June 1927 by the Council of the League of Nations to study this question, and has already submitted a draft classification which has been circulated to a large number of competent persons and organisations for observations. When international agreement has been reached on the question of tariff nomenclature and classification, the solution of the problem of uniformity in trade statistical classification will be very greatly facilitated.

#### SUMMARY OF REPLIES RECEIVED.

##### **Albania.**

“ The Albanian Government declares that it has no observation to make on the principles adopted, and is ready to apply them. ”

(October 1924.)

##### **Australia.**

The Australian Government makes the following observations :

*Nomenclature of Goods.*—“ In the event of a scheme of tabulation being decided upon, based on lines agreed upon by the majority of the older and larger countries, the tabulations as compiled in Australia could readily be adapted for comparative returns. ”

*Determination of Values.*—The Australian practice differs from the method recommended. In Australia the declared value of import goods is f.o.b. country of origin, or the current domestic value, plus 10 per cent. The value of exports is their value in the principal markets of the Commonwealth.

*Classification of Foreign Trade.*—The import returns include all articles consigned to Australia and landed at Australian ports. "The amount of trade involved in the importation of goods to be manufactured for re-export or in the export of goods to be manufactured and returned is so small as to be considered negligible."

Goods re-exported from a bond are treated in the statistics as "re-exports"; by subtracting "re-exports" from total exports and imports the special trade can be calculated.

*Provenance and Destination of Goods.*—"Imports are recorded according to *country of origin* . . . Particulars are not now recorded according to *country whence imported*." Every effort is made to ascertain the country of final destination.

Special enquiries are made concerning goods shipped to certain localities "for orders". In the preliminary statements the goods are shown as exports to these countries, but before publishing the figures in the annual bulletin the countries of final destination are ascertained.

*Period covered by Trade Statistics.*—"Overseas Trade Statistics are published annually according to the financial year—July 1st to June 30th—and monthly trade statistics according to the civil calendar month . . ."

(July 1926.)

#### **Austria.**

The Federal Government states that it "adheres on the whole to the principles relating to statistics of international trade adopted by the Institute . . . The statistical forms proposed are either already adopted in Austria or will be after an imminent reform in the regulations."

The Government, however, makes one exception. The proposals for the dual indication of countries for imports and exports would, it agrees, present great advantages but would involve an increase in work which the Statistical Bureau could not undertake, owing to the cutting-down of its staff for financial reasons.

"From the experiences of the Bureau it would seem rather doubtful if the merchants would really declare the two countries on the occasion of each consignment. The Federal Government thinks that it must maintain the provisions at present enforced . . . which prescribe the indication of the country of consignment for imports and that of the country of final destination for exports."

(September 1924.)

#### **Belgium.**

"The Belgian Government is glad to see that the adoption of common rules based on the principles defined by the International Institute of Statistics, and the eventual consecration of these rules by an agreement between the various States, is being considered.

"It has had the satisfaction of finding that the foreign trade statistics of Belgium are based upon principles which, in broad outline, agree very closely with those proposed."

(December 1925.)

#### **Canada.**

"The Dominion Bureau of Statistics, Canada, is in agreement with the suggestion that the nomenclature laid down by the Brussels Convention of December 1913 might provisionally serve as a basis for international statistics, to be improved as suggested by experience. It is considered, however, that the grouping system drawn up in 1913 at Brussels is inadequate for purposes of economic analysis, the groups being too few in number and in many cases lacking in comprehensiveness and accuracy. Before publication is made of international trade statistics according to any system of grouping, the latter problem should be thoroughly reconsidered.

"The adoption of declared valuations, subject to verification by official valuations where the latter system is in existence, is approved.

"The Bureau, however, is unable at present to adopt the suggestion that the declared value of goods should be c.i.f. frontier or port of importation, and f.o.b. frontier or port of exportation."

(October 1926.)

#### **Cuba.**

The Government of Cuba states that "a number of the principles recommended . . . had already been employed in Cuba; others again are being adopted in the latest statistics compiled, and the remainder may very readily be enforced".

The following suggestions are made which, in the opinion of the Government, would be likely to contribute to the standardisation of economic statistics:

- (a) That an extra column in which goods not to be reckoned by weight can be entered, e.g., live-stock, pairs of gloves, shoes, etc., requires to be added to the Brussels list;

- (b) That a pound of 500 grammes should be adopted as standard unit of weight;
- (c) That the dollar (U.S.) should be adopted as the unit of value ;
- (d) That, for sake of accuracy and comparability, the business year should consist of 13 months of 28 days each.

(March 1926.)

#### **Czechoslovakia.**

The Government of Czechoslovakia states that the principles contained in the resolutions concerning trade statistics have been applied in the Republic since the recent reform in the methods of compilation. This reform was embodied notably in the Law of 1922 on the determination of values, and in that of October 1923 on the classification of foreign trade and on the indication of the provenance and destination of goods.

With regard to the nomenclature of goods, the Government states that it is highly desirable for Czechoslovakia that the necessary modifications in the Brussels list (§ 2 of Resolution I) should be made as soon as possible.

(April 1925.)

#### **Denmark.**

The Danish Government makes the following observations :

*Nomenclature of Goods.*—The nomenclature laid down at the Brussels Convention of 1913 can serve as a basis for showing the movement of international trade ; but, as it includes only 186 groups of goods, it is in practice of limited usefulness.

“ One can hardly imagine that such a summary nomenclature can satisfy to-day or in the future the demands made upon international statistics by traders and by commercial and industrial organisations. ”

This nomenclature cannot be changed by the International Bureau of Commercial Statistics itself ; but twelve months before the expiry of each seven-year period from the coming into force of the Convention (July 1st, 1914) any one of the contracting States has the right to summon, through the Belgian Government, a conference at which proposals relative to the comparison of different trade statistics can be discussed.

The Danish Government suggests that the question of the revision of the Convention of 1913 might be submitted for discussion at the same time as those other questions concerning trade statistics on which the Institute is anxious for international agreement.

*Determination of Values.*—The system for the determination of values employed in Denmark corresponds completely with the recommendation.

*Determination of Weights and Quantities.*—The Government agrees that precise definitions for the determination of weights and quantities should be established by international agreements. In its own statistical publications, the Danish Government will be careful to give clear definitions in every case.

*Classification of Foreign Trade.*—The Government entirely endorses the principle which is already adopted in Danish statistics that “ special trade ” and “ general trade ” should be indicated separately. Imports and exports are likewise recorded in the manner suggested in Section (a) of this resolution. Information on the countries of provenance for general imports and goods in transit is given, but as this information is lacking for goods re-exported, no exact statement on special imports classified according to countries can be made. On the other hand, tables can be compiled giving special exports according to countries, as well as the special imports of each kind of goods, and consequently the total of the special trade of Denmark.

*Provenance and Destination of Goods.*—The Danish Government is in entire agreement with the principal recommendation in the resolution—that a dual indication of countries should be made for imports and exports. It is not, however, likely that the practical difficulties in the way of adopting this principle will be overcome for a long time ; and for Danish Statistics at present “ goods imported and exported are recorded . . . as a rule according to the countries where they have been bought or where they are sold ”. The countries of provenance and of final destination of the goods are given in preference in special cases where they obviously differ from the countries of payment.

(June 1925.)

#### **Finland.**

The Government of Finland states that the application of the Brussels nomenclature would involve considerable extra expense and the modification of a large number of classifications in the existing Customs tariff. It is considered that the number of items contained in the Brussels list is “ too restricted for trade to benefit greatly by it, considering that it contains to a great extent groups of different kinds of goods ”.

(March 1927.)

### Germany.

The German Government makes the following observations :

*Determination of Value.*—“ The figures of value in Germany are based in the case of exports entirely, and in the case of imports largely, upon Customs declarations. It is intended to make the system of declarations universal in the case of imports also. ”

*Determination of Weight of Goods.*—“ The figures of weight given are, as a rule, those of the net weight of the goods. ”

*Classification of Foreign Trade.*—“ Special trade for imports and exports is indicated separately. Complete exclusion of transit trade from special trade has not yet been possible, although goods in transit through the country are exempt from the statistical duty which is imposed as a general rule on all imports. ”

*Provenance and Destination of Goods.*—“ As country of provenance, the German statistics indicate, as a rule, the country of origin, and as country of destination, the country of consumption of the goods. ”

“ Broadly speaking, therefore, the method on which the German statistics are based may be said to be in conformity with the recommendation of the International Institute of Statistics. ”

(July 1927.)

[For remarks on the *Nomenclature of Goods*, in so far as it refers to the imports and exports of minerals and mineral products, see the final paragraph of the note on the German statement in Section V.]

### Hungary.

The Hungarian Government states that the realisation of the unification of economic statistics is necessary but that at the moment Hungary is not in a position to satisfy all the desiderata of the proposals submitted by the League of Nations.

It suggests, further, as a matter of general policy, that the unification should first be on a “ minimum ” basis, so that every allowance should be made for differences in existing practice and conditions, as well as for the difficulties of making a breach with the past so marked that the comparability of national statistics from year to year would be threatened. A great obstacle to the unification of economic statistics is “ the tendency, which can be observed as much in Hungary as in other States . . . to mould trade and production statistics on the classifications of the Customs tariff in order to make an estimate as precise as possible of needs and consumption. As Customs tariffs differ from one country to another, the unification of the nomenclature of goods is thereby considerably hindered ”.

*Nomenclature of Goods.*—The trade statistics are based on the nomenclature of the Hungarian Customs tariff. For the *determination of values* the declarations of traders are employed ; an official control over these declarations is maintained.

*Weights and Quantities.*—“ *The Hungarian Monthly Statistical Bulletin*, which publishes the provisional figures, does not yet specify if they refer to gross or net weights. ”

*Classification of Foreign Trade.*—“ Hungary took a great step forward by the reorganisation of her foreign trade statistics and by putting that reorganised system into practice on January 1st, 1925. The new regime allows an almost complete separation to be made between special and general trade. Goods in transit, as well as goods imported for additional treatment and later re-exported, form separate groups. Goods admitted free for re-exportation after warehousing or re-packing are easily distinguishable owing to the declarations and the Customs authorisations that accompany them until their destination becomes final. ”

*Provenance and Destination of Goods.*—For imports and exports alike a threefold distinction is made : between countries of purchase, of origin and of provenance on the one hand, between countries of sale, of immediate consignment and of ultimate destination on the other.

(February 1926.)

### India.

The Government of India states that the principles upon which Indian statistics of sea-borne trade are recorded are substantially the same as those recommended in the resolutions of the Institute ; they would prefer not to alter or elaborate them further.

(August 1926.)

### Irish Free State.

In a memorandum from the Department of Industry and Commerce a statement is made to the following effect :

*Nomenclature of Goods.*—“ The trade statistics of the Irish Free State can without much difficulty be reclassified and regrouped to allow of their being compiled in accordance with the list of goods and merchandise suggested by the International Institute of Statistics. ”

“ For reference to details by the public, the Irish Free State thinks it better, instead of having (1) materials raw or simply prepared and (2) manufactured articles, as the main classifications, to have them as sub-classifications ; the main classification being in accordance with the nature of the goods. For example, in the classification ‘ wood and timber and manufactures thereof ’ all descriptions of wood and wooden manufactures from the rough timber through the several stages of manufacture to the finished article made of wood are presented in the same group, but those items which would be classified as “ materials raw or simply prepared ” are kept together and come first in the group in both the official import and export lists and in the trade statistics publications. ”

*Determination of Values of Weights and Quantities.*—In the determination of values the Irish Free State follows the recommendations of the Institute ; “ agreement is expressed, further, with the suggestion . . . that precise definitions should be established for the determination of weights and quantities used in publications of trade statistics by means of international conventions ”. A precise definition for the determination of weight for the Irish Free State is given in each issue of the trade statistics of the country.

*Classification of Foreign Trade.*—“ The trade statistics of the Irish Free State are compiled according to :

- “ (1) General imports,
- “ (2) Exports of goods which are the produce or manufacture of the Irish Free State, and
- “ (3) Re-exports of goods of foreign origin which have undergone no change.

“ It would appear as if statistics of what is called “ special trade ” can be obtained by deducting the re-exports from the general imports.

“ Statistics of transit trade are not included in the ordinary trade statistics, and in this connection the recommendations of the International Institute of Statistics suggest the possible advantages of a statistical tax. There is in force in the Irish Free State a statistical duty-tax of 6d. per consignment on all imports into the Irish Free State. ”

“ No special regulations are in force as regards statistics of goods introduced into the country or exported abroad for the purposes of undergoing additional treatment, but an endeavour has been made in the descriptions appearing in the Official Import and Export Lists, which have just been revised, to obtain information about this class of trade as far as it affects certain classes of goods, for instance : ‘ machines and machinery re-imported after repair ’ and ‘ apparel exported to be dyed ’, etc. ”

Little fuelling of shipping is done in the ports of the Irish Free State, and no account is taken of this trade.

“ As far as possible, the temporary importation and exportation of goods involving no commercial transaction are excluded from the ordinary trade statistics . . . ”

*Provenance and Destination of Goods.*—“ The trade statistics of the Irish Free State are compiled according to the country from or to which goods are consigned. The original documents on which information is obtained do not ask for the name of country of origin in the case of imports, but demand particulars of final destination in the case of exports . . . If it were possible to obtain information to show the country of origin in the case of imports the trade statistics would be much improved . . . ”

The Government of the Irish Free State agrees that it would be useful if the countries of provenance and destination could be made uniform by means of an international convention.

(February 1926.)

## Italy.

The Italian Government recognises that “ it would be expedient to lay down definite principles by means of international conventions in order to secure uniformity of classification and method in the compilation of international trade statistics, such uniformity being the only means of enabling the comparisons which are essential for the purposes of economic enquiry to be made between the trade statistics of the various countries ”.

On Resolution V, the following statement is made :

“ As regards the provenance and destination of goods entering into foreign trade the method adopted in Italian statistics, for reasons of general policy, is to give a single indication of the country of provenance and of destination in the case of both imports and exports. The country of provenance is regarded as the country of origin of the goods, or, where this is not known to the importer, the country from which the said goods were consigned to Italy ; and the country of destination, that to which the goods are to be sent for consumption or, where this cannot be given, the final country of destination known to the exporter.

“ Nevertheless, the Ministry of Finance, within whose province this matter lies, has expressed its readiness to adopt in these statistics, as in those relating to goods ‘ for orders ’, such general principles as might be laid down in international agreements designed to improve and to secure an increasing measure of co-ordination in the statistical methods of individual States. ”

(April 1926.)

### Latvia.

The Latvian Statistical Office is ready to accept the resolutions, recognising, at the same time, that they cannot be applied immediately in every detail by all countries.

*Nomenclature of Goods.*—It agrees that the Brussels nomenclature can serve as a provisional basis for Trade Statistics, and also that certain corrections which experience will suggest will probably be required in the future.

*In the determination of values, of weights and quantities of goods, in the classification of Special and Transit Trade,* the existing statistics conform closely to the recommendations.

*Provenance and Destination.*—Latvian Statistics of Imports and Exports are based upon invoices and thus the countries of provenance and of consignment are considered in the returns; the actual country of origin of imports as well as the country of final destination of exports cannot in the majority of cases be indicated with certainty.

(July 1924).

### Netherlands.

The Government of the Netherlands has made the following observations :

The Brussels Convention of 1913 has been ratified for the Dutch Indies and (as from January 1926) for the Netherlands.

*Determination of Values.*—The provisions relating to the value of goods were revised and completed as from November 1927. The system of declarations has been adopted, and the value to be declared is c.i.f. in case of imports and f.o.b. in case of exports.

*Determination of Weights.*—A definition is given of what is meant by gross and net weight.

*Provenances and Destination.*—In place of countries of purchase and sale, countries of consignment to and from the Netherlands are now required to be stated. " A dual indication of countries meets with serious objections on account of the great uncertainty to be feared in the statement of the countries and also on account of the increased expense. "

(March 1928.)

### New Zealand.

The Government of New Zealand has replied as follows :

" The nomenclature laid down by the Brussels Convention of December 31st, 1913, is not considered to be suitable for use by a country such as New Zealand, whose production is almost entirely of a primary nature. This Dominion is in agreement with the Commonwealth of Australia in this matter, and our classification more fully meets the needs of our respective countries.

" It may be mentioned that the Census and Statistics Office compiles and supplies annually to the International Bureau of Commerce Statistics, Brussels, a statement of imports and exports grouped as nearly as possible in conformity with the international classification. "

(November 1924.)

### Norway.

The Norwegian Statistical Bureau makes the following observations :

*Determination of Values.*—It agrees with the proposal that the values should be based on special declarations. In Norway, however, " value declaration is established for exports, but, for economical reasons, not for imports ". Reform in this connection will be undertaken as soon as the necessary grant is made, but at the moment it is not possible to indicate when this will be.

" According to our experience it should not be necessary to use the system of official valuations as a means of verification. We therefore are of the opinion that it is sufficient here to base the values only on declarations. "

*Classification of Foreign Trade ; re item (e).*—Returns for coal and other fuel supplied to vessels have not hitherto been collected. In future the Bureau will, however, try to procure such information.

*Provenance and Destination of Goods.*—In Norwegian trade statistics the country of purchase is indicated for imports. As soon as the statistics of imports are reorganised, the Bureau will take care that returns are made for the country from which the goods are originally consigned.

As to exportation, the country to which the goods have been sold must be declared, but, if the buyer states that the goods are bound for another country than his own, this country must also be given and is entered in the statistics.

" The Bureau agrees that it would be desirable to establish a double agroupment, but cannot undertake to do this at present. "

### Poland.

(August 1925.)

" The General Statistical Office can follow the decisions of the International Institute of Statistics in so far as foreign trade statistics are concerned, as the returns for the international

trade of Poland are already based almost completely upon the principles adopted by the Institute. ”

(August 1924.)

### Sweden.

The Government of Sweden has expressed the following opinion :

The resolutions of the Institute on International Trade Statistics “ are appropriate and deserve to be applied to the greatest extent possible. With regard to Sweden, the system . . . at present in force would not, however, permit the full application of the principles recommended by the Institute. It differs from these principles on the following points :

“ (a) Swedish statistics only refer to special trade and do not include transit trade except for goods which have passed through bonded warehouses ; consequently, it is impossible at present to furnish the figures for general trade in the sense indicated by the Institute.

“ (b) Swedish statistics do not give the figures relating to the sale of coal and other fuel in national ports for the use of vessels engaged in foreign trade.

“ (c) Swedish statistics indicate the countries of purchase and sale and not those of production and consumption. ”

(March 1925.)

### Switzerland.

The Swiss Federal Government makes the following observations :

*For the Determination of Values* the system of declarations has been adopted for imports as well as for exports. All declarations are examined at the Central Office by a specially qualified staff. If there is a lack of clearness in a declaration, the shipper of the goods is approached directly.

For the export of goods, the exporter alone is allowed to fill the declaration ; exactitude is thus guaranteed.

It has always been the practice in Switzerland that the declared value should be c.i.f. Swiss frontier.

*The Determination of Weights and Quantities* must be made according to net weight of the goods (including their first casing) and the number of articles. The term “ net weight ” is defined exactly in official publications.

As to the *Classification of Foreign Trade* :

(a) The statistical practice of Switzerland differs from the principles set forth in the resolutions on two important points :

1. The most marked difference lies in the treatment of goods nationalised by the payment of Customs duties. The traffic in such goods is excluded from the special trade of the country, as are other forms of *entrepôt* trade. Thus, as far as possible, the special exports are the actual products of the country.

This strict classification of special trade will be maintained in the future : the movements of the *entrepôt* traffic are, of course, not without influence on the Swiss balance of trade, but the returns for this movement will be made separately.

2. According to the proposals, the traffic in goods worked up and repaired, which are exempt from Customs duties, should be included in the special trade.

It would be possible to establish special tables for this traffic that would allow the old method of publication to be continued ; that there are no returns for its value constitutes a difficulty, but not an insuperable one. The balance of payments of Switzerland would certainly be affected by the inclusion of the value of this traffic, and the Government agrees that it should be obtained and entered into the trade balance.

(b) General and special trade are not indicated separately. There is no possibility of making a statement for general trade. The traffic in goods in transit is indicated separately, but only as to weight, not as to value. Special returns are made for the *entrepôt* trade.

(c) The Government agrees with the proposal concerning goods for exhibition. The provisioning of ships, however, is included in special trade. “ Although arrangements relating to this form of export are not always very simple, it has generally been possible to overcome the difficulties. ” The distinction proposed between gold and silver coin is endorsed ; on the other hand, the movement of gold bullion is included in Special Trade, and, for the sake of comparison with past years, this must be maintained.

*Provenance and Destination.*— “ The dual declaration of the origin and of the last country of direct consignment of goods, and accordingly of the next direct destination and of the final



countries of production and countries of consumption. This distinction would certainly be desirable, but it would involve insuperable complications.

"Our trade statistics indicate the country of origin and that of consumption. We believe that a dual indication made according to the proposals would involve such confusion that its application would be problematical. From our point of view, it is only necessary that the true countries of origin and of consumption should be given."

(June 1926.)

#### **Union of South Africa.**

The Government of the Union of South Africa states that in general the form and scope of South African statistics conform closely to those recommended in the resolutions. Reservations, explanations and points of disagreement are noted below :

*Nomenclature of Goods.*—The classification adopted by the Union of South Africa more than covers the requirements laid down by the International Institute of Statistics.

The order in which the trade figures for the Union are presented differs from that of the International Institute of Statistics, for the reason that the classification of the Union's trade statistics was originally alphabetical but has since been modified by grouping together as far as possible materials for particular industries and articles of an analogous nature, whilst to a certain degree it is influenced by tariff considerations.

*The Determination of Value.—Import values.* The declared value of goods subject to duty is not c.i.f. frontier or port, but is current selling price of the goods for consumption in the country of origin, plus cost of packages, packing and carriage to the port of shipment. For goods subject to a "rated" duty or free of duty, the f.o.b. value is required. The total value of the charges for insurance and freight are, however, recorded separately at the end of the import tables

*Export value* is that current at the time and place of shipment, plus cost of packages, packing and loading charges.

For imported goods re-exported, the f.o.b. value is given. For goods re-exported from bonded warehouses, the value recorded is that at which the goods were originally warehoused.

*Classification of Foreign Trade.*—"The import trade statistics of the Union of South Africa from January 1924 show the special trade and transit trade separately.

"The transformation trade (of the Union) with the neighbouring territories is appreciable. At the present time, however, the volume of this trade cannot be ascertained, as manufacturers and exporters are not required to declare separately the percentage of the value of the manufactured article to be apportioned to the value of the raw material."

"Particulars of coal supplied to national vessels and foreign shipping are shown in the annual statement according to the nationality of the vessel supplied. Regarding other fuel (fuel oil)—the trade in which is small—no distinction as to the nationality of the vessel supplied has hitherto been published, but doing so would present no difficulty.

"The suggestion of the Institute regarding the exclusion of goods involving no commercial transaction, e.g. goods for exhibition, etc., is a course that has always been observed in the compilation of the trade statistics of this country, while ships' stores have been excluded from exports and shown separately since the year 1916."

"Special tables of gold and silver coin are published in the annual statement

"Fishery products of South African taking are not included in the import tables."

*Provenance and Destination of Goods.*—Imports are credited where possible to the country in which the goods have been manufactured, grown or produced. Where the particulars of origin are not available, goods are credited to the country from which shipped.

Country of destination means the country of final destination as far as that can be ascertained at the time of shipment. The country of provenance, in the case of imports, is taken from the manufacturers' or exporters' invoices, and, in the case of exports, from the exporters' shipping papers.

The possibility of furnishing a dual indication of countries of provenance and of origin for imports will be investigated. In the event of this dual indication being found impracticable, imports will be tabulated according to the country whence originally consigned.

With regard to dual indication for exports, reliable data as to the ultimate destination of goods would in many instances be unobtainable from shipping documents.

#### **United Kingdom.**

(August 1924.)

The British Government makes the following observations :

*Nomenclature of Goods.*—Statistics of British imports and exports according to the nomenclature of the Brussels Convention will be supplied to the International Bureau of Commercial Statistics from 1924 ; and it is hoped that the statistics can be furnished within twelve months after the end of each calendar year.

Statistics for "special trade" as such are not compiled for the United Kingdom, but it is proposed to show "net imports retained for home consumption (including transformation or manufacture) and exports of United Kingdom produce and manufactures (which include nationalised goods)".

Goods imported and exported by *parcel post* are recorded under a separate heading, except in the relatively small number of cases where the goods are liable to an import duty ; this movement cannot therefore be included in the returns for the majority of the headings in the common nomenclature ; but the quantities and values involved are not of sufficient importance materially to affect the result.

*Determination of Values.*—The system of valuation based on special declarations by importers and exporters is already in force in the United Kingdom. The values required to be declared are c.i.f. on importation and f.o.b. on exportation. " H.M. Government would prefer to reserve any observations on the suggestion for regulating the application of the system of special valuation by international convention until details of concrete proposals are available. "

*Weights and Quantities.*—" . . . where goods are entered by weight the quantities given represent the net weight of goods exclusive of packages, sacks, casks, tins, bottles, etc., in which they may be contained or of reels on which they may be wound . . . " " Gross weight " and " legal net weight " are not used in United Kingdom statistics or revenue practice.

*Classification of Foreign Trade.*—" The United Kingdom trade statistics are not designed to show special, as opposed to general, trade, but the practice corresponds with paragraph (b) in this resolution. The statistics are, however, classified in three main groups : (1) imports, (2) exports of British produce and manufactures, (3) " re-exports " of foreign and colonial produce and manufactures. Special imports are obtainable by deducting (3) from (1), while (2), which includes goods nationalised by transformation or manufacturé, is equivalent to special exports . . . "

The movement of goods for exhibition, etc., are excluded from the statistics, as are also ship's stores and lobsters and fresh fish of British taking imported in British ships. Gold and silver coin and bullion are excluded from general trade statistics, but separate accounts of imports and exports are kept. With regard to the possibility of compiling statistics of coal and other fuel supplied to British and foreign shipping at ports of the United Kingdom, an enquiry was made for the year 1925 and a statement showing quantities (but not values) of coal and oil was prepared. " His Majesty's Government feels, however, that the compilation of these statistics is scarcely likely to justify the expenditure involved, and it does not propose to prepare a similar statement for the year 1926. "

*Provenance and Destination.*—The United Kingdom trade statistics show the countries from which imports are originally consigned and the countries of ultimate destination of exports and re-exports (*i.e.* the countries to which they are consigned). It would not be practicable to show in addition countries of provenance and of immediate destination respectively.

As regards the proposal for a convention to secure international uniformity in this matter, His Majesty's Government would be prepared to consider any suggestions which might be made. " It will be borne in mind, however, that any serious departure on the part of the United Kingdom from the classification of politico-geographical areas at present followed might have results which would conflict with the aims expressed in the resolutions under consideration. "

(January 1925 : November 1926.)

## II. CENSUS OF INDUSTRIAL PRODUCTION.

### *General Remarks.*

Comments on the resolutions concerning censuses of industrial production have been received from : Australia, Austria, Belgium, Bulgaria, Cuba, Czechoslovakia, Denmark, Estonia, Germany, India, the Irish Free State, Latvia, Lithuania, Netherlands, New Zealand, Roumania, the Union of South Africa, the United Kingdom and the U.S.A.

Acknowledgments, without comment on the resolutions, were received from the Argentine, Guatemala, Honduras and Venezuela.

The Preparatory Committee on Statistics, at its meeting in Rome in October 1925, requested each of its members to prepare a report on the methods of statistical enquiry into current industrial production employed in his own country and colonies thereof ; the general census of production, together with statistics for the mining and agricultural industries, was excluded. In certain cases, the official replies to the letter containing the resolutions which was circulated by the Secretary-General to the Governments of Member States and the U.S.A. in accordance with the resolutions of the Council of the League of Nations refer to these reports as indicating the possibilities of adaptation, the nature of existing returns, etc., in the countries concerned.

### SUMMARY OF REPLIES RECEIVED.

#### **Australia.**

The Commonwealth Government states that it is " in accord with the idea of periodical censuses of industrial production, and is of opinion that the information derived from such censuses would be of added value if the enquiries made were, as nearly as possible, uniform " .

It submits comments on :

*Period of Enquiry.*—“ The calendar year is recommended in the resolutions, but it has been found more suitable in Australia to collect production statistics for the year ended June 30th, and arrangements have just been completed for the adoption throughout the Australian States of the year ended June 30th for statistics of manufacturing. In view, however, of the latter part of the resolution, the Australian practice should present no difficulty. A position with regard to dates in the manufacturing production of the world would thus arise similar to that which necessarily obtains in the case of agriculture where seasonal variations compel the connection of the calendar year in the northern hemisphere with the year ended June 30th in the southern hemisphere. In each case the year covered is that from mid-winter to mid-winter. ”

*Scope of Enquiry.*—“ In the annual census of manufacturing in Australia, buildings and earthworks have not so far been included, although preliminary enquiries as to the possibility of their inclusion have recently been instituted. Returns for mining are fairly comprehensive but not so detailed as those for manufacturing industries. Metallurgy is already included in manufacturing. Provision is made in the Australian annual census of production for the collection and tabulation of statistics relating to dairying, slaughtering, scouring, saw-milling and packing, and in any proposed scheme data concerning these branches could be included readily with the appropriate industry. ”

*Limits of Enquiry.*—“ In Australian statistics the definition of a factory is an establishment employing four hands or more, or using power, which is engaged in making or repairing for the trade (wholesale and retail) or for export. Establishments employing less than four hands where no power is used do not furnish annual returns, and no estimate is made for their operations. It is proposed, however, to take a census of such smaller establishments every ten years. All establishments . . . which come within the above definition of a factory furnish annual returns. ”

*The Main Heads of Enquiry.*—“ (a) *Products and costs.* The recommendations . . . in respect of products, materials used and work given out are substantially embodied in the Australian form of enquiry. Particulars relating to quantities of articles produced are limited, but with the increasing importance of the manufacturing industries development is proceeding along these lines. ”

Accurate charges for depreciation are not yet available, but the means to improvement in this direction are being investigated.

“ (b) *Apparatus of production.* It has not yet been possible in Australia to record the number of men-hours worked in any period. ” The average number of persons employed in each establishment is ascertained annually. Other details in respect of personnel, mechanical equipment and wages are generally in close accordance with the recommendations of the Institute.

Fairly reliable information is obtained of the value of land, buildings, plant and machinery employed in manufacturing, but at present there are no means available for obtaining satisfactory data regarding the total amount of working capital employed in the manufacturing industry.

*Re Resolutions 4, 6 and 7,* Australian practice conforms entirely with the recommendations of the Institute.

(January 1927.)

#### **Austria.**

The Government of Austria has submitted the following observations on the resolutions :

*Period of Enquiry.*—Resolution I does not take into consideration those enterprises which close their returns on June 30th. The Federal Office of Statistics suggests that figures should be taken for the business year of which the greater part *or the second half* falls within the year to which the census refers.

*Units of Enquiry.*—The Federal Office of Statistics is of the opinion that for the purposes of a census special figures for each establishment are not necessary. “ If the data were furnished for the whole enterprise it would make the collection and utilisation of information more easy and, further, would prevent the possibility of a double counting. ”

*Re Resolution 5,* the Federal Office of Statistics draws attention to the difficulties that might arise from obliging industrialists to reply to so detailed a questionnaire.

#### **Belgium.**

(February 1927.)

The Belgian Government states that a complete census of production in Belgium would necessitate not only additions and alterations to what exists but an entirely new organisation. The establishment of such a new organisation could not be effected before the time of the next general census of population in 1930.

In his report to the Preparatory Committee (1924), Dr. Julin, Secretary-General of the Ministry of Industry, classified the industrial statistics of Belgium into four groups. The first

includes articles subject to excise duties (ten industries including the manufacture of matches, beer, spirits, wine, margarine, sugar and tobacco) ; for these no figures as to personnel, wages, etc., or information as to materials used or value of products, are supplied. For the second group, comprising mining and metallurgy, more complete figures are available. They will nevertheless have to be revised to satisfy the resolution.

The other two groups include the textile and munitions industries, for these statistics are extremely incomplete and are not collected by the State authorities.

(December 1926.)

### **Bulgaria.**

The Government of Bulgaria states that the existing statistical practice in the Kingdom is generally in accordance with the resolutions; and that steps have been taken, in cases where the recommendations are not already applied, to bring the whole system into line.

(December 1926.)

### **Cuba.**

The Department of State of the Republic of Cuba is of opinion that the resolutions of the International Institute of Statistics are fully applicable and adaptable to Cuban industry. "On all points in the resolutions it would be possible to secure conformity in the Cuban statistics with the obvious exceptions arising out of . . . differences of climate, customs, cost of living, and certain existing laws such as the Early Closing Act, the Workmen's Compensation Act, and any others that may subsequently be enacted."

(August 1927.)

### **Denmark.**

The Government of Denmark states that "detailed censuses of industrial production have taken place in Denmark four times—in 1897, 1906, 1914 and 1925. Further, since 1916 statistics on the quantity and value of the production of the principal industrial products have been compiled.

"The method followed in the preparation and compilation of these statistical enquiries has been chiefly dependent upon the special conditions of the moment—legal and practical.

"In general . . . the procedure followed in Denmark for the censuses of industrial production is in conformity with the principles underlying the resolutions of the International Institute of Statistics."

(February 1927.)

### **Estonia.**

The Government of Estonia has replied as follows: "The application of the resolutions . . . presents no difficulties in Estonia, for the Central Office of Statistics has, since 1922, collected information on the different branches of economic statistics to the extent provided for in the resolutions."

(March 1927.)

### **Germany.**

The German Government has made the following observations on the resolutions :

Censuses of the entire industrial production are not taken in Germany and German production statistics are available only for the principal industries. However, the main recommendations are already complied with.

*Period of Enquiry.*—"In principle, the German statistics are based on the calendar year or, when this is not possible, on the business year of which the major part falls within the calendar year to which the enquiry relates."

*Limits of Enquiry.*—"German statistics of production include all private and public enterprises . . . in so far as they are liable to accident insurance. Domestic work is indirectly included by means of the figures supplied by the firms giving out the work."

*Units of Enquiry.*—"The individual establishment or the division belonging to the particular branch of production carried on is the unit of production statistics."

*Main Heads of Enquiry.*—A. *Products and costs.* (a) The German industrial statistics of production normally embrace the *quantity* and the *value* of the individual products. The value is reckoned, in the case of sales, at the selling prices at the works, in the case of delivery to the firm's own branches, at the market price, and in the case of stocks in hand at the average prices obtained for the goods or at the market price.

(b) The quantity and value of the raw materials used are ascertained, but the quantities of fuel, electric power, etc., used are not given. The value of the materials employed is reckoned at the cost price delivered at the factory, or, if obtained from the works themselves, at the market price.

(c) The sums paid for work given out to other establishments are entered in the statistics of production.

(d) No return is given for the sums written off for depreciation of buildings and plant.

**B. Apparatus of production.**—(a) As regards numbers employed, only persons belonging to trade union insurance associations, without distinction of age or sex, are reckoned.

(b) Mechanical equipment is only reckoned in the standard industries and covers no more than the characteristic types of machinery, such as furnaces, spindles, looms, etc.

(c) Wages and salaries are ascertained in so far as they are paid to persons belonging to trade union insurance associations.

In German statistics this heading (wages and salaries) includes, in addition to wages, bonus, etc., other privileges having a monetary value (such as free lodgings, etc.).

#### **India.**

The Government of India proposes to postpone consideration of the resolution of the International Institute of Statistics until it has been able to deal with a recommendation on the same subject made in the report of the Indian Economic Enquiry Committee.

(February 1927.)

#### **Irish Free State.**

The Irish Free State Government has replied that the census of industrial production for the country will take place early in 1927 in respect of the year 1926. It has forwarded to the League of Nations a copy of the Order under the Statistics Act in connection with the taking of the census. "In drawing up the schedules to be used for the purpose of obtaining the required information, the Department of Industry is paying the closest attention to the recommendations adopted by the International Institute of Statistics . . . ."

(December 1926.)

#### **Latvia.**

The Latvian Government states that "while adhering to the resolutions adopted by the institute . . . the Statistical Department notes at the same time that it will be difficult to establish exact figures of the annual number of hours worked by persons employed in industrial undertakings, as well as of the amount of capital sunk in these undertakings".

"A general census of production has not yet taken place in Latvia, but such a census is envisaged for 1930 . . . . However, in order to obtain a general view of the industrial situation the Statistical Department makes every year, by means of special questionnaires, a statistical enquiry for all industrial establishments employing five persons or over and using mechanical power."

The Statistical Department is ready, when the general census is taken, to apply the methods recommended in the resolutions in so far as the special conditions of the country permit.

(November 1926.)

#### **Lithuania.**

The Lithuanian Government states that the competent authorities will do all that is necessary to put the recommendations of the Institute into practice.

(January 1927.)

#### **Netherlands.**

The Government of the Netherlands states that "the returns for industrial production in the Netherlands are established on the whole on the principles mentioned in the recommendations and opinions of the International Institute of Statistics . . . ."

"On one important point, however, the Dutch statistics are not yet in conformity with these recommendations. It was advised that the census of production should cover all branches of industrial activity, including building and other forms of construction, mines and metallurgy; but Dutch statistical returns do not include all the principal branches of industry. A complete census of industrial production in conformity with the recommendations would entail an expenditure which would greatly exceed the budgetary estimates and could not, therefore, be realised at present.

"Proposals aiming at bringing Dutch statistics of production and consumption into line with the recommendations on certain other points will be made as soon as the collaboration of industrialists can be counted upon. Statistics relating to personnel, for example, are not very detailed, data on the total of wages and salaries paid having never been asked for."

(November 1927.)

#### **New Zealand.**

The Government of New Zealand makes the following observations on the resolutions :

*Period of Enquiry.*— "The great majority of industrial concerns in New Zealand close their financial year on March 31st, and this date has been selected as most suited to conditions in the Dominion. In collection of primary data, firms supplying the same are permitted to make returns in respect of their financial year, provided it does not close earlier than December 31st nor later than June 30th."

*Scope of Enquiry.*—“ Mining and all branches of manufacturing industry are covered (including building and construction), with the exception of some minor industries (*e.g.* bespoke tailoring . . . stone quarrying . . . etc.) in respect of which experience has proved the impossibility of securing satisfactory information. Operations bordering between industrial and primary production are treated in accordance with the recommendation of the Institute. ”

*Limits of Enquiry.*—“ (a) All classes of organisation are covered, but in some cases of State enterprise figures are not obtainable.

“ (b) All establishments employing two or more hands or using motive power are included . . .

“ (c) Repair and finishing work (within the limits specified) is included in the enquiry. ”

*Units of Enquiry.*—“ In cases where the same firm carries on different industries in separate establishments, separate returns are almost invariably obtained, and where different industries are carried on in the same establishment it is only in comparatively rare instances where the figures cannot be separated, the principal difficulty lying in the allocation of capital and permanent assets. ”

*Main Heads of Enquiry.*—A. *Products and costs.* The recommendations of the Institute regarding value and quantity of products, of materials used, of work given out, appear to be met in almost every detail by New Zealand statistics. “ An enquiry regarding the amount of depreciation actually written off in the period under review is included in the questionnaire, and no difficulty appears to be experienced by manufacturers in supplying this information. ”

B. *Apparatus of production.* “ The average number (of persons) employed during the year is obtained, together with the total salaries or wages paid. Employees are divided into : (1) administrative, (2) productive and (3) distributive, and males are separated from females. ”

The requirements of the resolutions under the headings of *plant* and *wages* are fulfilled.

“ Information regarding capital invested is asked for, and it is considered that the information obtained is reasonably accurate ; the only difficulty experienced is in the allocation of capital between two or more industries carried on in the same premises or between the trading and manufacturing activities of a concern engaged in both. ”

6 and 7. “ All information is treated as absolutely secret, and no statistics are published which would disclose operations of a group of less than four establishments ” . . .  
“ A census of industrial production is carried out every year. ”

(April 1927.)

#### **Roumania.**

The Government of Roumania states that its General Statistical Institute fully endorses all the recommendations. Although certain technical difficulties have up to the present permitted the application of the proposed principles only to the mining industry, it intends to extend them to all other branches of Roumanian industry.

(January 1927.)

#### **Union of South Africa.**

The Union Government makes the following reply : “ The proposals in question are, in the main, already being carried out in the Union of South Africa . . . The Director of Census and Statistics states that so far as depreciation changes are concerned, he is quite in accord with Resolution 5 A (d). ”

(December 1926.)

#### **United Kingdom.**

The British Government states that, “ in the main, the principles recommended in the resolutions for general adoption are in agreement with the principles which have governed the work of His Majesty’s Government in Great Britain in connection with enquiries in this field under the powers conferred by the Census of Production Act, 1906 . . . ”

“ A census of production was taken in this country for the year 1907, and the enquiry was repeated five years later, though owing to the outbreak of war the critical examination and analysis of the material gathered on that occasion were not completed, and no results have been published. For the year 1924 an enquiry on the lines of that for 1907 has been carried out, and the work of compiling the results of this enquiry is now in progress . . . As the powers conferred upon the Board of Trade by the Act of Parliament authorising the census do not sanction a procedure agreeing in all respects with that recommended in the resolutions of the International Institute of Statistics, it would not be possible for the Board to bring its enquiries into line with the recommendations of the Institute without amending legislation. ”

The restricted powers of the Board of Trade affect particularly the information that can be given under 5 A (a), (b), (c) and (d) and B (c). In some cases where statutory power has not been given to require information from manufacturers, enquiries of a voluntary nature are undertaken (for example, with regard to the principal kinds of materials used in manufacture, and the amounts paid in wages and salaries).

There is little divergence elsewhere between the practice of the Board of Trade and the recommendations of the Institute. A reservation has been made with reference to Resolution 3 (b): "it has not been customary to publish separately the ascertained particulars for establishments of a moderate and large size, and the estimates for establishments so small that complete and reliable information regarding them is not obtainable by direct enquiry. The Board will, however, cause the data in course of preparation relating to 1924 to be examined with a view to determining how far the separate publication recommended . . . may be advantageous."

Re Resolution 7: "It is not possible at present to say what will be the date of the next enquiry and what intervals will elapse between succeeding enquiries. It is, however, probable that no decision fixing the intervals between later enquiries will be reached until experience of the utility of the index of productive activity, which is being undertaken, has been obtained . . ."

(December 1926.)

### III. MINING AND METALLURGICAL STATISTICS.

#### *General Remarks.*

The recommendations and skeleton forms contained in the report of the Governors of the Imperial Mineral Resources Bureau, which, as explained above, were circulated to Governments for their observations, covered certain questions which lie outside the agenda of the present Conference, such, for instance, as accident statistics. Further, in these skeleton forms as originally drawn up British weights and measures were employed throughout. In the following summary of replies received all observations relating to weights and measures or to problems outside the province of the present Conference have been omitted.

Observations on this report which are summarised below have been received from the following States: Albania, Austria, Belgium, Canada, Czechoslovakia, Denmark, Finland, Germany, India, Irish Free State, Italy, Norway, Poland, Sweden, United Kingdom, Union of South Africa.

#### **Albania.**

"The Albanian Government . . . declares that it has no observation to make on the principles adopted, and is ready to apply them."

(October 1924.)

#### **Austria.**

The Austrian Government states that in 1920 a basic reform of mineral statistics was undertaken.

"The schedules then introduced agree, in items of principal importance for international statistics, with the questionnaires of the Imperial Mineral Resources Bureau . . . The schedules relating to the production of iron and of coal have evidently been drawn up in order to answer the special requirements of the economic statistics of Great Britain, where these branches of production have a predominant importance. For international statistics these schedules should, in the opinion of the Federal Government, be considerably simplified."

(September 1924.)

#### **Belgium.**

The Belgian Government states that the mines department as it is at present organised does not possess the necessary statistics to fill some of the tables of the report. "This is the case, notably, with regard to Tables XVIII and XX relating to the distribution and consumption of fuels, Tables XXIII and XXXII relating to the import and export of fuels according to countries, qualities and values, Tables VIII and IX relating to the imports and exports of pig-iron, etc. However, the majority of these data, so far as imports and exports are concerned, can be obtained from the Statistics of Trade Movements, published by the Ministry of Finance"

"The Belgian Government is of the opinion that the tables of the Imperial Mineral Resources Bureau cannot be adopted as they stand, even provisionally. They would, however, together with the accompanying text, furnish a basis of discussion for the international Convention of Statisticians which is being considered . . ."

"It seems practical, indeed, to allow each country to preserve the general form of its own statistics, while endeavouring to maintain a general agreement within certain limits, in such a way that a small number of fundamental data in each of the national statistics may correspond to uniform definitions and be capable of comparison and collection."

(December 1925.)

#### **Canada.**

The Canadian Government expressed a general agreement with the recommendations of the Imperial Mineral Resources Bureau.

(October 1926.)

### **Czechoslovakia.**

The Government of Czechoslovakia states that the National Office of Statistics is preparing a thorough reform of mining and mineral statistics, which will be elaborated by the addition of certain returns suggested in the British proposals.

In this reform, however, it will not be able to include :

(a) An enquiry on the production of refined iron and its products, because of difficulties on the score of practice and method.

(b) An enquiry on the general consumption of different kinds of coal according to categories of consumers. The mines cannot furnish information in every case as to how the coal produced is finally used.

(c) Information relating to the quantity of coal forwarded by each system of rail or waterway.

It is necessary, further, to note that in the opinion of the National Office of Statistics the enquiry into the kind of mineral and the description of the products obtained (Tables I and II relating to the different minerals) has only a secondary importance for Czechoslovakia: what is considered as of primary importance is to know the quantity of ore extracted, of ore treated and its mineral content.

The exact meaning of some of the items in the schedules needs to be clearly defined.

The net production of coal will continue to be understood in the statistics of Czechoslovakia as the quantity available for consumption as opposed to the English conception of the amount of sorted coal produced.

“ The imports and exports of different mining and metallurgical products are already included in the trade statistics. A separate statement for these products within the framework of the statistics of mining and metallurgical production would be a duplication and would appear for the moment not to be realisable in Czechoslovakia.

“ The National Office of Statistics cannot, therefore, furnish information concerning the products in question other than that which is contained in the trade statistics. ”

(April 1925.)

### **Denmark.**

The Danish Government is in complete agreement with the opinion of the Council of the League of Nations that, as regards statistics of mineral production, the ultimate object in view—namely the application of uniform methods—might be most satisfactorily attained by using directly the tables prepared by the Imperial Mineral Resources Bureau. This question, however, is not of great interest to Denmark, as the mineral production of the country is almost nil.

(June 1925.)

### **Finland.**

The Government of Finland states that the proposed schedules involve more detail than can be obtained in Finland, where the mineral industry is small. The mine-owners cannot be legally obliged to give the information required. Thus, it is not thought possible to apply at present the principles contained in the resolutions.

(March 1927.)

### **Germany.**

The German Government has supplied details showing in what cases and subject to what limitations the schedules of the Report of the Imperial Mineral Resources Bureau can be filled by German statistics. It has also furnished a more general statement to the following effect :

*Value.*—The German practice is in agreement with the recommendations to the extent that the value at the factory is given.

*Production.*—Coke manufactured at gasworks is not included in the German statistics of mining and metallurgical production. As a rule, the German statistics give the output of marketable products, but, in a few cases, the gross output.

*Stocks and Consumption* are not reckoned.

*Persons employed.*—Only persons belonging to trade union insurance associations are included in the returns. The figures are not divided according to age or sex, nor according to employment above or below ground.

*Costs.*—No particulars are given regarding prime costs, transport, charges, etc.

The headings under which the German mining and metallurgical statistics are divided are, to a large extent, identical with those contained in the schedules of the report. To this extent, therefore, these schedules could be filled in from the particulars available. On the other hand, a number of questions could not be answered owing partially to differences in classification, and partially to certain difficulties, mentioned in the report itself, which do not allow the full returns proposed to be made.

*Import and Export Data.*—“ The Statistical List of Goods on which the German statistics are based is not in its present form so detailed as to provide all the information required by



this report. In particular, the List of Goods does not provide for the classification of ores according to their metal content; nor does it make any distinction between raw ores and concentrates, or between unrefined and refined metals. ”

(July 1927.)

#### **India.**

In a note written on behalf of the Government of India to the Imperial Mineral Resources Bureau and transmitted to the League of Nations for information, the following statement is made :

“ The Government of India has recently revised its forms relating to mineral statistics, taking into consideration the suggestions made in 1920 by the British Empire Statistical Conference. It considers that there are strong objections to a revision of its forms in the directions suggested : in the first place, it is of great importance that the returns should be, as far as possible, uniform from year to year ; secondly, the elaboration of the forms would lead to considerably greater delay in the publication of the returns ; and thirdly, the preparation of returns on the scale indicated would be beyond the powers of the existing staff, and the extra expense necessary would not, in the opinion of the Government of India, be justified by the results.

“ In the circumstances, the Government of India regrets that it is unable to accept the proposals . . . ”

(November 1924.)

#### **Irish Free State.**

The Government states that the output of mines and quarries in the Irish Free State is small and that no statistics have been collected since the establishment of the Free State Government. When the work of collecting these statistics is taken in hand, the publication of the results will be as far as possible in accordance with the recommendations contained in the report.

(February 1926.)

#### **Italy.**

The Italian Government states that “ the principles suggested in the report and in the schedules for mineral statistics prepared by the Imperial Mineral Resources Bureau . . . are identical, except in certain details, with those which have been employed for some decades past by the Inspectorate-General of Mines of the Kingdom of Italy ”.

The requisite particulars on production, value, persons employed, accidents, occupational diseases and wages are published yearly. Information relating to total exports, imports, consumption and (except in a few cases) production costs is not published. Particulars of production costs are wanting, either because they cannot be ascertained from the firms or because it would be inexpedient to publish them. “ On the other hand, the authorities concerned would have no difficulty in adopting the suggested tables relating to imports, exports and internal consumption, provided the necessary particulars could be obtained from the Customs in good time. ”

“ The period for which returns of production are prepared is . . . the calendar year.

“ In calculating the number of workers, it is considered preferable to continue calculating the total number of days worked during the year and to divide this by the number of working days, instead of preparing monthly averages. There is no reason why the statistics should not, in addition, contain figures of the number of shifts worked during the year, this being practically the same as the average of working days already given in our statistics.

“ Again, the requirement . . . that the number of young persons of both sexes engaged in mines and workshops should be shown separately has always been met, and the same applies to the indication of the hours of work. ”

(April 1926.)

#### **Norway.**

The Norwegian Statistical Bureau stated that a partial revision of the mining statistics in Norway was under consideration.

In view of this fact, the remarks summarised below were preliminary in character.

A more detailed indication of what is to be included in “ ore raised ” might be given for the production tables of tin, wolfram, copper, lead, zinc, nickel and cobalt. As to “ ore treated ”, there are no special figures for Norway, but the Bureau will try to procure them.

“ It appears from the analytical tables that aluminium is treated quite differently from the above-mentioned metals. The table on aluminium production has been given quite another form and includes only the raw material. A table II for refining of the metal does not exist. We cannot see the reason why aluminium is thus treated differently. The aluminium production in Norway, which is very important, includes only the refining of foreign raw materials, and this production will thus be quite excluded from the table of production which has been drawn up by the Imperial Mineral Resources Bureau. ” It is suggested that at least a special table for the refining of the metal should be introduced.

Returns for imports and exports of metals are dependent upon the trade statistics.

There is no production of coal in Norway, but in future Norwegian statistics will include Spitzbergen, which has several coal-mines. Nothing has yet been decided as to the form of the returns for coal production in this island.

Figures for the production of coke are not obtained.

As to the production of iron and steel, only the extraction of iron ore and the production of pig-iron and ferro-alloys are dealt with in Norwegian statistics. Further, the questions in Tables I and II regarding the extraction of iron ore cannot be answered in full: the distinction between phosphoric and non-phosphoric ore, the further specification of the various kinds of iron ore, the stocks at the beginning and close of the year, returns for the mechanical and magnetical treatment of the ore, cannot be made owing to the present form of Norwegian statistics. Nor can the export and import returns for iron ore be given as indicated in the proposals.

In the production table of pig-iron and ferro-alloys, in the special questions relating to blast furnaces and electric melting furnaces, the actual form of the Norwegian statistics restricts the scope of the returns; it is, however, presumed that this could be remedied by a rearrangement of the statistics.

Information in Table VII on raw products and fuel can be given.

The Bureau states: "it will be difficult to establish a specification of the different kinds of iron and ferro-alloys as made in these tables. This is specially due to the fact that the establishments decline to give a detailed specification of the products . . . ."

"In the tables of production of iron ore, pig-iron and ferro-alloys we entirely lack returns on the value. We consider these returns very important, especially because they are compiled for the other metals."

With regard to the costs of production, Norwegian statistics of mining give figures for wages paid and for the value of fuel; for the year 1924 the Bureau obtained also the value of the raw materials used.

(August 1925.)

#### **Poland.**

The General Statistical Office considers that, from an international point of view, the schedules are not sufficiently elaborated. Poland would not be in a position to apply the present schedules in their entirety.

(August 1924.)

#### **Sweden.**

The following are the principal observations on the report of the Imperial Mineral Resources Bureau made by the Swedish Government:

"The value of mineral production should, according to the proposals in question, be indicated for goods at the place of production (at the pit-head, etc). Swedish statistics, on the other hand, give the market value free on board or on wagon—that is to say, as a rule, the invoice value of the products.

"The proposals provide for the indication of the metal content of the mineral products at the different stages of their transformation, with details that the official statistics, as they have been compiled up to the present, could not furnish in every case.

"According to the proposals, iron and steel should be indicated separately; this would not always be possible in using Swedish statistics.

"The forms provided in the proposals for certain products of rolling-mills have no equivalent in Swedish statistics.

"The stocks of iron and steel on January 1st and on December 31st, together with the number of rolling-mills, both of which were provided for in the proposals, do not figure in the official annual statistics of Sweden.

"Concerning the extraction of coal and its products and by-products, the proposed schedules appear to be far too detailed for Sweden, whose production of these goods is quantitatively of little importance."

"Information as to the countries of origin and of final destination for mineral products imported and exported respectively cannot be given, for the reason set forth above in connection with statistics of international trade . . . ."

(March 1925.)

#### **Union of South Africa.**

The Union Government states that the Department of Mines was asked to discuss the original draft of the report of the Imperial Mineral Resources Bureau, which adopted certain suggestions then made. The Government mining engineer keeps the Bureau informed every month on the output of the principal minerals.

(August 1924.)

#### **United Kingdom.**

The British Government states that, except in regard to instances such as those mentioned below, "the statistics at present published by the Mines Department cover those suggested by the Imperial Mineral Resources Bureau and, indeed, in certain respects go beyond the scope of the scheme of the Bureau.

“ The Mines Department statistics are either collected under statute or supplied voluntarily by producers of minerals or trade associations. It is not considered practicable at the present time materially to extend the collection of statistics from the mining industry of this country. ”

The following detailed observations are added :

*Production.*—The production statistics suggested are nearly all available in the Annual Report of the Secretary for Mines. In certain cases, *e.g.* production mined by different methods, separate particulars are not given for coal and anthracite. In the case of coal used for recovery of by-products at collieries the requisite information is not available, but “ should an opportunity occur to vary the particulars now given . . . the form of return suggested will not be overlooked ”.

“ Particulars of gross output mined by hand are not known, nor are the particulars required by the last six columns of Table XII ascertained. ”

*Distribution.*—The full details as given in Tables XVII and XVIII of the scheme of the Bureau are not available in the Mines Department. Tables 26 and 27 of the Annual Report cover most of this ground, and the statistics of the periodical census of production can, for certain years, be used to fill in the blanks. But for the moment it would be impracticable to collect more detailed statistics under this heading. Table XXII : information to some extent covering this table is collected by the Ministry of Transport.

*Exports.*—“ The particulars of exports published in the Annual Report of the Secretary for Mines, and in other British statistical returns such as the Annual Statement of Trade, cover very fairly the scope of Tables XXIII-XXV of the Bureau’s Scheme . . . ”

*Sulphate of Ammonia and By-Products.*—The collection of statistics under these headings does not fall within the scope of the Mines Department. Particulars of the chief of these products are, however, given in the trade returns.

*Metalliferous Mining and Quarrying.*—“ The metalliferous section of the mining and quarrying industry is much less important in this country than the coal industry, but . . . particulars of output and value of the principal ores are collected and published by the Mines Department. Information is also given of the numbers of persons employed, accidents, imports and exports, but there is not such detailed information as is given for the coal industry. No information is available in the Mines Department of the operations of treatment works. ”

Concerning the value of minerals sold, the Mines Department has power under the Mining Industry Act, 1920, to require owners to make returns giving information of this character for minerals under the Metalliferous Mines Act as well as those under the Coal Mines Acts.

(January 1925.)

#### IV. FISHERY STATISTICS.

##### *General Remarks.*

Observations on these resolutions have been received from the following States : Belgium, Canada, Czechoslovakia, Denmark, Finland, Hungary, India, Irish Free State, Italy, New Zealand, Norway, Poland, Spain, Sweden and the Union of South Africa.

##### SUMMARY OF REPLIES RECEIVED.

###### **Belgium.**

The Belgian Government states that, both with regard to sea and fresh-water fisheries, the greater part of the information required in the resolutions can be furnished. The Government is prepared to endorse the resolutions and to take the measures necessary for putting them into practice.

(December 1925.)

###### **Canada.**

In a memorandum of the Dominion Statistician, general agreement with the recommendations is expressed.

(October 1926.)

###### **Czechoslovakia.**

The Government of Czechoslovakia states that the Office of Statistics has not up to now collected information relative to fishery in inland waters, but it could do so if the Council of Statistics so decides. Figures for catches in streams and rivers could not be even approximately estimated ; statistics would therefore have to be limited to fisheries in lakes and special reservoirs.

(April 1925.)

### **Denmark.**

The Danish Government is in entire agreement with the resolutions. Danish statistics correspond on the whole with the principles formulated. "It must be remarked, however, that Danish fishery statistics, which are statistics of the yield of the industry, do not give the information asked for in Article I (c) and (d) of the resolution relating to the fish imported from and exported to other countries. Information on this point is found in the foreign trade statistics.

As to the fourth point of the resolutions, it must be observed that information on the periods spent in fishing in Denmark only refers to sea fishing."

(June 1925.)

### **Finland.**

The Government of Finland states that the reorganisation of the fishery statistics in the direction suggested by the Institute would be too costly for Finland, seeing that it would involve the creation of an entirely new system of information all over the country.

(March 1927.)

### **Hungary.**

The Hungarian Government states that no special fishery statistics are prepared for the country. In spite of development in recent years Hungarian fisheries are still, from an international point of view, insignificant.

(February 1926.)

### **India.**

The following statement on the resolution regarding statistics of fisheries has been received :

"Owing to the general lack of organisation in the fishing industry in India and the fact that the cost of endeavouring to collect the statistics in the form asked for will be incommensurate with the results obtained, the Government of India regrets that it is unable to put that resolution into practical application ; for that reason it has no observations to make on the principles embodied in the resolution."

(May 1925.)

### **Irish Free State.**

The Irish Free State has replied that :

1. (a) Statistics are collected and compiled showing the total quantities and values of the products of sea fisheries landed direct in the country, but details are not available according to the nationality of the boats.

(b) Statistics relating to the products of fisheries in *inland waters* are not available.

(c) and (d) The trade statistics of the Irish Free State show the quantity and value of the principal kinds of fish *imported* into and *exported* from the Irish Free State.

2 and 3. The statistics recommended under headings 2 and 3 are available, except that "only partial information has been obtained with reference to appliances used in fishery".

4. "Information is available showing the stretches of coast in which fish are caught and the period spent in fishing." It is not possible to state the total quantity of fish caught by Irish Free State fishing boats in the home waters which was landed at places outside the country.

(February 1926.)

### **Italy.**

The Italian Government has transmitted to the League of Nations information concerning Italian fishery statistics supplied by the Royal Inspectorate-General of Fisheries. This information includes approximate figures for the products and value of fresh and salt-water fisheries, and of the imports and exports of fish, fresh, smoked, and preserved. It includes, further, the number of persons regularly engaged in fisheries, and a description of the methods adopted and the appliances used in the industry.

(April 1926.)

### **Netherlands.**

The Government of the Netherlands states that the fishery statistics contained in the Annual Fishery Report are on the whole in conformity with the resolutions of the International Institute of Statistics.

### **New Zealand.**

The Government of New Zealand states that the fishery statistics of the country are not yet on a permanent basis. The estimated quantity and value of fisheries products, the number of persons engaged in the industry (no distinction is made as to whether fishing is the main or secondary employment of these persons), the number and class of boats and appliances, the localities in which fish are caught, are given in the *New Zealand Official Year-Book*.

(November 1924.)

### **Norway.**

The Norwegian statistics contain the information suggested in the resolutions ; but no figures are available for fish caught by Norwegian fishermen and sold directly to another country. Such catches are, however, of small importance.

(August 1925.)

### **Poland.**

The General Statistical Office accepts the resolutions in theory ; but in view of the small importance of the fishing industry to Poland, it is compelled to postpone applying the principles they contain until more pressing reforms are dealt with.

### **Spain.**

A statement to the following effect has been communicated to the League of Nations by the Spanish Statistical Office :

The Department of Navigation and Sea Fisheries, having studied the resolutions adopted by the International Institute of Statistics . . . . has no observation to make, being ready, as far as possible, to put this plan into practice . . . . It will supply all the data asked for by the Institute as soon as the service relating to this branch of statistics is organised. This, it is hoped, will be realised very shortly.

(October 1924.)

### **Sweden.**

The Government of Sweden states that :

“ Swedish fishery statistics refer to the fish caught by Swedish fishing boats in home waters irrespective of the place where the fish is disembarked.

“ This method aims at showing the relative importance of fishing in the national industry. The principles suggested by the International Institute of Statistics, on the other hand, seem to be inspired by the idea that fishery statistics are essentially concerned with determining the quantity of fish consumed within each country.

“ Considerations of principle would oppose the abandonment of the rules according to which the Swedish fishery statistics are drawn up, but it would probably not be impossible to complete them on certain points in such a way as to allow comparison with statistics compiled according to the proposals of the Institute.

“ The principal points on which there is disagreement are as follows : Swedish statistics include the fish caught by Swedish boats and landed abroad but not that caught by foreign boats and landed in Sweden ; nor is the latter given as an import in the trade statistics in cases where the vessel carrying it possesses a fishing licence (*fiskepass*) which exempts it from the Customs.

“ With regard to fresh-water fishery, Swedish statistics used to give the relevant figures, but as the credit necessary for collecting these figures has been suppressed from the financial year 1924-5 they will not appear until further notice. ”

(March 1925.)

### **Union of South Africa.**

The Statistical Council of the Union states that :

“ Full information can be given on all points except item No. 4—‘ Period spent in fishing ’. ”

(August 1924.)

**ANNEX III.**

**RESOLUTIONS RELATING TO STATISTICS ADOPTED BY THE  
WORLD ECONOMIC CONFERENCE, MAY 1927.**

**I. TRADE STATISTICS.**

The Conference appreciates the desirability of making statistics comparable by adopting a common nomenclature, and observes the progress made in this direction under the influence of the Convention dated December 31st, 1913, which set up in Brussels an International Bureau for Trade Statistics.

It considers that international co-operation on the basis of the provisions of the said Convention will constitute an excellent preparation for the realisation of the international agreement recommended by the Conference for the adoption of a common Customs nomenclature, which, moreover, should have, when adopted, a beneficial effect on the unification of trade statistics.

The Conference therefore recommends :

- (1) That the States which have signed the Convention dated December 31st, 1913, and have not yet ratified it should do so as soon as possible, and that the Governments which have not signed it should accede to it ;
- (2) That the contracting parties should furnish the Bureau in Brussels as soon as possible with the data required for the compilation of the comparative statistics with the publication of which it has been entrusted under the said Convention.

**II. INDUSTRIAL STATISTICS.**

The Conference has had before it a series of monographs on certain industries of basic importance which has enabled it to obtain an accurate view of the character of the present situation of industry in the world. These memoranda, whose compilation has been rendered possible by the readiness with which industrial organisations in different countries have collaborated in the work and by the care and time which they have devoted to it, and also the monographs written by economists of wide reputation and those submitted to the Conference by a number of its members summarising the position and views of several of the delegations, should not be held to represent the last word in the questions under review. They should be regarded as a starting-point for the studies which it is hoped will be conducted in the future. It is essential to encourage the work already in progress, to promote, as far as possible, a common policy with reference to the manner in which information concerning industrial activity is compiled, and to urge both the national statistical bureaux and the Economic Organisation of the League to devote even more attention than heretofore to the collection of statistical data which shall be of use not only to Governments and experts but also to the business world.

The Conference decided that the information to be collected should cover all the principal industries of every country, but especially and in the first place those industries which are of world importance.

As to the channels through which these statistics might be collected and communicated, the Conference makes no specific recommendations to Governments. It considers, however, that accurate and internationally comparable data can hardly be collected without the assistance of the competent organisations of the industries concerned. While emphasising the value of comprehensive information, the Conference desires to draw attention to the necessity of adequate measures being taken to secure secrecy of individual returns. Finally, while urging the League to encourage the conclusion of international agreements as to the terms employed, the scope, and the methods of compilation of industrial statistics, the Conference is anxious to link up this work of systematisation with the similar work which may be undertaken with a view to the unification of Customs nomenclature.

*Resolutions.*

1. The Conference considers that :

- (1) Effective and co-ordinated production can only be achieved in the light of information of a general character, but precise and up to date, concerning raw material supplies, output, stocks, prices, wages, employment, etc. ;
- (2) It is desirable that these current data should make it possible to compile for each country with sufficiently developed industries quantitative indices of its industrial production ;

(3) Such information facilitates a proper adjustment of supply to demand and the laying-down of a policy of production counteracting the effects of fluctuations of commercial activity.

In this connection, attention may be drawn to the resolutions which have already been adopted by the Economic Committee of the League of Nations.

The Conference accordingly recommends :

- (1) That statistics of this kind should be obtained regularly, for each country, both for the basic world industries and also, in order to render possible the compilation of quantitative indices of national production, for the chief industries of each country; and that this information should be obtained, in as far as possible, in collaboration with competent organisations ;
- (2) That Governments should periodically take complete industrial censuses.

II. The practical value of such statistics is dependent on the comparability and uniformity of the data furnished by each State.

It is desirable that adequate publicity be given to this information, and that it may be internationally co-ordinated and employed.

The Conference accordingly recommends :

- (1) That the Economic Organisation of the League of Nations should take all suitable measures so that Governments, in collaboration with the chief industries, should arrive at international agreements with reference to the definition of the terms, the methods employed, and the scope of the statistics ;
- (2) That the Economic Organisation of the League of Nations should collate the information provided referring to sources and supplies of raw materials, production, stocks, prices, etc., and the International Labour Office that concerning wages, hours of labour, employment, etc. ;
- (3) That the Economic Organisation of the League of Nations should arrange for the compilation of :

- (a) Statistical and general reports of an international character with reference to the organic development and the general conditions obtaining in different branches of production, beginning with the basic world industries ;
- (b) Special studies concerning the sources of supply of certain types of raw materials, more especially of those a world shortage of which in the future may be anticipated ;
- (c) Reviews, similar to those which have already been published, of the changes which take place in world production and trade.

### III. AGRICULTURAL STATISTICS.

(1) Great as is the value of the documentation which has served as the basis for the discussions on agriculture, it must be acknowledged that there is not yet a sufficient foundation to permit of a complete analysis of all the problems or to suggest a solution of them.

The fundamental importance of agriculture demands an exact knowledge of its economic situation. Such knowledge can only be gained satisfactorily through a methodical analysis of farm accounts. Such researches would bring about a general improvement in agriculture. They would facilitate the mutual understanding between the nations, and the common interests of the agriculturists of all countries would thereby be interpreted with precision. Finally, a better understanding would be created between the producer and the consumer.

To achieve this purpose, it is desirable that in the different countries an exact system of farm accounting should be formulated. These accounts should be drawn up in every country as simply as possible, but by the methods ensuring the greatest guarantee of accuracy, so as to obtain comparable results for the different kinds of agricultural enterprises in any country, classified by climate, nature of soil, size of holding, systems of cultivation, principal crops grown, etc., and so as to make it possible to study the influence exerted on the net return of agriculture by the factors of greatest importance in production and returns (wages, quantities of chemical fertilisers consumed, taxation and social charges, prices, indebtedness of agriculturists, etc.).

It is therefore recommended that a committee of experts be established charged with the study and preparation of the requisite measures.

(2) The Conference considers it necessary that a better service of periodical agricultural statistics should be instituted, especially as regards live-stock and animal products. The data collected by the International Institute of Agriculture show that, during the last twenty-five years, only thirty-seven countries, representing less than half the total area and about 30 per cent of the population of the world, have as yet proceeded to the compilation of an agricultural census.

A world agricultural census on the lines proposed by the International Institute of Agriculture would make it possible to give to the statistical data of the different countries a character of uniformity which up to the present they have lacked.

It is no less necessary to organise, nationally and internationally, the speedy transmission to agriculturists of information on harvests, stocks, consumption, and the movements of different commodities, these being important factors in the formation of prices. The monthly publication of indices of comparative prices of agricultural products and industrial products would prove of great value, as would indices of the principal elements of the costs of production of agricultural products.

(3) The Conference request that all Governments should be invited to initiate a general enquiry into the present situation and the possibilities of developing agriculture, the distribution of holdings and the systems of exploitation, into the relations between agricultural and industrial production, into the comparison between agricultural and industrial prices, into the costs of production and selling prices, into the condition of the workers, and into the facilities required for their access to the land, etc.—in fact, into the economic, social, financial, and technical conditions of agriculture the study of which will permit further progress to be made.

---



[Distributed to the Council  
and the Members of the League.]

C. 21. M. 12. 1928: II.

Geneva, February 1st, 1928.

**LEAGUE OF NATIONS**

---

**INTERNATIONAL CONFERENCE  
FOR THE ABOLITION  
OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS**

**Geneva, October 17th to November 8th, 1927.**

---

**PROCEEDINGS OF THE CONFERENCE**

---

*First Part :*

- A. INTRODUCTION.
- B. OFFICIAL INSTRUMENTS OF THE CONFERENCE.

*Second Part :*

MINUTES OF PLENARY MEETINGS.

*Third Part :*

SUMMARY OF THE WORK OF THE COMMITTEES.

*Fourth Part :*

ANNEXES.

<p><b>Publications of the League of Nations</b> II. ECONOMIC AND FINANCIAL 1928. II. 7.</p>
---

## **FIRST PART.**

---

### **A. INTRODUCTION.**

### **B. OFFICIAL INSTRUMENTS OF THE CONFERENCE :**

- 1. INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.**
  - 2. PROTOCOL TO THE CONVENTION.**
  - 3. FINAL ACT OF THE CONFERENCE.**
  - 4. ANNEXED DECLARATION.**
-

## A. Introduction.

---

The question of abolishing import and export prohibitions and restrictions by means of a collective agreement was first raised, on September 27th, 1924, by the Assembly of the League of Nations, which adopted the following resolution :

“ 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 States and ratified by six <sup>1</sup> :

“ The Assembly,

“ 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. ”

By a decision dated September 29th, 1924, the Council of the League referred this resolution to the Economic Committee for consideration.

The Committee devoted several sessions to the examination of this question and, after consulting the various Governments—and through them the commercial and industrial interests concerned—it submitted to the Council (in September 1926) a draft Convention, together with a commentary, to serve as a basis for an international diplomatic conference. At its session of December 7th, 1926, the Council approved the Economic Committee's proposal and decided to convene an international conference of Government delegates of States Members and the principal non-Member States with a view to reaching an international agreement on the subject of the abolition of import and export prohibitions and restrictions.

On June 13th, 1927, the Council finally fixed the date of this Conference : October 17th, 1927. M. Colijn, former Prime Minister of the Netherlands, was invited by the Council to be President of the Conference.

\* \* \*

The International Conference for the Abolition of Import and Export Prohibitions and Restrictions met at Geneva from October 17th to November 8th, 1927, under the presidency of M. Colijn, former Prime Minister of the Netherlands. Delegates of the following Member and non-Member States were present : Abyssinia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Great Britain, Greece, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Turkey, United States of America.

<sup>1</sup> This Convention had, by April 17th, 1928, been ratified and adhered to by twenty-five States :

### Ratifications :

Denmark . . . . .	May 17th, 1924	Sweden . . . . .	February 12th, 1926
Italy . . . . .	June 13th, 1924	Hungary . . . . .	February 23rd, 1926
British Empire . . . . .	August 29th, 1924	China . . . . .	February 23rd, 1926
Union of South Africa . . . . .	August 29th, 1924	Norway . . . . .	September 7th, 1926
New Zealand . . . . .	August 29th, 1924	France . . . . .	September 13th, 1926
Austria . . . . .	September 11th, 1924	French Protectorate of Morocco	November 8th, 1926
Belgium . . . . .	October 4th, 1924	Regency of Tunis (French Protectorate)	November 8th, 1926
Australia . . . . .	March 13th, 1925	Bulgaria . . . . .	December 10th, 1926
India . . . . .	March 13th, 1925	Switzerland . . . . .	January 3rd, 1927
Egypt . . . . .	March 23rd, 1925	Czechoslovakia . . . . .	February 10th, 1927
Siam . . . . .	May 19th, 1925	Luxemburg . . . . .	June 10th, 1927
Netherlands . . . . .	May 30th, 1925	Greece . . . . .	July 6th, 1927
Germany . . . . .	August 1st, 1925		
Roumania . . . . .	December 23rd, 1925		

### Adhesion :

Persia . . . . . 8th, 1925.

**11 AUG 1928**

At the invitation of the Council, the International Chamber of Commerce sent representatives to the Conference to act in an advisory capacity.

After a general discussion of the draft Convention prepared by the Economic Committee the Conference appointed four committees :

Committee A to consider Articles 1, 6, 9 and 10 of the draft.

Committee B to consider Articles 2, 3 and 11 of the draft.

Committee C to consider Articles 4, 5 and 7 of the draft.

A Co-ordination and Drafting Committee was appointed to prepare the final text of the articles of the Convention adopted by the Conference.

After discussions, which lasted for three weeks, the Conference unanimously adopted the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, and the Protocol thereto having the same force and effect as the Convention. The Conference also adopted a Final Act containing its minutes and a series of recommendations and resolutions.

The Convention and the Protocol were signed on November 8th, 1927, the day on which the Conference closed, by 18 States, viz.: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Luxemburg, Netherlands, Roumania, Siam, Switzerland.

They have since been signed by the following States : Sweden (2.12.1927) ; Kingdom of the Serbs, Croats and Slovenes (24.1.1928) ; Estonia (30.1.1928) ; United States of America (30.1.1928) ; Latvia (31.1.1928) ; Norway (31.1.1928) ; Poland (31.1.1928) ; Portugal (31.1.1928).

---

## B. Instruments officiels de la Conférence.

### 1. CONVENTION INTERNATIONALE POUR L'ABOLITION DES PROHIBITIONS ET RESTRICTIONS A L'IMPORTATION ET A L'EXPORTATION.

.....  
Vu la résolution de l'Assemblée de la Société des Nations en date du 25 septembre 1924 ;

S'inspirant des conclusions de la Conférence économique internationale, tenue à Genève en mai 1927, et reconnaissant avec celle-ci que les prohibitions d'importation et d'exportation, les régimes arbitraires et les discriminations déguisées qu'elles suscitent ont eu des résultats déplorable, sans que les inconvénients graves de ces mesures aient eu pour contre-partie les avantages financiers ou les bienfaits sociaux qu'en espéraient les Etats qui les avaient prises ;

Persuadés qu'il importe au rétablissement et au développement futur du commerce mondial que les gouvernements renoncent à une politique nuisible aussi bien à leur intérêt particulier qu'à l'intérêt général ;

Convaincus que le retour à la liberté effective du commerce international est une des conditions essentielles de la prospérité mondiale ;

Considérant que la meilleure manière d'atteindre le but ainsi défini est de recourir à une action parallèle et concertée sous la forme d'une convention internationale,

Ont désigné pour leurs plénipotentiaires, savoir :

.....

Lesquels, après avoir communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :

#### *Article premier.*

Les dispositions de la présente Convention s'appliquent aux prohibitions et aux restrictions à l'importation dans les territoires des Hautes Parties contractantes, des marchandises — produits naturels ou fabriqués — des territoires de l'une quelconque des Hautes Parties contractantes et aux prohibitions et aux restrictions à l'exportation de produits des territoires desdites Parties vers les territoires de l'une quelconque des autres Hautes Parties contractantes.

#### *Article 2.*

Sous réserve des exceptions prévues aux articles suivants, les Hautes Parties contractantes s'engagent à supprimer, dans un délai de six mois à dater de la mise en vigueur de la présente Convention en ce qui concerne les territoires respectifs de chacune d'elles, toutes prohibitions ou restrictions à l'importation ou à l'exportation, et à ne pas établir par la suite des prohibitions ou restrictions de ce genre. Durant ce délai, chacune des Hautes Parties contractantes adoptera toutes les mesures propres à réduire au minimum les prohibitions et restrictions existantes et s'abstiendra d'instituer des prohibitions ou restrictions nouvelles.

Les Hautes Parties contractantes s'engagent, en outre, à prendre les mesures nécessaires pour que les dispositions de la présente Convention soient rigoureusement observées par toutes les autorités — centrales ou locales — et pour qu'aucune réglementation contrevenant à ces dispositions ne puisse être édictée.

#### *Article 3.*

Si les Hautes Parties contractantes, en application de leur législation, soumettent l'importation ou l'exportation de marchandises à certaines règles concernant le mode, la forme ou le lieu d'importation ou d'exportation, l'apposition de marques, ou à d'autres formalités ou conditions. Elles s'engagent à n'en pas faire un moyen de prohibition déguisée ni de restriction arbitraire.

#### *Article 4.*

Les catégories suivantes de prohibitions et de restrictions ne sont pas interdites par la présente Convention, à la condition, toutefois, qu'elles ne soient pas appliquées de manière à constituer un moyen de discrimination arbitraire entre les pays étrangers où existent les mêmes conditions, ni de manière à constituer une restriction déguisée des échanges internationaux :

- 1° Prohibitions ou restrictions relatives à la sécurité publique ;
- 2° Prohibitions ou restrictions édictées pour des raisons morales ou humanitaires ;
- 3° Prohibitions ou restrictions concernant le trafic des armes, des munitions et des matériels de guerre, ou, dans des circonstances exceptionnelles, de tous autres approvisionnements de guerre ;

## B. Official Instruments of the Conference.

### 1. INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

.....

Having regard to the resolution of the Assembly of the League of Nations dated September 25th, 1924 ;

Being guided by the conclusions of the International Economic Conference held at Geneva in May 1927, and agreeing with the latter that import and export prohibitions, and the arbitrary practices and disguised discriminations to which they give rise, have had deplorable results, without the grave drawbacks of these measures being counterbalanced by the financial advantages or social benefits which were anticipated by the countries which had recourse to them ;

Being persuaded that it is important for the recovery and future development of world trade that Governments should abandon a policy which is equally injurious to their own and to the general interest ;

Being convinced that a return to the effective liberty of international commerce is one of the primary conditions of world prosperity ; and

Considering that this object may best be achieved by resort to simultaneous and concerted action in the form of an international convention :

Have appointed their plenipotentiaries, namely :

.....

who, having communicated their full powers, found in good and due form, have agreed to the following provisions :

#### *Article 1.*

The provisions of the present Convention shall apply to prohibitions and restrictions imposed on the importation into the territories of any High Contracting Party of goods the produce or manufacture of the territories of any other High Contracting Party, and to prohibitions and restrictions imposed on the exportation of goods from the territories of any High Contracting Party to the territories of any other High Contracting Party.

#### *Article 2.*

Subject to the exceptions provided for in the following articles, the High Contracting Parties undertake to abolish within a period of six months from the date of the coming into force of the present Convention, in so far as the respective territories of each of them are concerned, all import and export prohibitions or restrictions, and not thereafter to impose any such prohibitions or restrictions. During this period each of the High Contracting Parties will adopt all appropriate measures in order to reduce existing prohibitions and restrictions to a minimum and will refrain from imposing any new prohibitions or restrictions.

Further, the High Contracting Parties undertake to adopt the necessary measures to ensure that the provisions of the present Convention are strictly observed by all authorities, central or local, and that no regulation is issued in contravention thereof.

#### *Article 3.*

Should the High Contracting Parties, in pursuance of their legislation, subject the importation or exportation of goods to certain regulations in respect of the manner, form or place of importation or exportation, or the imposition of marks, or to other formalities or conditions, they undertake that such regulations shall not be made a means of disguised prohibition or arbitrary restriction.

#### *Article 4.*

The following classes of prohibitions and restrictions are not prohibited by the present Convention, on condition, however, that they are not applied in such a manner as to constitute a means of arbitrary discrimination between foreign countries where the same conditions prevail, or a disguised restriction on international trade :

1. Prohibitions or restrictions relating to public security.
2. Prohibitions or restrictions imposed on moral or humanitarian grounds.
3. Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies.

- 4° Prohibitions ou restrictions édictées en vue de protéger la santé publique ou d'assurer la protection des animaux ou des plantes contre les maladies, les insectes et les parasites nuisibles ;
- 5° Prohibitions ou restrictions à l'exportation ayant pour but la protection du patrimoine national artistique, historique ou archéologique ;
- 6° Prohibitions ou restrictions applicables à l'or, à l'argent, aux espèces, au papier-monnaie et aux titres ;
- 7° Prohibitions ou restrictions ayant pour but d'étendre aux produits étrangers le régime établi à l'intérieur du pays, en ce qui concerne la production, le commerce, le transport et la consommation des produits nationaux similaires ;
- 8° Prohibitions ou restrictions appliquées à des produits qui font ou feront, à l'intérieur du pays, en ce qui concerne la production ou le commerce, l'objet de monopoles d'Etat ou de monopoles exercés sous le contrôle de l'Etat.

#### Article 5.

Rien, dans la présente Convention, ne portera atteinte au droit de toute Haute Partie contractante de prendre des mesures de prohibition ou de restriction à l'importation ou à l'exportation pour sauvegarder, dans des circonstances extraordinaires et anormales, les intérêts vitaux du pays.

Si des mesures de cette nature sont prises, elles devront être appliquées de telle manière qu'il n'en résulte aucune discrimination arbitraire au détriment de toute autre Haute Partie contractante. Leur durée devra être limitée à la durée des motifs ou des circonstances qui les ont fait naître.

#### Article 6.

1. Les Hautes Parties contractantes reconnaissant qu'il existe, pour certaines d'entre elles, des situations de fait ou de droit d'où résulte pour ces dernières l'impossibilité de prendre immédiatement, en ce qui concerne certains produits déterminés, les engagements souscrits aux articles précédents, ont jugé équitable d'autoriser ces Hautes Parties contractantes à faire la réserve de certaines exceptions de caractère temporaire, auxquelles celles-ci s'obligent de mettre un terme dès que les circonstances qui les motivent auront pris fin.

2. D'autre part, les Hautes Parties contractantes, reconnaissant que l'abolition de certaines prohibitions ou restrictions appliquées par certaines d'entre Elles à l'importation ou à l'exportation présenterait pour ces dernières de graves difficultés et que, par ailleurs, ces prohibitions ou restrictions ne comportent pas de répercussions dommageables pour le commerce des autres pays, ont jugé également équitable d'autoriser ces Hautes Parties contractantes à faire la réserve de ces exceptions.

3. L'Annexe à la présente Convention mentionne les exceptions, rentrant dans le cadre des deux paragraphes précédents, qui ont été consenties, à la date de ce jour, au profit des Hautes Parties contractantes qui sont nommément désignées dans cette Annexe et qui ont signé la Convention dès cette date.

4. Les demandes de dérogations que les Hautes Parties contractantes croiraient devoir présenter postérieurement à cette date seront soumises à la procédure indiquée au Protocole de la présente Convention.

#### Article 7.

Si l'une des Hautes Parties contractantes est amenée à prendre une mesure de prohibition ou de restriction contre des produits d'un pays étranger quelconque, que la présente Convention lui soit ou non applicable, Elle devra l'instituer de telle manière que cette mesure porte le moins possible préjudice au commerce des autres Hautes Parties contractantes.

#### Article 8.

Si un différend surgit entre deux ou plusieurs Hautes Parties contractantes au sujet de l'interprétation ou de l'application des dispositions de la présente Convention, à l'exception des articles 4, 5 et 6 ainsi que des dispositions du Protocole relatives auxdits articles et si ce différend ne peut être réglé, soit directement entre les parties, soit par la voie de tout autre moyen qu'elles emploieraient pour arriver à une entente, les parties au différend pourront, si elles sont toutes d'accord, avant de recourir à toute autre procédure arbitrale ou judiciaire, soumettre le différend, en vue d'un règlement amiable, à tout organisme technique qui pourra être désigné, soit par le Conseil de la Société des Nations, soit par les parties intéressées. Cet organisme formulera un avis consultatif, après avoir entendu les parties et les avoir, au besoin, réunies.

L'avis consultatif formulé par ledit organisme ne liera pas les parties au différend, à moins qu'il ne soit accepté par chacune d'elles, et les parties pourront, si elles sont toutes d'accord, soit après avoir recouru à la procédure ci-dessus mentionnée, soit pour la remplacer, recourir à toute autre procédure arbitrale ou judiciaire de leur choix, y compris l'instance devant la Cour permanente de Justice internationale, pour toutes matières qui sont de la compétence de la Cour, aux termes de son Statut.

Si un différend quelconque d'ordre juridique surgit au sujet de l'interprétation ou de l'application des dispositions de la présente Convention — à l'exception des dispositions des articles 4, 5 et 6 ainsi que des dispositions du Protocole relative audit article — les parties devront, à la requête de l'une d'elles, soumettre l'objet du litige à la décision de la Cour permanente de

4. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites.

5. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historic or archæological value.

6. Prohibitions or restrictions applicable to gold, silver, coins, currency notes, banknotes or securities.

7. Prohibitions or restrictions designed to extend to foreign products the regime established within the country in respect of the production of, trade in, and transport and consumption of native products of the same kind.

8. Prohibitions or restrictions applied to products which, as regards production or trade, are or may in future be subject within the country to State monopoly or to monopolies exercised under State control.

#### *Article 5.*

Nothing in this Convention shall affect the right of any High Contracting Party to adopt measures prohibiting or restricting importation or exportation for the purpose of protecting, in extraordinary and abnormal circumstances the vital interests of the country.

Should measures of this character be adopted, they shall be applied in such a manner as not to lead to any arbitrary discrimination against any other High Contracting Party. Their duration shall be restricted to that of the causes or circumstances from which they arise.

#### *Article 6.*

1. The High Contracting Parties, recognising that there exist in the case of certain of them situations of fact or of law which prevent the latter from immediately undertaking, as regards certain specified products, the engagements entered into under the previous articles, have deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to certain temporary exceptions, which the latter undertake to withdraw as soon as the circumstances from which they arise cease to exist.

2. Moreover, the High Contracting Parties, recognising that the abolition of certain import or export prohibitions or restrictions applied by some of them would involve the latter in grave difficulties, and that, moreover, these prohibitions or restrictions do not prejudicially affect the trade of other countries, have also deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to these exceptions.

3. The Annex to the present Convention sets forth the exceptions coming within the provisions of the two preceding paragraphs which have been agreed to on this day's date in favour of the High Contracting Parties who are mentioned by name in the Annex and who have signed the Convention on that date.

4. Exceptions which the High Contracting Parties may desire to claim subsequently to that date shall be dealt with in accordance with the procedure laid down in the Protocol to the present Convention.

#### *Article 7.*

Should one of the High Contracting Parties be obliged to adopt any measure of prohibition or restriction against products of any foreign country, whether the Convention be applicable to that country or not, he shall frame the measure in such a way as to cause the least possible injury to the trade of the other High Contracting Parties.

#### *Article 8.*

If a dispute arises between two or more High Contracting Parties as to the interpretation or application of the provisions of the present Convention—with the exception of Articles 4, 5 and 6, and of the provisions of the Protocol relating to these articles—and if such dispute cannot be settled either directly between the parties or by the employment of any other means of reaching agreement, the parties to the dispute may, provided they all so agree, before resorting to any arbitral or judicial procedure, submit the dispute with a view to an amicable settlement to such technical body as the Council of the League of Nations or the parties concerned may appoint. This body will give an advisory opinion after hearing the parties, and, if necessary, effecting a meeting between them.

The advisory opinion given by the said body will not be binding upon the parties to the dispute unless it is accepted by all of them, and the parties, if they all so agree, may, either after resort to such procedure or in lieu thereof, have recourse to any arbitral or judicial procedure which they may select, including reference to the Permanent Court of International Justice as regards any matters which are within the competence of that Court under its Statute.

If a dispute of a legal nature arises as to the interpretation or application of the provisions of the present Convention — with the exception of Articles 4, 5 and 6, and of the provisions of the Protocol relating to these articles — the parties shall, at the request of any of them, refer the matter to the decision of the Permanent Court of International Justice or of an arbitral



Justice internationale, ou d'un tribunal arbitral de leur choix, qu'elles aient ou non préalablement recouru à la procédure prévue à l'alinéa premier.

En cas de contestation sur le point de savoir si un différend est d'ordre juridique ou non, cette question sera soumise à la décision de la Cour permanente de Justice internationale ou du tribunal arbitral choisi par les parties.

La procédure ouverte devant l'organisme visé à l'alinéa premier ci-dessus ou l'avis formulé par lui n'entraînera en aucun cas la suspension de la mesure qui fait l'objet du litige; il en sera de même dans le cas d'une instance devant la Cour permanente de Justice internationale — à moins que celle-ci n'en décide autrement aux termes de l'article 41 de son Statut — ou devant le tribunal arbitral choisi par les parties.

Rien dans la présente Convention ne pourra être interprété comme portant atteinte aux droits et obligations résultant pour les Hautes Parties contractantes, soit de leurs engagements relatifs à la juridiction de la Cour permanente de Justice internationale, soit de leurs conventions bilatérales concernant la conciliation et l'arbitrage.

#### *Article 9.*

Chacune des Hautes Parties contractantes pourra, soit lors de la ratification de la présente Convention, soit ultérieurement, déclarer qu'elle s'engage à étendre, vis-à-vis de toute autre Haute Partie contractante acceptant la même obligation, l'application des dispositions de l'alinéa 3 de l'article 8 ci-dessus à tout différend pouvant surgir au sujet de l'interprétation ou de l'application des dispositions de la présente Convention, y compris, en tout ou en partie, les articles 4, 5 et 6, que le différend soit ou non d'ordre juridique.

Les Hautes Parties contractantes qui ne prendraient pas, pour les articles 4, 5 et 6 ou pour certaines parties de ces articles, ainsi que pour les dispositions y relatives du Protocole, l'engagement prévu à l'alinéa précédent, pourront rendre applicables entre Elles pour ces matières les dispositions des alinéas 1 et 2 de l'article 8.

#### *Article 10.*

Chacune des Hautes Parties contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion, que, par son acceptation de la présente Convention, Elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats ou territoires placés sous sa suzeraineté ou mandat; dans ce cas, la présente Convention ne sera pas applicable aux territoires faisant l'objet de pareille déclaration.

Chacune des Hautes Parties contractantes pourra dans la suite notifier au Secrétaire général de la Société des Nations qu'elle entend rendre la présente Convention applicable à l'ensemble ou à toute partie de ses territoires ayant fait l'objet de la déclaration prévue à l'alinéa précédent. Dans ce cas, la Convention s'appliquera aux territoires visés dans la notification quatre-vingt-dix jours après la réception de cette notification par le Secrétaire général de la Société des Nations.

De même, chacune des Hautes Parties contractantes peut à tout moment déclarer qu'elle entend voir cesser l'application de la présente Convention à l'ensemble ou à toute partie de ses colonies, protectorats ou territoires placés sous sa suzeraineté ou mandat; dans ce cas, la Convention cessera d'être applicable aux territoires faisant l'objet de pareille déclaration un an après la réception de cette déclaration par le Secrétaire général de la Société des Nations.

#### *Article 11.*

Rien, dans la présente Convention, ne porte atteinte aux droits et obligations découlant, pour les Hautes Parties contractantes, des conventions internationales en vigueur auxquelles elles sont parties.

La présente Convention ne déroge pas aux stipulations des accords bilatéraux, en vigueur à la date de ce jour entre les Hautes Parties contractantes, qui établissent, en matière de prohibitions ou de restrictions à l'importation ou à l'exportation, un régime plus libéral que celui qui est établi par les dispositions de la présente Convention.

#### *Article 12.*

La présente Convention ne porte en rien atteinte aux droits et obligations résultant du Pacte de la Société des Nations.

#### *Article 13.*

Les Hautes Parties contractantes se communiqueront, par l'intermédiaire du Secrétaire général de la Société des Nations, dans les douze mois qui suivront la mise en vigueur de la présente Convention dans leurs territoires, un rapport sur les mesures prises pour assurer l'exécution des dispositions de la Convention.

#### *Article 14.*

La présente Convention, dont les textes français et anglais feront également foi, portera la date de ce jour.

Elle pourra être signée jusqu'au 1<sup>er</sup> janvier 1929, au nom de tout Membre de la Société des Nations ou de tout Etat non membre représenté à la Conférence qui a établi cette Conven-

tribunal selected by them, whether or not there has previously been recourse to the procedure laid down in the first paragraph.

In the event of any difference of opinion as to whether a dispute is of a legal nature or not, the question shall be referred for decision to the Permanent Court of International Justice or to the arbitral tribunal selected by the parties.

The procedure before the body referred to in the first paragraph above or the opinion given by it will in no case involve the suspension of the measures to which the dispute refers ; the same will apply in the event of proceedings being taken before the Permanent Court of International Justice—unless the Court decides otherwise under Article 41 of its Statute— or before the arbitral tribunal selected by the parties

Nothing in the present Convention shall be construed as prejudicing the rights and obligations derived by the High Contracting Parties from the engagements into which they have entered with reference to the jurisdiction of the Permanent Court of International Justice, or from any bilateral conciliation or arbitration conventions between them.

#### *Article 9.*

Any High Contracting Party may, either upon ratifying the present Convention or thereafter, declare that he undertakes, in regard to any other High Contracting Party accepting the same obligation, to extend the application of the provisions of paragraph 3 of Article 8 to any dispute which may arise in connection with the interpretation or application of the provisions of the present Convention, including all or part of Articles 4, 5 and 6, and whether or not the dispute is of a legal nature.

Any High Contracting Parties who do not give the undertaking referred to in paragraph 1 as regards Articles 4, 5 and 6, or certain parts of these Articles, and as regards the provisions of the Protocol relating thereto, may make the provisions of paragraphs 1 and 2 of Article 8 applicable to these matters as between themselves.

#### *Article 10.*

Any High Contracting Party may at the time of signature, ratification or accession declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates or territories under suzerainty or mandate ; and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice ninety days after its receipt by the Secretary-General of the League of Nations.

Any High Contracting Party may at any time declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration one year after its receipt by the Secretary-General of the League of Nations.

#### *Article 11.*

Nothing in the present Convention shall prejudice the rights and obligations which the High Contracting Parties may derive from international Conventions in force to which they are parties.

The present Convention shall not prejudice the provisions of any bilateral agreements in force at the present date between the High Contracting Parties which establish, in regard to import and export prohibitions or restrictions, a more liberal regime than that established by the provisions of the present Convention.

#### *Article 12.*

The present Convention shall not in any way affect rights and obligations arising from the Covenant of the League of Nations.

#### *Article 13.*

The High Contracting Parties shall, within twelve months after the coming into force of the present Convention in their territories, communicate to one another through the Secretary-General of the League of Nations a report on the steps taken to give effect to the provisions of the Convention.

#### *Article 14.*

The present Convention, of which the French and English texts are both authentic, shall bear this day's date.

It shall be open for signature until January 1st, 1929, on behalf of any Member of the League of Nations or of any non-Member State represented at the Conference which drew up

tion ou de tout Etat à qui le Conseil de la Société des Nations aura, à cet effet, communiqué un exemplaire de la présente Convention.

Les Membres de la Société des Nations et les Etats non membres, au nom desquels la Convention aura été signée avant le 1<sup>er</sup> février 1928, seront admis au bénéfice de la procédure prévue au paragraphe 4 de l'article 6.

*Article 15.*

La présente Convention sera ratifiée.

Les instruments de ratification seront déposés auprès du Secrétaire général de la Société des Nations, qui en notifiera la réception à tous les Membres de la Société ainsi qu'aux Etats non membres visés à l'article précédent.

*Article 16.*

A partir du 1<sup>er</sup> janvier 1929, tout Membre de la Société des Nations et tout Etat visé à l'article 14 pourra adhérer à la présente Convention.

Cette adhésion s'effectuera par une notification faite au Secrétaire général de la Société des Nations pour être déposée dans les archives du Secrétariat. Le Secrétaire général notifiera ce dépôt immédiatement à tous les Etats signataires ou adhérents de la présente Convention.

*Article 17.*

La présente Convention sera mise en vigueur dans les conditions et à la date qui seront fixées par la réunion prévue ci-après.

Entre le 15 juin et le 15 juillet 1928, le Secrétaire général de la Société des Nations convoquera les représentants dûment accrédités des Membres de la Société des Nations et des Etats non membres, au nom desquels la Convention aura été signée à la date du 15 juin 1928, à une réunion, au cours de laquelle ils auront à déterminer :

a) Les réserves qui, communiquées aux Hautes Parties contractantes en conformité du paragraphe 4 de l'article 6, pourront, avec l'assentiment de ces dernières, être faites au moment de la ratification ;

b) Les conditions requises pour la mise en vigueur de la Convention et notamment le nombre, et, s'il y a lieu, la mention des Membres de la Société et des Etats non membres, qu'ils soient signataires ou non, dont la ratification ou l'adhésion devra préalablement avoir été acquise ;

c) Le délai extrême pour le dépôt des ratifications et la date à laquelle la mise en vigueur devra intervenir, si les conditions requises au paragraphe précédent sont réalisées.

Si, à l'expiration de ce délai, les ratifications auxquelles sera subordonnée la mise en vigueur de la Convention n'étaient pas acquises, le Secrétaire général de la Société des Nations consultera les Membres de la Société des Nations et les Etats non membres, au nom desquels la Convention aura été ratifiée, sur le point de savoir s'ils désirent néanmoins la mettre en vigueur.

*Article 18.*

La présente Convention pourra être dénoncée, par une notification écrite adressée au Secrétaire général de la Société des Nations, au nom de tout Membre de la Société des Nations ou de tout Etat non membre, après l'expiration d'un délai de cinq ans, comptés à partir de la date à laquelle la Convention sera entrée en vigueur.

Cette dénonciation produira ses effets douze mois après la date à laquelle elle aura été reçue par le Secrétaire général de la Société des Nations et n'aura effet qu'en ce qui concerne le Membre de la Société des Nations ou l'Etat non membre au nom duquel elle aura été faite.

Toutefois, la Convention pourra être dénoncée au nom de tout Membre de la Société des Nations ou de tout Etat non membre après l'expiration de la troisième année, à compter de la date de la présente Convention, si, après ce délai, l'une quelconque des dérogations consenties en vertu du paragraphe 1 de l'article 6 subsiste. Cette dénonciation produira ses effets six mois après la date à laquelle elle aura été reçue par le Secrétaire général et n'aura d'effet qu'en ce qui concerne le Membre de la Société des Nations ou l'Etat non membre au nom duquel elle aura été faite.

En outre, la Convention pourra être dénoncée au nom de tout Membre de la Société des Nations ou de tout Etat non membre après l'expiration de la cinquième année, à compter de la date de la présente Convention, si, après ce délai, ce Membre de la Société des Nations ou de cet Etat non membre estime que l'une quelconque des dérogations consenties par les Hautes Parties contractantes au cours de la réunion prévue à l'article 17 a altéré les effets de la présente Convention.

Cette dénonciation produira ses effets six mois après la date à laquelle elle aura été reçue par le Secrétaire général et n'aura d'effet qu'en ce qui concerne le Membre de la Société des Nations ou l'Etat non membre au nom duquel elle aura été faite.

Toute dénonciation intervenue en conformité des dispositions ci-dessus sera communiquée immédiatement par le Secrétaire général de la Société des Nations à toutes les autres Hautes Parties contractantes.

Si, à la suite de dénonciations, les conditions auxquelles les Hautes Parties contractantes auront, au cours de la réunion prévue à l'article 17, subordonné la mise en vigueur de la

this Convention or to which the Council of the League of Nations shall, for this purpose, have communicated a copy of the present Convention.

Members of the League of Nations and non-Member States on whose behalf the Convention has been signed prior to February 1st, 1928, may avail themselves of the procedure referred to in Article 6, paragraph 4.

*Article 15.*

The present Convention shall be ratified.

The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify the receipt thereof to all Members of the League and to the non-Member States referred to in the previous article.

*Article 16.*

On and after January 1st, 1929, any Member of the League of Nations or any State referred to in Article 14 may accede to the present Convention.

This accession shall be effected by a notification made to the Secretary-General of the League of Nations, to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to all who have signed or acceded to the Convention.

*Article 17.*

The present Convention shall come into force under the conditions and on the date to be determined at the meeting provided for hereinafter.

Between June 15th and July 15th, 1928, the Secretary-General of the League of Nations shall invite the duly accredited representatives of the Members of the League of Nations and of non-Member States on whose behalf the Convention shall have been signed on or before June 15th, 1928, to attend a meeting at which they shall determine :

(a) The reservations which, having been communicated to the High Contracting Parties in accordance with Article 6, paragraph 4, may, with their consent, be made at the time of ratification ;

(b) The conditions required for the coming into force of the Convention and, in particular, the number and, if necessary, the names of the Members of the League and of non-Member States, whether they are signatories or not, whose ratification or accession must first be secured ;

(c) The last date on which the ratifications may be deposited and the date on which the Convention shall come into force if the conditions required under the preceding paragraph are fulfilled.

If, on the expiration of this period, the ratifications upon which the coming into force of the Convention will be conditional have not been secured, the Secretary-General of the League of Nations shall consult the Members of the League of Nations and non-Member States on whose behalf the Convention has been ratified and ascertain whether they desire nevertheless to bring it into force.

*Article 18.*

The present Convention may be denounced by a notification in writing addressed to the Secretary-General of the League of Nations on behalf of any Member of the League of Nations or of any non-Member State after the expiration of a period of five years reckoned from the date on which the Convention shall have entered into force.

Such denunciation shall take effect twelve months after the date on which it is received by the Secretary-General of the League of Nations, and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Nevertheless, the Convention may be denounced on behalf of any Member of the League of Nations or any non-Member State after the expiration of the third year from the date of the present Convention, if, after that period, any one of the exceptions allowed in virtue of Article 6, paragraph 1, still exists. This denunciation shall take effect six months after the date on which it is received by the Secretary-General, and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Furthermore, the Convention may be denounced on behalf of any Member of the League of Nations or of any non-Member State after the expiration of the fifth year from the date of the present Convention, if, after that period, such Member of the League of Nations or non-Member State considers that any one of the exceptions allowed by the High Contracting Parties at the meeting provided for in Article 17 has impaired the effects of the present Convention.

This denunciation shall take effect six months after the date on which it is received by the Secretary-General, and shall operate only in respect of the Member of the League of Nations or the non-Member State on whose behalf it is made.

Any denunciation made in accordance with the foregoing provisions shall be notified immediately by the Secretary-General of the League of Nations to all the other High Contracting Parties.

If, as a result of denunciations, the conditions for the coming into force of the Convention which the High Contracting Parties may lay down at the meeting provided for in Article 17

Convention, cessaient d'être remplies, chacune des Hautes Parties contractantes pourra demander au Secrétaire général de la Société des Nations la convocation d'une Conférence en vue d'examiner la situation résultant de ce fait. A défaut d'un accord pour le maintien de la Convention, chacune des Hautes Parties contractantes sera libérée de ses obligations à la date à laquelle la dénonciation qui a provoqué la convocation de cette Conférence produira ses effets.

*Article 19.*

Si, avant l'expiration du délai de cinq ans mentionné au premier alinéa de l'article 18, des communications étaient adressées au Secrétaire général de la Société des Nations au nom d'un tiers des Membres de la Société des Nations et des Etats non membres parties à la présente Convention, pour l'informer de leur désir de voir reviser la Convention, tous les Membres de la Société des Nations et tous les Etats non membres, parties à la présente Convention, s'engagent à prendre part à toute consultation qui pourrait avoir lieu dans ce but.

Au cas où la revision aurait lieu avant l'expiration de la cinquième année à compter de la date de la mise en vigueur de la présente Convention, tout Membre de la Société des Nations ou tout Etat non membre, qui n'accepterait pas d'être partie à la Convention révisée, aura le droit de dénoncer la présente Convention, nonobstant le délai de cinq ans prévu à l'alinéa 4 de l'article 18. Cette dénonciation produira ses effets à la date à laquelle le régime institué par la Convention révisée entrera en vigueur.

Au cas où la revision aurait lieu au cours de la cinquième année à compter de la date de la mise en vigueur de la présente Convention, le délai de dénonciation prévu à l'alinéa 1 de l'article 18 sera prorogé d'un an.

**Annexe à l'article 6.**

Par application du paragraphe 3 de l'article 6 et de la Section IV, *lilera d)*, du Protocole, chacune des exceptions maintenues au profit des pays mentionnés ci-après n'est admise, aux termes de la présente Convention, que si le pays intéressé y appose sa signature \* à la date de ce jour et si, à la même date, la prohibition ou restriction dont il réclame le maintien est encore en vigueur.

I.

*Exceptions consenties en conformité du paragraphe 1.*

<i>Allemagne</i>	HOUILLE, COKE, TOURBE, LIGNITE, BRIQUETTES	à l'importation et à l'exportation
	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Autriche</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Belgique</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Grande-Bretagne</i>	COLORANTS ORGANIQUES DE SYNTHÈSE ET COULEURS ET MATIÈRES COLORANTES QUI LES CONTIENNENT, AINSI QUE PRODUITS ORGANIQUES INTERMÉDIAIRES EMPLOYÉS POUR LA FABRICATION DE CES COLORANTS, COULEURS ET MATIÈRES COLORANTES	à l'importation
<i>France</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Hongrie</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Italie</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Japon</i>	COLORANTS ORGANIQUES DE SYNTHÈSE ET COULEURS ET MATIÈRES COLORANTES QUI LES CONTIENNENT, AINSI QUE PRODUITS ORGANIQUES INTERMÉDIAIRES EMPLOYÉS POUR LA FABRICATION DE CES COLORANTS, COULEURS ET MATIÈRES COLORANTES	à l'importation
	RIZ	à l'importation et à l'exportation

\* Parmi les pays mentionnés à cette annexe, ceux qui suivent ont signé la Convention le 8 novembre 1927 : Allemagne, Autriche, Belgique, Grande-Bretagne, etc., Egypte, France, Hongrie, Italie, Japon, Luxembourg, Roumanie et Tchécoslovaquie.

should no longer be fulfilled, any High Contracting Party may request the Secretary-General of the League of Nations to summon a Conference to consider the situation created thereby. Failing agreement to maintain the Convention, each of the High Contracting Parties shall be discharged from his obligations from the date on which the denunciation which led to the summoning of this Conference shall take effect.

*Article 19.*

If, before the expiration of the period of five years mentioned in paragraph 1 of Article 18, notifications should be addressed to the Secretary-General of the League of Nations on behalf of one-third of the Members of the League of Nations and of non-Member States to which the present Convention applies, informing him that they desire the Convention to be revised, all the Members of the League of Nations and all non-Member States to which the Convention applies agree to take part in any consultation which may be held for this purpose.

If the revision has taken place before the end of the fifth year from the date of the coming into force of the present Convention, any Member of the League of Nations or non-Member State who has not accepted the revised Convention shall have the right to denounce the present Convention, without regard to the period of five years provided for in paragraph 4 of Article 18. Such denunciation shall take effect on the date on which the revised Convention comes into force.

If the revision has taken place in the course of the fifth year from the date of the coming into force of the present Convention, the period of denunciation referred to in paragraph 1 of Article 18 will be prolonged by one year.

**Annex to Article 6.**

In accordance with Article 6, paragraph 3, and with Section IV (*d*) of the Protocol, each of the exceptions maintained in favour of the countries mentioned below is only admitted under the terms of the present Convention if the country concerned appends its signature\* thereto on this day's date, and if, on that same date, the prohibition or restriction which it seeks to maintain is still in force.

I.

*Exceptions agreed to under Paragraph 1.*

<i>Germany</i>	COAL, COKE, PEAT, LIGNITE, BRIQUETTES	import and export
	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Austria</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Belgium</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Great Britain</i>	SYNTHETIC ORGANIC DYESTUFFS AND COLOURS OR COLOURING MATTER CONTAINING THEM, AS WELL AS ORGANIC INTERMEDIATE PRODUCTS USED IN THE MANUFAC- TURE OF SUCH DYESTUFFS, COLOURS AND COLOURING MATTER	import
<i>France</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Hungary</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Italy</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Japan</i>	SYNTHETIC ORGANIC DYESTUFFS AND COLOURS OR COLOURING MATTER CONTAINING THEM, AS WELL AS ORGANIC INTERMEDIATE PRODUCTS USED IN THE MANUFAC- TURE OF SUCH DYESTUFFS, COLOURS AND COLOURING MATTER	import
	RICE	import and export

\* Among the countries referred to in this Annex, the following signed the Convention on November 8th, 1927 : Germany, Austria, Belgium, Great Britain, etc., Egypt, France, Hungary, Italy, Japan, Luxemburg, Roumania and Czechoslovakia.

<i>Luxembourg</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
<i>Roumanie</i>	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation
	MACHINES USAGÉES POUR INS- TALLATIONS INDUSTRIELLES	à l'importation
<i>Tchécoslovaquie</i>	HOUILLE, COKE, TOURBE, LI- GNITE, BRIQUETTES	à l'importation et à l'exportation
	FERRAILLES ET DÉCHETS DES AUTRES MÉTAUX ET ALLIAGES	à l'exportation

II.

*Exceptions consenties en conformité du paragraphe 2.*

<i>Egypte</i>	BÉTAIL (EXPORTATION SOUMISE A LA DÉLIVRANCE D'UN PERMIS)	à l'exportation
	ŒUFS (PENDANT CERTAINS MOIS DE L'ANNÉE)	à l'exportation
	ENGRAIS ORGANIQUES, Y COM- PRIS FIENTE DE PIGEONS, DÉCHETS D'ABATTOIRS ET SANG DESSÉCHÉ	à l'exportation
<i>Etats-Unis d'Amérique</i>	GAZ HÉLIUM	à l'exportation
<i>Italie</i>	MINÉRAIS DE FER	à l'exportation
	BLÉ	à l'exportation
<i>Roumanie</i>	MINÉRAIS DE FER, DE CUIVRE ET DE MANGANÈSE	à l'exportation
	PÉTROLE BRUT	à l'exportation

---

<i>Luxemburg</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
<i>Roumania</i>	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export
	USED MACHINERY FOR INDUSTRIAL INSTALLATIONS	import
<i>Czechoslovakia</i>	COAL, COKE, PEAT, LIGNITE, BRIQUETTES	import and export
	SCRAP IRON AND SCRAP OF OTHER METALS AND ALLOYS	export

II.

*Exceptions agreed to under Paragraph 2.*

<i>Egypt</i>	LIVE-STOCK (EXPORTATION SUBJECT TO LICENCE)	export
	EGGS, DURING CERTAIN MONTHS OF THE YEAR	export
	ORGANIC FERTILISERS, INCLUDING PIGEON-MANURE, SLAUGHTERHOUSE OFFAL AND DRIED BLOOD	export
<i>United States of America</i>	HELIUM GAS	export
<i>Italy</i>	IRON ORES	export
	CORN	export
<i>Roumania</i>	ORES OF IRON, COPPER AND MANGANESE	export
	CRUDE OIL	export



EN FOI DE QUOI, les plénipotentiaires ont signé la présente Convention.

IN FAITH WHEREOF the delegates have signed the present Convention.

FAIT à Genève, le huit novembre mil neuf cent vingt-sept, en simple expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations ; copie conforme en sera transmise à tous les Membres de la Société des Nations et à tous les Etats non membres représentés à la Conférence.

DONE at Geneva, the eighth day of November, one thousand nine hundred and twenty-seven, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be delivered to all Members of the League of Nations and non-Member States represented at the Conference.

ALLEMAGNE

Dr. TRENDELENBURG  
8-XI-27

GERMANY

AUTRICHE

E. PFLÜGL  
8-XI-27

AUSTRIA

BELGIQUE

J. BRUNET  
8-XI-27

BELGIUM

GRANDE-BRETAGNE  
ET IRLANDE DU NORD

GRÉAT BRITAIN  
AND NORTHERN IRELAND

ainsi que toutes parties de l'Empire britannique, non membres séparés de la Société des Nations.

and those Parts of the British Empire which are not separate Members of the League of Nations.

I declare that my signature does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate<sup>1</sup>

S. CHAPMAN  
8-XI-27

BULGARIE

Prof. Georges DANAÏLOW  
8-XI-27

BULGARIA

DANEMARK

Avec réserve pour le Groenland\*

DENMARK

J. CLAN.  
8-XI-27

ÉGYPTE

Sadik HENEIN  
8-XI-27

EGYPT

FINLANDE

Rafael ERICH  
8-XI-27

FINLAND

*Traduction du Secrétariat de la Société des Nations :*

<sup>1</sup> Je déclare que ma signature ne couvre pas les colonies, protectorats ou territoires placés sous la suzeraineté ou le mandat de Sa Majesté britannique.

*Translation by the Secretariat of the League of Nations :*

<sup>1</sup> Subject to reservation as regards Greenland.

FRANCE

Au moment de signer la présente Convention, la France déclare que par son acceptation, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble de ses colonies, protectorats et territoires placés sous sa suzeraineté ou mandat <sup>1</sup>

FRANCE

D. SERRUYS  
8-XI-27

HONGRIE

BARANYAI Zoltán  
8-XI-27

HUNGARY

ITALIE

A. DI NOLA  
8-XI-27

ITALY

JAPON

En signant la Convention internationale pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation, nous, soussignés, déclarons que les dispositions de l'article 8 de la présente convention ne portent pas atteinte à l'action faite par le pouvoir judiciaire du Japon en appliquant les lois et décrets japonais <sup>2</sup>

JAPAN

Ito J. TSUSHIMA  
8-XI-27

LUXEMBOURG

Albert CALMES  
8-XI-27

LUXEMBURG

PAYS-BAS

DE GRAAFF F. M. WIBAUT  
8-XI-27

THE NETHERLANDS

ROUMANIE

D. J. GHEORGHIU César POPESCU

ROUMANIA

Sous réserve de la ratification du Gouvernement et du Parlement roumain <sup>3</sup>

8-XI-27

SIAM

CHAROON  
8-XI-27

SIAM

SUISSE

W. STUCKI  
8-XI-27

SWITZERLAND

TCHÉCOSLOVAQUIE

Dr. IBL  
8-XI-27

CZECHOSLOVAKIA

*Translation by the Secretariat of the League of Nations :*

<sup>1</sup> On signing the present Convention, France declares that by its acceptance it does not intend to assume any obligation in regard to any of its Colonies, Protectorates and territories under its suzerainty or mandate.

*Translation by the Secretariat of the League of Nations :*

<sup>2</sup> In signing the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, we, the undersigned, declare that the provisions of Article 8 of the present Convention are in no way derogatory to the acts of the Japanese judicial authorities in the application of Japanese laws and decrees.

*Translation by the Secretariat of the League of Nations :*

<sup>3</sup> Subject to ratification by the Roumanian Government and Parliament.

## 2. PROTOCOLE DE LA CONVENTION INTERNATIONALE POUR L'ABOLITION DES PROHIBITIONS ET RESTRICTIONS A L'IMPORTATION ET A L'EXPORTATION

---

Au moment de procéder à la signature de la Convention pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation, conclue à la date de ce jour, les soussignés dûment autorisés sont convenus des dispositions suivantes, destinées à assurer l'application de cette Convention :

### Section I.

#### ad Article 1.

a) Les mots « territoires des Hautes Parties contractantes » employés dans la Convention ne désignent que les territoires auxquels elle est rendue applicable ;

b) Dans le cas où le territoire douanier d'une des Hautes Parties contractantes comprend des territoires qui ne sont pas placés sous sa souveraineté, ces territoires seront également considérés comme « territoires » aux termes de la Convention

c) Etant donné qu'il existe à l'intérieur ou sur les frontières mêmes de l'Inde des zones ou enclaves d'une étendue et d'une population très faibles par rapport à celles de son territoire, et qui forment des parties détachées ou des établissements appartenant à d'autres Etats métropoles et que, d'autre part, il est impossible, pour des raisons administratives, d'appliquer les dispositions de la Convention auxdites zones ou enclaves, il est convenu que ces dispositions ne s'y appliqueront pas.

Toutefois l'Inde appliquera, à l'égard des zones ou enclaves en question, un régime qui respectera les principes de la Convention et facilitera, dans la mesure du possible, les importations et les exportations, et elle s'interdit de les soumettre à toute nouvelle mesure de prohibition ou de restriction qui ne serait pas autorisée par la Convention, sauf dans le cas où il n'y aurait pas d'autre moyen d'assurer la perception des droits de douane et d'accise.

### Section II.

#### ad Article 2.

En ce qui concerne l'application de l'article 2, l'engagement souscrit par le Canada ne lie que le Gouvernement fédéral, sans engager les gouvernements des provinces, auxquels la constitution canadienne donne le pouvoir d'interdire ou de restreindre sur leur territoire l'importation et l'exportation de certains produits.

### Section III.

#### ad Article 4.

a) ad N° 4.

La protection des animaux et des plantes contre les maladies vise également les mesures prises afin de les préserver contre la dégénérescence ou l'extinction, et les mesures appliquées aux semences, plantes, parasites et animaux nuisibles.

b) ad N° 7.

Les Hautes Parties contractantes, bien que s'étant abstenues de viser les mesures relatives aux produits dits « standards » et aux définitions de produits, déclarent que ce paragraphe doit

**2. PROTOCOL TO THE INTERNATIONAL CONVENTION  
FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS**

---

At the moment of signing the Convention of to-day's date for the Abolition of Import and Export Prohibitions and Restrictions, the undersigned, duly authorised, have agreed on the following provisions, which are intended to ensure the application of the Convention :

**Section I.**

**ad Article 1.**

(a) The words "territories of the High Contracting Parties" employed in the Convention refers only to territories to which it is made applicable.

(b) Should the Customs territory of any High Contracting Party include territories which are not placed under his sovereignty, these territories are also to be regarded as "territories" within the meaning of the Convention.

(c) In view of the fact that within or immediately adjacent to the territory of India there are areas or enclaves, small in extent and population in comparison with such territory, and that these areas or enclaves form detached portions or settlements of other parent States, and that it is impracticable for administrative reasons to apply to them the provisions of the Convention, it is agreed that these provisions shall not apply to them.

India, however, will apply as regards areas or enclaves in question a regime which will respect the principles of the Convention and facilitate imports and exports as far as practicable, and will refrain from imposing in regard to them any new measures of prohibition or restriction which would not be authorised by the provisions of the Convention, unless there should be no other means of ensuring the collection of customs and excise duties.

**Section II.**

**ad Article 2.**

As regards the application of Article 2, the obligation accepted by Canada binds only the Federal Government and not the Provincial Governments, which, under the Constitution, possess the power of prohibiting or restricting the importation and exportation of certain products into or from their territories.

**Section III.**

**ad Article 4.**

(a) **ad No. 4.**

The protection of animals and plants against disease also refers to measures taken to preserve them from degeneration or extinction and to measures taken against harmful seeds, plants, parasites and animals.

(b) **ad No. 7.**

The High Contracting Parties, although they have refrained from making any reference to measures relating to "standard" products and definitions of products, declare that this

être interprété comme ne faisant pas obstacle à la pratique de certains pays de subordonner l'exportation de leurs produits à certaines conditions de qualité, en vue de sauvegarder, d'une part, le bon renom de ces produits et de donner, d'autre part, une garantie à l'acheteur étranger. Elles déclarent au contraire qu'Elles interprètent le paragraphe en question comme interdisant le recours à tout système de classification ou de définition des produits, employé comme un moyen détourné de restreindre l'importation des produits étrangers ou de la soumettre à un régime d'injuste discrimination.

**c) ad N° 7.**

Les Hautes Parties contractantes déclarent que les prohibitions et restrictions dont le seul but est soit d'éviter que certaines marchandises importées puissent être soustraites aux droits de douane qui leur sont applicables, soit d'empêcher, dans des cas exceptionnels, l'importation de certaines marchandises d'où résulterait une réduction des revenus fiscaux provenant de droits auxquels sont soumises d'autres marchandises, ne pourront être établies ou maintenues qu'à défaut de tout autre moyen efficace d'assurer lesdits revenus fiscaux.

**d) ad N° 7.**

Les Hautes Parties contractantes déclarent que si, du fait de la constitution de certains Etats et des méthodes différentes qu'ils mettent en œuvre pour leur contrôle intérieur, une assimilation complète ne pouvait être établie entre le régime des produits nationaux et celui des produits importés, ce traitement différentiel ne saurait avoir pour objet ou pour résultat de créer une injuste discrimination au détriment de ces derniers.

**e) ad N° 8.**

Les Hautes Parties contractantes déclarent qu'elles n'ont en vue que des monopoles dont chacun ne vise qu'un ou plusieurs produits déterminés.

## **Section IV.**

### **ad Article 6.**

**a) ad N° 1.**

Les Hautes Parties contractantes qui ont fait les réserves prévues au paragraphe 1 de l'article 6, déclarent qu'elles ne considèrent pas leur adhésion à la disposition de l'alinéa 3 de l'article 18 comme un engagement de leur part que les circonstances qui les ont obligées à formuler ces réserves auront pris fin dans un délai de trois ans, mais comme la faculté consentie à toute Partie contractante de reprendre sa liberté au cas où, les susdites circonstances n'étant pas modifiées dans le délai indiqué, celle-ci jugerait son économie préjudiciée par le maintien d'une quelconque des prohibitions ou restrictions qui font l'objet des susdites réserves.

**b) ad N° 2.**

En admettant les dérogations prévues au paragraphe 2 de l'article 6, les Hautes Parties contractantes n'ont pas entendu en consacrer d'une manière définitive l'existence, mais seulement marquer que la nécessité de les abolir ne se fait pas sentir aussi impérieusement, étant donné le rôle peu important qu'elles jouent au point de vue des échanges internationaux.

**c) ad N° 2.**

Les Hautes Parties contractantes déclarent qu'en acceptant pour la Roumanie, et en considération de sa situation exceptionnelle de fait et de droit, la réserve du pétrole brut en conformité du paragraphe 2 de l'article 6, Elles n'ont nullement donné leur adhésion à des mesures de prohibition et de restriction de ce produit, qu'elles considèrent comme très important pour le marché international. Les Hautes Parties contractantes expriment leur confiance que la Roumanie elle-même, dès que les circonstances le lui permettront, abolira cette prohibition, en se conformant à l'esprit du paragraph b) ci-dessus, et qu'elle tiendra compte, en attendant, des intérêts des pays voisins contractants.

La Délégation roumaine s'associe complètement à cette déclaration.

paragraph must be interpreted as in no way interfering with the practice followed by certain countries of subjecting the exportation of their products to certain conditions as to quality with the object of preserving the reputation of those products and at the same time of offering a guarantee to the foreign purchaser. They declare, on the other hand, that they interpret the paragraph in question as prohibiting recourse to any system of classifying or defining products which is employed as an indirect means of restricting the importation of foreign products or of subjecting importation to a regime of unfair discrimination.

**(c) ad No. 7.**

The High Contracting Parties declare that prohibitions or restrictions the sole object of which is either to prevent imported goods from escaping the payment of the customs duties applicable thereto, or in exceptional cases to prevent the importation of certain goods which would reduce the revenue from the duties imposed on certain other goods, may only be established or maintained if no other effective means exist of securing the said revenue.

**(d) ad No. 7.**

The High Contracting Parties declare that if, on account of the constitution of certain States and the different methods of internal control which they employ, it should prove impossible to secure complete similarity of treatment between native and imported products, any such difference in treatment must not have the object or effect of establishing an unfair discrimination against the latter.

**(e) ad No. 8.**

The High Contracting Parties declare that they have solely in view monopolies each of which applies only to one or more specific articles.

## **Section IV.**

### **ad Article 6.**

**(a) ad No. 1.**

The High Contracting Parties who have made the reservations referred to in paragraph 1 of Article 6 declare that they do not regard their acceptance of the provisions of Article 18, paragraph 3, as an undertaking on their part that the circumstances which compelled them to make these reservations will have ceased to exist at the end of three years, but as entitling any High Contracting Party to resume his freedom of action if, in the event of these circumstances not having changed within the said period, he considered that his economic conditions were detrimentally affected by the maintenance of any of the prohibitions or restrictions to which the aforesaid reservations refer.

**(b) ad No. 2.**

By allowing the exceptions referred to in Article 6, paragraph 2, the High Contracting Parties have not intended to give perpetual recognition to their existence, but merely to indicate that the necessity of abolishing these exceptions is not so imperative, in view of their slight importance in international trade.

**(c) ad No. 2.**

The High Contracting Parties declare that, by accepting in the case of Roumania, in consideration of her exceptional situation of fact and of law, the reservation concerning crude oil in accordance with Article 6, paragraph 2, they have not in any way agreed to measures of prohibition or restriction for this product, which they regard as being of very great importance for the world market. The High Contracting Parties feel confident that, as soon as circumstances allow her to do so, Roumania herself, acting in the spirit of the preceding paragraph (b) above, will abolish this prohibition, and, in the meantime, that she will take into account the interests of the neighbouring contracting countries.

The Roumanian Delegation fully associates itself with this declaration.

d) ad N° 4.

i. *Portée de la disposition.*

Pour l'application du paragraphe 4, il est entendu que toute demande de dérogations qui pourra être présentée après la date de la présente Convention, ne saurait porter que sur des prohibitions ou restrictions en vigueur à cette même date.

ii. *Procédure.*

1. Chacune des Hautes Parties contractantes pourra faire connaître, par une communication adressée au Secrétaire général de la Société des Nations, les prohibitions ou restrictions qu'Elle désire pouvoir maintenir en vertu des paragraphes 1 et 2 de l'article 6. Cette communication devra parvenir au Secrétaire général avant le 1<sup>er</sup> février 1928. Elle indiquera, le cas échéant, les conditions auxquelles la Haute Partie contractante intéressée serait disposée à renoncer à ces prohibitions ou restrictions.

2. Le Secrétaire général de la Société des Nations portera, aussitôt que possible après la date du 1<sup>er</sup> février 1928, à la connaissance des Hautes Parties contractantes l'ensemble des demandes qu'il aura reçues par application du paragraphe précédent.

3. Toute Haute Partie contractante qui désirerait présenter des observations au sujet des demandes ainsi communiquées, pourra les faire parvenir jusqu'au 1<sup>er</sup> mai 1928 au Secrétaire général de la Société des Nations. Celui-ci donnera connaissance aux Hautes Parties contractantes, aussitôt que possible après cette date, de l'ensemble des observations reçues.

4. Les demandes et observations formulées par les Hautes Parties contractantes seront examinées au cours de la réunion prévue à l'article 17 de la Convention.

## **Section V.**

### **ad Article 7.**

L'expression « commerce des Hautes Parties contractantes » désigne le commerce de ceux de leurs territoires auxquels la Convention s'applique.

## **Section VI.**

Les prohibitions ou restrictions appliquées aux articles fabriqués dans les prisons ne sont pas visées par la Convention.

## **Section VII.**

Dans le cas où des prohibitions ou restrictions seraient appliquées dans les limites établies par la Convention, les Hautes Parties contractantes se conformeront strictement, en ce qui concerne les licences, aux dispositions suivantes :

a) Les conditions à remplir et les formalités à accomplir à l'effet d'obtenir des licences seront immédiatement portées, dans la forme la plus claire et la plus précise, à la connaissance du public ;

b) Le mode de délivrance de ces titres sera aussi simple et aussi stable que possible ;

c) L'examen des demandes et la remise des licences aux intéressés seront effectuées avec la plus grande célérité ;

d) Le système de délivrance des licences sera établi de manière à prévenir le trafic de ces titres. A cet effet les licences, lorsqu'elles seront accordées à des personnes, devront porter le nom du bénéficiaire et ne devront pas pouvoir être utilisées par une autre personne.

En ce qui concerne la répartition des contingents, les Hautes Parties contractantes, sans statuer sur la méthode à adopter, estiment qu'une répartition équitable de ces contingents est une des conditions essentielles de l'équitable traitement du commerce international.

(d) **ad No. 4.**

(i) *Scope of the Provision.*

As regards paragraph 4, it is understood that any claims for exceptions which may be put forward after the date of the present Convention shall refer only to prohibitions or restrictions in force on that same date.

(ii) *Procedure.*

1. Any High Contracting Party may make known by a communication addressed to the Secretary-General of the League of Nations any prohibitions or restrictions which he desires to be able to maintain in virtue of paragraphs 1 and 2 of Article 6. Such communication must reach the Secretary-General before February 1st, 1928. It shall state the conditions, if any, on which the High Contracting Party in question would be prepared to abandon such prohibitions or restrictions.

2. As soon as possible after February 1st, 1928, the Secretary-General of the League of Nations shall notify the High Contracting Parties of all applications which he has received under the preceding paragraph.

3. Any High Contracting Party wishing to make observations on any applications so communicated may forward such observations to the Secretary-General of the League of Nations not later than May 1st, 1928. As soon as possible after that date, the Secretary-General will inform the High Contracting Parties of all observations received.

4. Any applications and observations made by the High Contracting Parties shall be examined at the meeting provided for in Article 17 of the Convention.

## **Section V.**

**ad Article 7.**

The expression "trade of the High Contracting Parties" signifies the trade of their territories to which the Convention applies.

## **Section VI.**

Prohibitions or restrictions applying to prison-made goods are not within the scope of the Convention.

## **Section VII.**

Should any prohibitions or restrictions be imposed within the limits laid down by the Convention, the High Contracting Parties shall strictly adhere to the following provisions as regards licences :

(a) The conditions to be fulfilled and the formalities to be observed in order to obtain licences shall be brought immediately in the clearest and most definite form to the notice of the public ;

(b) The method of issue of the certificates of licences shall be as simple and stable as possible ;

(c) The examination of applications and the issue of licences to the applicants shall be carried out with the least possible delay ;

(d) The system of issuing licences shall be such as to prevent the traffic in licences. With this object, licences, when issued to individuals, shall state the name of the holder and shall not be capable of being used by any other person.

As regards the allocation of quotas, the High Contracting Parties, without pronouncing upon the method to be adopted, consider that an equitable allocation of such quotas is one of the essential conditions for the equitable treatment of international trade.



EN FOI DE QUOI les plénipotentiaires ont signé le présent Protocole.

IN FAITH WHEREOF the Plenipotentiaries have signed the present Protocol.

FAIT à Genève, le huit novembre mil neuf cent vingt-sept, en simple expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations ; copie conforme en sera transmise à tous les Membres de la Société des Nations et à tous les Etats non membres représentés à la Conférence.

DONE at Geneva the eighth day of November, one thousand nine hundred and twenty-seven, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be delivered to all Members of the League of Nations and non-Member States represented at the Conference.

ALLEMAGNE

Dr. TRENDELENBURG

GERMANY

AUTRICHE

E. PFLÜGL

AUSTRIA

BELGIQUE

J. BRUNET

BELGIUM

GRANDE-BRETAGNE

GREAT BRITAIN

ET IRLANDE DU NORD,

AND NORTHERN IRELAND,

ainsi que toutes parties de l'Empire britannique, non membres séparés de la Société des Nations.

and those Parts of the British Empire which are not separate Members of the League of Nations.

I declare that my signature does not include any of His Britannic Majesty's Colonies, Protectorates or territories under suzerainty or mandate <sup>1</sup>

S. CHAPMAN

BULGARIE

Prof. Georges DANAÏLOW

BULGARIA

DANEMARK

Avec réserve pour le Groenland <sup>2</sup>  
J. CLAN.

DENMARK

ÉGYPTE

Sadik HENEIN

EGYPT

FINLANDE

Rafael ERICH

FINLAND

FRANCE

Sous les réserves formulées au moment de signer la Convention <sup>3</sup>  
D. SERRUYS

FRANCE

<sup>1</sup> Traduction du Secrétariat de la Société des Nations :  
Je déclare que ma signature ne couvre pas les colonies, protectorats ou territoires placés sous la suzeraineté ou le mandat de Sa Majesté britannique.  
<sup>2</sup> Subject to reservation as regards Greenland.  
<sup>3</sup> Subject to the reservations made on signing the Convention.

HONGRIE

BARANYAI Zoltán

HUNGARY

ITALIE

A. DI NOLA

ITALY

JAPON

Sous les réserves formulées au moment de signer la Convention <sup>1</sup>

ITO

J. TSUSHIMA

JAPAN

LUXEMBOURG

Albert CALMES

LUXEMBURG

PAYS-BAS

DE GRAAFF

F. M. WIBAUT

THE NETHERLANDS

ROUMANIE

D. J. GHEORGHIU

César POPESCU

ROUMANIA

Sous la réserve de la ratification du Gouvernement et du Parlement roumains <sup>2</sup>

SIAM

CHAROON

SIAM

SUISSE

W. STUCKI

SWITZERLAND

TCHÉCOSLOVAQUIE

D<sup>r</sup> IBL

CZECHOSLOVAKIA

---

*Translation by the Secretariat of the League of Nations :*

<sup>1</sup> Subject to the reservations made on signing the Convention.

*Translation by the Secretariat of the League of Nations :*

<sup>2</sup> Subject to ratification by the Roumanian Government and Parliament.

---

### 3. ACTE FINAL DE LA CONFÉRENCE INTERNATIONALE POUR L'ABOLITION DES PROHIBITIONS ET RESTRICTIONS A L'IMPORTATION ET A L'EXPORTATION

A la suite d'une résolution de l'Assemblée de la Société des Nations, adoptée le 25 septembre 1924, le Conseil invitait le Comité économique de la Société à entreprendre les travaux préparatoires en vue de la conclusion d'une entente internationale ayant pour objet l'abolition des prohibitions et restrictions à l'importation et à l'exportation.

Au cours des années 1925 et 1926, le Comité économique s'est livré à une étude approfondie de ce problème en organisant deux vastes enquêtes successives, l'une auprès des gouvernements et l'autre auprès des organisations commerciales et industrielles de tous les pays jouant un rôle important dans le domaine des échanges internationaux.

Les résultats de cette minutieuse préparation ont été consignés dans le document contenant l'avant-projet d'accord international, sur la base duquel ont eu lieu les délibérations de la présente Conférence.

La Conférence, convoquée en exécution des résolutions du Conseil en date des 11 mars et 14 juin 1927, s'est réunie le 17 octobre 1927 au Palais des Nations à Genève. Ses délibérations ont abouti à l'établissement de la Convention internationale pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation qui porte la date de ce jour.

Le Conseil de la Société des Nations a nommé aux fonctions de Président de la Conférence :

M. H. COLIJN, ancien premier ministre des Pays-Bas.

Les travaux du secrétariat étaient confiés aux membres suivants de la Section économique et financière du Secrétariat de la Société des Nations : MM. STOPPANI, STENCEK, SMETS, assistés du D<sup>r</sup> P. BARANDON, membre de la section juridique.

\* \* \*

Les Membres de la Société, dont la liste suit, ont pris part aux travaux de la Conférence et ont, à cet effet, désigné des délégations composées des membres indiqués ci-dessous :

#### ALLEMAGNE.

*Délégués :*

Le docteur ERNEST TRENDELENBURG,  
Secrétaire d'Etat au Ministère de l'Economie nationale.  
Adolf REINSHAGEN,  
Conseiller ministériel au Ministère de l'Economie nationale.  
M. ASCHMANN,  
Consul général à Genève.

*Délégués adjoints :*

Le docteur KAHLER,  
Conseiller au Ministère de l'Intérieur.  
M. Eugen LÖHR,  
Conseiller au Ministère de l'Agriculture.

#### AUSTRALIE.

*Délégué :*

Le major général sir GRANVILLE DE LAUNE RYRIE, K.C.M.G., C.B.  
Haut Commissaire pour l'Australie à Londres.

*Expert :*

Mr. C. A. B. CAMPION.

*Secrétaire :*

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

### 3. FINAL ACT OF THE INTERNATIONAL CONFERENCE FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS

---

Following a Resolution of the Assembly of the League of Nations adopted on September 25th, 1924, the Council invited the Economic Committee of the League to undertake the preparatory work for the conclusion of an international agreement having as its object the abolition of import and export prohibitions and restrictions.

During the years 1925 and 1926, the Economic Committee undertook a thorough investigation of this matter by instituting two extensive enquiries, approaching first the Governments and then the commercial and industrial organisations of all countries which play an important part in the field of international trade.

The results of this careful preparatory work are recorded in the document which contains the Preliminary Draft International Agreement, on the basis of which the discussions of the present Conference took place.

The Conference, convoked in accordance with the Resolutions of the Council dated March 11th and June 14th, 1927, met on October 17th, 1927, at the Palais des Nations, Geneva.

Its discussions resulted in the framing of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions which bears to-day's date.

The Council of the League of Nations appointed as President of the Conference :

M. H. COLIJN, formerly Prime Minister of the Netherlands.

The secretarial work was entrusted to the following members of the Economic and Financial Section of the Secretariat of the League of Nations : MM. STOPPANI, STENCEK, SMETS, assisted by Dr. BARANDON, member of the Legal Section.

\* \* \*

The Members of the League whose names are to be found in the list below took part in the work of the Conference, and appointed for this purpose delegations composed of the members SMETS, named hereunder :

#### GERMANY.

*Delegates :*

Dr. ERNST TRENDELENBURG,  
Secretary of State to the Ministry of National Economy.  
M. ADOLF REINSHAGEN,  
Ministerial Counsellor in the Ministry of National Economy.  
M. ASCHMANN,  
Consul-General at Geneva.

*Substitutes :*

Dr. KAHLER,  
Counsellor in the Ministry of the Interior.  
M. EUGEN LÖHR,  
Counsellor in the Ministry of Agriculture.

#### AUSTRALIA.

*Delegate :*

Major-General Sir Granville DE LAUNE RYRIE, K.C.M.G., C.B.,  
High Commissioner for Australia in London.

*Expert :*

Mr. C. A. B. CAMPION.

*Secretary :*

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

AUTRICHE.

*Délégués :*

- Le docteur Richard SCHÜLLER,  
Chef de Section à la Chancellerie fédérale (Département des Affaires étrangères).  
Le docteur Charles MÖRTH,  
Chef de Section au Ministère fédéral du Commerce et des Communications.  
Le docteur J. Paul INAMA-STERNEGG,  
Conseiller ministériel au Ministère fédéral du Commerce et des Communications.  
Le docteur Frédéric DISTLER,  
Conseiller ministériel au Ministère fédéral des Finances.  
M. Rodolphe RÖSSLER,  
Conseiller ministériel au Ministère fédéral de l'Agriculture et des Forêts.

BELGIQUE.

*Délégués :*

- M. J. BRUNET,  
Envoyé extraordinaire et Ministre plénipotentiaire.  
M. F. VAN LANGENHOVE,  
Chef du Cabinet et Directeur général du Commerce extérieur au Ministère des  
Affaires étrangères.

GRANDE-BRETAGNE ET IRLANDE DU NORD

AINSI QUE TOUTES PARTIES DE L'EMPIRE BRITANNIQUE, NON MEMBRES SÉPARÉS  
DE LA SOCIÉTÉ DES NATIONS.

*Délégué :*

- Sir Sydney CHAPMAN, K.C.B., C.B.E.,  
Conseiller économique du Gouvernement de Sa Majesté Britannique.

*Délégué adjoint et Conseiller douanier :*

- Mr. H. V. READE, C.B.  
Secrétaire adjoint des douanes et accises.

*Délégués adjoints et conseillers commerciaux :*

- Mr. Gilbert C. VYLE,  
de l'Association des Chambres de Commerce britanniques.  
L'Honorable F. Vernon WILLEY, C.M.G., C.B.E., M.V.O.

*Secrétaire :*

- Mr. F. A. GRIFFITHS, M.C.

BULGARIE.

*Délégué :*

- M. Georges DANAÏLOW,  
Professeur à l'Université de Sofia, Député au Parlement.

CANADA.

*Délégué :*

- Le docteur W. A. RIDDELL, M.A., Ph.D.  
« Advisory Officer » du Dominion du Canada auprès de la Société des Nations.

CHILI.

*Délégué :*

- M. Francisco WALKER-LINARES,  
Professeur à l'Université de Santiago du Chili.

**AUSTRIA.**

*Delegates :*

- Dr. Richard SCHÜLLER,  
Head of Section in the Federal Chancellery.
- Dr. Charles MÖRTH,  
Head of Section in the Federal Ministry of Commerce and Communications.
- Dr. J. Paul INAMA-STERNEGG,  
Ministerial Counsellor in the Federal Ministry of Commerce and Communications.
- Dr. Frédéric DISTLER,  
Ministerial Counsellor in the Federal Ministry of Finance.
- M. Rodolphe RÖSSLER,  
Ministerial Counsellor in the Federal Ministry of Agriculture and Forestry.

**BELGIUM.**

*Delegates :*

- M. J. BRUNET,  
Envoy Extraordinary and Minister Plenipotentiary.
- M. F. VAN LANGENHOVE,  
Chef du Cabinet and General Director for Foreign Commerce in the Ministry of Foreign Affairs.

**GREAT BRITAIN AND NORTHERN IRELAND**

AND THOSE PARTS OF THE BRITISH EMPIRE WHICH ARE NOT SEPARATE MEMBERS  
OF THE LEAGUE OF NATIONS.

*Delegate :*

- Sir Sydney CHAPMAN, K.C.B., C.B.E.,  
Economic Adviser to His Majesty's Government.

*Deputy Delegate and Customs Adviser :*

- Mr. H. V. READE, C.B.,  
Assistant Secretary of His Majesty's Customs and Excise.

*Deputy Delegates and Commercial Advisers :*

- Mr. Gilbert C. VYLE,  
of the Association of British Chambers of Commerce.
- The Honourable F. Vernon WILLEY, C.M.G., C.B.E., M.V.O.

*Secretary :*

- Mr. F. A. GRIFFITHS, M.C.

**BULGARIA.**

*Delegate :*

- M. Georges DANAÏLOW,  
Professor at the University of Sofia, M.P.

**CANADA.**

*Delegate :*

- Mr. W. A. RIDDELL, M.A., Ph.D.,  
Dominion of Canada Advisory Officer accredited to the League of Nations.

**CHILE.**

*Delegate :*

- M. Francisco WALKER-LINARES,  
Professor at the University of Santiago de Chile.

CHINE.

*Délégué :*

M. CHI-YUNG-HSIAO,  
Chargé d'Affaires de Chine à Berne.

COLOMBIE.

*Délégué :*

Le docteur Efraïn-GASTAN-HURTADO,  
Ancien Directeur de la Section diplomatique du Ministère des Affaires étrangères  
à Bogota.

CUBA.

*Délégués :*

M. G. DE BLANCK,  
Envoyé extraordinaire et Ministre plénipotentiaire, Délégué permanent auprès  
de la Société des Nations.

D<sup>r</sup> Carlos ARMENTEROS,  
Ministre de Cuba à Berne.

DANEMARK.

*Délégué :*

M. J. CLAN,  
Envoyé extraordinaire et Ministre plénipotentiaire, Président de la Commission  
danoise pour la conclusion des traités de commerce.

*Secrétaire :*

M. J. C. JORGENSEN,  
Premier secrétaire de la Commission danoise pour la conclusion des traités de  
commerce.

ÉTHIOPIE.

*Délégué :*

Son Excellence le comte LAGARDE, duc d'ENTOTTO,  
Ministre plénipotentiaire, Représentant diplomatique de l'Empire d'Ethiopie  
accrédité auprès de la Société des Nations.

FINLANDE.

*Délégué :*

M. Rafael Waldemar ERICH,  
Envoyé extraordinaire et Ministre plénipotentiaire à Berne, Délégué permanent  
auprès de la Société des Nations.

*Experts :*

M. K. R. SAVOLAHTI,  
Consul général, Chef de Section au Ministère des Affaires étrangères.

M. Axel SOLITANDER,  
Ancien Consul général, « General Manager of the Central Association of Finnish  
Wood-working Industrie ».

CHINA.

*Delegate :*

M. CHI-YUNG-HSIAO,  
Chargé d'Affaires of China at Berne.

COLOMBIA.

*Delegate :*

Dr. Efraín GAÍTAN-HURTADO,  
Former Director of the Diplomatic Section in the Ministry of Foreign Affairs at  
Bogota.

CUBA.

*Delegates :*

M. G. DE BLANCK,  
Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate  
accredited to the League of Nations.

Dr. Carlos ARMENTEROS,  
Minister of Cuba at Berne.

DENMARK.

*Delegate :*

M. J. CLAN,  
Envoy Extraordinary and Minister Plenipotentiary, Chairman of the Danish  
Commission for the Conclusion of Commercial Treaties.

*Secretary :*

M. J. C. JORGENSEN,  
First Secretary of the Danish Commission for the Conclusion of Commercial  
Treaties

ABYSSINIA.

*Delegate :*

His Excellency Count LAGARDE, Duc d'ENTOTTO,  
Minister Plenipotentiary, Diplomatic Representative of the Ethiopian Empire  
accredited to the League of Nations.

FINLAND.

*Delegate :*

M. Rafael Waldemar ERICH,  
Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate  
accredited to the League of Nations.

*Experts :*

M. K. R. SAVOLAHTI,  
Consul-General, Head of Section in the Ministry of Foreign Affairs.

M. Axel SOLITANDER,  
Former Consul-General, General Manager of the Central Association of Finnish  
Wood-working Industry.



FRANCE.

*Délégués :*

M. Daniel SERRUYS,  
Directeur des Accords commerciaux au Ministère du Commerce, Président de la  
Délégation.

M. Roger FIGHIERA,  
Directeur des Affaires commerciales et industrielles au Ministère du Commerce.

*Délégué adjoint :*

M. Ernest LECUYER,  
Administrateur des Douanes au Ministère des Finances.

*Experts :*

M. Etienne FOUGÈRE,  
Président de la Fédération de la soie et Président de l'Association d'expansion  
économique.

M. Michel AUGÉ-LARIBÉ,  
Secrétaire général de la Confédération nationale des Associations agricoles.

M. DUCHON,  
Secrétaire général du Syndicat de la mécanique.

M. Jacques LACOUR-GAYET,  
Agrégé de l'Université, Conseiller du Commerce extérieur.

*Secrétaire :*

M. Henry GUEYRAUD,  
Secrétaire d'ambassade.

GRÈCE.

*Délégué :*

M. Vassili DENDRAMIS,  
Chargé d'Affaires de Grèce, Délégué permanent auprès de la Société des Nations.

HONGRIE.

*Délégué :*

M. Alfred DE NICKL,  
Conseiller de Légation au Ministère des Affaires étrangères.

*Experts :*

Le docteur Izsó FERENCZI,  
Conseiller au Ministère du Commerce.

M. Tibor PECHY,  
Conseiller au Ministère d'Agriculture.

M. Charles STAUB,  
Secrétaire au Ministère des Finances.

INDE.

*Délégué :*

Sir Basanta KUMAR MULLICK,  
Juge de la Haute Cour de Patna.

*Expert :*

Mr. H. A. F. LINDSAY, C.I.E., C.B.E.,  
Commissaire du Commerce de l'Inde à Londres.

ÉTAT LIBRE D'IRLANDE.

*Délégués :*

M. Michael MACWHITE,  
Représentant auprès de la Société des Nations.

M. T. A. BARRINGTON,  
Directeur adjoint de la Section du Commerce technique du Département de  
l'Industrie et du Commerce, Dublin.

FRANCE.

*Delegates :*

M. Daniel SERRUYS,  
Director of Commercial Agreements in the Ministry of Commerce, Chairman of  
the Delegation.

M. Roger FIGHIERA,  
Director of Commercial and Industrial Affairs in the Ministry of Commerce.

*Substitute :*

M. Ernest LECUYER,  
" Administrateur des Douanes " in the Ministry of Finance.

*Experts :*

M. Etienne FOUGÈRE,  
Chairman of the Silk Federation and Chairman of the Association for Economic  
Expansion.

M. Michel AUGÉ-LARIBÉ,  
Secretary-General of the National Confederation of Agricultural Associations.

M. DUCHON,  
Secretary-General of the Union of Mechanical Engineers.

M. Jacques LACOUR-GAYET,  
" Agrégé de l'Université ", Counsellor of Foreign Commerce.

*Secretary :*

M. Henry GUEYRAUD,  
Secretary of Embassy.

GREECE.

*Delegate :*

M. Vassili DENDRAMIS,  
Chargé d'Affaires of Greece, Permanent Delegate accredited to the League of  
Nations.

HUNGARY.

*Delegate :*

M. Alfred DE NICKL,  
Counsellor of Legation in the Ministry of Foreign Affairs.

*Experts :*

Dr. Izsó FERENCZI,  
Counsellor at the Ministry of Commerce.

M. Tibor PECHY,  
Counsellor in the Ministry of Agriculture.

M. Charles STAUB,  
Secretary in the Ministry of Finance.

INDIA.

*Delegate :*

Sir BASANTA KUMAR MULLICK,  
Judge, High Court of Patna.

*Expert :*

Mr. H. A. F. LINDSAY, C.I.E., C.B.E.,  
Indian Trade Commissioner in London.

IRISH FREE STATE.

*Delegates :*

Mr. Michael MACWHITE,  
Representative accredited to the League of Nations.

Mr. T. A. BARRINGTON,  
Assistant Director of Commerce and Technical Branch of the Department of  
Industry and Commerce, Dublin.

ITALIE.

*Délégués :*

- L'Honorable Fulvio SUVICH,  
Sous-Secrétaire d'Etat au Ministère des Finances, Député au Parlement.  
M. Angelo DI NOLA,  
Directeur général du Commerce et de la Politique économique.  
M. Pasquale TROISE,  
Directeur général des Douanes et des Impôts indirects.

*Experts :*

- L'Honorable Gino OLIVETTI,  
Député au Parlement, Secrétaire général de la Confédération générale fasciste de  
l'Industrie italienne.  
L'Honorable Ferruccio LANTINI,  
Député au Parlement, Président de la Confédération générale fasciste du  
Commerce.  
M. Antonio MAROZZI,  
Directeur général de la Confédération nationale fasciste des agriculteurs.

*Conseiller technique :*

- M. Erasmo CARAVALE,  
Inspecteur supérieur au Ministère de l'Economie nationale.

*Secrétaire :*

- M. Guido BORGA,  
Vice-consul.

JAPON.

*Délégués :*

- M. Nobubumi ITO,  
Conseiller d'ambassade, Directeur adjoint du Bureau impérial du Japon à la  
Société des Nations.  
M. Juichi TSUSHIMA,  
Commissaire financier du Gouvernement du Japon à Londres, à Paris et à New-  
York.

*Experts :*

- M. T. HORIUCHI,  
Secrétaire de l'Ambassade du Japon près Sa Majesté Britannique.  
M. S. YAMAJI,  
Secrétaire du Ministère des Finances.

*Secrétaire :*

- M. S. KADOWAKI,  
Attaché d'ambassade.

LETTONIE.

*Délégué :*

- M. Charles DUZMANS,  
Représentant auprès de la Société des Nations.

LUXEMBOURG.

*Délégués :*

- M. Albert CALMES,  
Membre du Conseil supérieur de l'Union économique belgo-luxembourgeoise.  
M. Léon LAVAL,  
Vice-Président de la Chambre de Commerce luxembourgeoise.

PAYS-BAS.

*Délégués :*

- Le docteur Folkert Evert POSTHUMA,  
Ancien Ministre de l'Agriculture, de l'Industrie et du Commerce.  
M. F. M. WIBAUT,  
Membre du Sénat des Pays-Bas.  
M DE GRAAFF,  
Ancien Ministre des Colonies.

ITALY.

*Delegates :*

The Honourable Fulvio SUVICH,  
Under-Secretary of State in the Ministry of Finance, M.P.  
M. Angelo DI NOLA,  
Director-General of Commerce and of Economic Policy.  
M. Pasquale TROISE,  
Director-General of Customs and Indirect Taxation.

*Experts :*

The Honourable Gino OLIVETTI,  
Member of Parliament, Secretary-General of the General Fascist Confederation  
of Italian Industry.  
The Honourable Ferruccio LANTINI,  
Member of Parliament, Chairman of the General Fascist Confederation of Italian  
Commerce.  
M. Antonio MAROZZI,  
Director-General of the National Fascist Confederation of Agriculture.

*Technical Adviser :*

M. Erasmo CARAVALE,  
Head Inspector in the Ministry of National Economy.

*Secretary :*

M. Guido BORGA,  
Vice-Consul.

JAPAN.

*Delegates :*

M. Nobubumi ITO,  
Counsellor of Embassy, Substitute Director of the Imperial Japanese League of  
Nations Office.  
M. Juichi TSUSHIMA,  
Financial Commissioner of the Japanese Government in London, Paris and New  
York.

*Experts :*

M. T. HORIUCHI,  
Secretary of the Japanese Embassy to His Britannic Majesty.  
M. S. YAMAJI,  
Secretary in the Ministry of Finance.

*Secretary :*

M. S. KADOWAKI,  
Attaché of Embassy.

LATVIA.

*Delegate :*

M. Charles DUZMANS,  
Representative accredited to the League of Nations

LUXEMBURG.

*Delegate :*

M. Albert CALMES,  
Member of the Superior Council of the Economic Union of Belgium and  
Luxemburg.  
M. Léon LAVAL,  
Vice-President of the Luxemburg Chamber of Commerce.

THE NETHERLANDS.

*Delegates :*

Dr. Folkert Evert POSTHUMA,  
Former Minister of Agriculture, Industry and Commerce.  
M. F. M. WIBAUT,  
Member of the Netherlands Senate.  
M. DE GRAAFF,  
Former Minister of the Colonies.

POLOGNE.

*Délégué :*

M. François DOLEZAL,  
Sous-Secrétaire d'Etat au Ministère du Commerce.

*Membres de la Délégation :*

M. René SYGIETYNSKI,  
Chef de Section au Ministère de l'Industrie et du Commerce.

M. M. SOKOLOWSKI,  
Conseiller commercial à la Légation de Pologne près le Président du Reich  
allemand.

M. Léonard KRAWULSKI,  
Conseiller au Ministère de l'Agriculture.

M. Tadeusz GWIAZDOWSKI,  
Conseiller de légation à la Délégation permanente auprès de la Société des Nations.

M. Jersy NOWAK,  
Conseiller ministériel au Ministère des Finances.

M. Adam BENIS,  
Secrétaire de légation au Ministère des Affaires étrangères.

PORTUGAL.

*Délégué :*

M. Francisco DE CALHEIROS E MENEZES,  
Premier Secrétaire de légation, Chef de la Chancellerie portugaise auprès de la  
Société des Nations.

ROUMANIE.

*Délégués :*

M. Alexandre ZEUCEANU,  
Ministre plénipotentiaire, Délégué à la Commission des Réparations.

M. Démètre GHEORGHIU,  
Directeur de la Banque Nationale de Roumanie, ancien Secrétaire général du  
Ministère des Finances, ancien Directeur général des Douanes.

M. César POPESCU,  
Directeur général de l'Industrie au Ministère de l'Industrie et du Commerce.

ROYAUME DES SERBES, CROATES ET SLOVÈNES.

*Délégué :*

M. Constantin P'OTITCH,  
Délégué permanent auprès de la Société des Nations.

*Délégués adjoints :*

M. Georges CURCIN,  
Secrétaire général des Corporations industrielles.

M. Milan LAZAREVITCH,  
Inspecteur au Ministère du Commerce et de l'Industrie.

SIAM.

*Délégué :*

Son Altesse le prince CHAROON,  
Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la  
République française.

POLAND.

*Delegate :*

M. François DOLEZAL,  
Under-Secretary of State in the Ministry of Commerce.

*Members of the Delegation :*

M. René SYGIETYSKI,  
Head of Section in the Ministry of Industry and Commerce.

M. M. SOKOLOWSKI,  
Commercial Adviser to the Polish Legation to the President of the German Reich.

M. Léonard KRAWULSKI,  
Counsellor in the Ministry of Agriculture.

M. Tadeusz GWIAZDOWSKI,  
Counsellor of Legation at the Permanent Delegation accredited to the League of Nations.

M. Jersy NOWAK,  
Ministerial Counsellor in the Ministry of Finance.

M. Adam BENIS,  
Secretary of Legation in the Ministry of Foreign Affairs.

PORTUGAL.

*Delegate :*

M. FRANCISCO DE CALHEIROS E MENEZES,  
First Secretary of Legation, Chief of the Portuguese Office accredited to the League of Nations.

ROUMANIA.

*Delegates :*

M. Alexandre ZEUCEANU,  
Minister Plenipotentiary, Delegate to the Reparations Commission.

M. Démètre GHEORGHIU,  
Director of the Roumanian National Bank, Former Secretary-General of the Ministry of Finance, Former Director-General of Customs.

M. César POPESCU,  
Director-General of Industry in the Ministry of Industry and Commerce.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

*Delegate :*

M. Constantin FOTITCH,  
Permanent Delegate accredited to the League of Nations.

*Substitutes :*

M. Georges CURCIN,  
Secretary-General of Industrial Corporations.

M. Milan LAZAREVITCH,  
Inspector in the Ministry of Commerce and Industry.

SIAM.

*Delegate :*

His Highness Prince CHAROON,  
Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic.

SUÈDE.

*Délégué :*

M. MODIG (Einar),  
Sous-Secrétaire d'Etat au Ministère du Commerce.

*Délégué adjoint :*

M. HENNINGS (Einar),  
Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil Fédéral suisse.

SUISSE.

*Délégué :*

M. Walter STUCKI,  
Directeur de la Division du Commerce au Département fédéral de l'Economie  
publique.

*Secrétaire :*

M. Henry DE TORRENTÉ,  
Secrétaire de la Division fédérale du Commerce.

TCHÉCOSLOVAQUIE.

*Délégué :*

Le docteur Vincent IBL,  
Conseiller de légation au Ministère des Affaires étrangères.

*Experts :*

Le docteur Adolf OTTIS,  
Conseiller au Ministère du Commerce.

Le docteur Bohumir HANOSEK,  
Conseiller au Ministère de l'Agriculture.

Le docteur A. SCHÖNBACH,  
Conseiller ministériel au Ministère des Finances.

*Secrétaire :*

Le docteur Ladislav RADIMSKY,  
Secrétaire au Ministère des Affaires étrangères.

En outre, les pays suivants qui ne font pas partie de la Société des Nations ont accepté, sur l'invitation du Conseil, de participer à la Conférence et ont, à cet effet, désigné les délégations composées des membres indiqués ci-dessous :

ÉGYPTE.

*Délégués :*

SADIK HENEIN Pacha,  
Envoyé extraordinaire et Ministre plénipotentiaire près Sa Majesté le Roi d'Italie;  
Président de la Délégation.

ABDEL RAZAK ABOUL KHEIR bey,  
Inspecteur en chef de l'Administration des Douanes.

ABDUL RAHMAN FIKRY bey,  
Premier Secrétaire de la Légation près Sa Majesté Britannique.

M. AHMED NEGUIB,  
Secrétaire financier adjoint au Ministère des Finances.

ÉTATS-UNIS D'AMÉRIQUE.

*Délégué :*

Mr. Hugh R. WILSON,  
Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil Fédéral suisse.

SWEDEN.

*Delegate :*

M. MODIG (Einar),  
Under-Secretary of State in the Ministry of Commerce.

*Substitute :*

M. HENNINGS (Einar),  
Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

SWITZERLAND.

M. Walter STUCKI,  
Head of the Commerce Division in the Federal Department of Public Economy.

*Secretary :*

M. Henry DE TORRENTÉ,  
Secretary of the Federal Division of Commerce.

CZECHOSLOVAKIA.

*Delegate :*

Dr. Vincent IBL,  
Counsellor of Legation in the Ministry of Foreign Affairs.

*Experts :*

Dr. Adolf OTTIS,  
Counsellor in the Ministry of Commerce.  
Dr. Bohumir HANOSEK,  
Counsellor in the Ministry of Agriculture.  
Dr. A. SCHÖNBACH,  
Ministerial Counsellor in the Ministry of Finance.

*Secretary :*

Dr. Ladislav RADIMSKY,  
Secretary in the Ministry of Foreign Affairs.

In addition, the following countries not Members of the League of Nations accepted the invitation of the Council to participate in the Conference, and for this purpose appointed the Delegations whose members are set out below :

EGYPT.

*Delegates :*

SADIK HENEIN Pacha,  
Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy, Chairman of the Delegation.  
ABDEL RAZAK ABOUL KHEIR Bey,  
Chief Inspector of the Customs Administration.  
ABDUL RAHMAN FIKRY Bey,  
First Secretary of the Legation to His Britannic Majesty.  
M. AHMED NEGUIB,  
Assistant Financial Secretary in the Ministry of Finance.

UNITED STATES OF AMERICA.

*Delegate :*

Mr. Hugh R. WILSON,  
Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.



*Experts :*

- Mr. H. Lawrence GROVES,  
Attaché commercial à la Légation des Etats-Unis d'Amérique à Vienne.
- Mr. Charles E. LYON,  
Attaché commercial à la Légation des Etats-Unis d'Amérique, Berne.
- Mr. Percy W. BIDWELL,  
Représentant de la Commission des tarifs.
- Mr. Harry F. WORLEY,  
Représentant du Trésorier des Etats-Unis d'Amérique, Attaché douanier.

*Secrétaire de la Délégation :*

- Mr. S. Pinkney TUCK,  
Consul à Genève.

TURQUIE.

*Délégué :*

- Mehmed KEMAL bey,  
Consul à Genève.

CHAMBRE DE COMMERCE INTERNATIONALE

LA CHAMBRE DE COMMERCE INTERNATIONALE, invitée par le Conseil à prendre part à la Conférence à titre consultatif, a désigné à cet effet la délégation suivante :

- Le docteur Georges ROCHÉ,  
Président de la Délégation, Président du Syndicat des industries chimiques spéciales.
- Mr. Washington Irving BULLARD,  
Banquier et fabricant de matières textiles, ancien Vice-Président Doyen de la Chambre de Commerce de Boston ; Vice-Président de la Conférence internationale des cotons ; Trésorier de l'Association nationale des fabricants de coton (E.U.A.).
- Le docteur Alfred GEORG,  
Ancien président de la Chambre de Commerce de Genève, ancien Conseiller national.
- Le docteur Ernest VON SIMSON,  
Secrétaire d'Etat (S.D.) ; Président de la Commission politique-commerciale de l'Association de l'industrie allemande.

*Assistés de :*

- Mr. Basil MILES,  
Commissaire administratif pour l'Amérique auprès de la Chambre de Commerce internationale.
- Le docteur Gerhard RIEDBERG,  
Commissaire administratif pour l'Allemagne auprès de la Chambre de Commerce internationale.
- Le docteur Jean DUCHENOIS,  
Secrétaire général adjoint du Comité national français de la Chambre de Commerce internationale.
- Mr. Willard HILL,  
Secrétaire adjoint de la Chambre de Commerce internationale.

*Experts :*

- Mr. H. Lawrence GROVES,  
Commercial Attaché to the United States of America Legation at Vienna.
- Mr. Charles E. LYON,  
Commercial Attaché to the United States of America Legation at Berne.
- Mr. Percy W. BIDWELL,  
Representative of the Tariff Commission.
- Mr. Harry F. WORLEY,  
United States of America Treasury Representative, Customs Attaché.

*Secretary to the Delegation :*

- Mr. S. Pinkney TUCK,  
Consul at Geneva.

TURKEY.

*Delegate :*

- M. Mehmed KEMAL Bey,  
Consul at Geneva.

INTERNATIONAL CHAMBER OF COMMERCE.

THE INTERNATIONAL CHAMBER OF COMMERCE, having been invited by the Council to participate in the Conference in a consultative capacity, appointed the following Delegation for the purpose :

- Dr. Georges ROCHÉ,  
Chairman of the Delegation, President of the Union of Special Chemical Industries.
- Mr. Washington Irving BULLARD,  
Banker and Textile Manufacturer, Former Senior Vice-President of the Boston Chamber of Commerce, Vice-President of the International Cotton Conference, Treasurer of the National Association of Cotton Manufacturers (U.S.A.).
- Dr. Alfred GEORG,  
Former Chairman of the Genevese Chamber of Commerce, Former National Counsellor.
- Dr. Ernest von SIMSON,  
Secretary of State (z. D.), Chairman of the Commercial Political Commission of the Association of the German Industry.

*Assisted by :*

- Mr. Basil MILES,  
American Administrative Commissioner to the International Chamber of Commerce.
- Dr. Gerhard RIEDBERG,  
German Administrative Commissioner to the International Chamber of Commerce.
- Dr. Jean DUCHÈNOIS,  
Assistant Secretary-General to the French National Committee of the International Chamber of Commerce.
- Mr. Willard HILL,  
Assistant Secretary of the International Chamber of Commerce.

La Conférence a tenu quatorze séances, du 17 octobre au 8 novembre ; elle a également nommé un certain nombre de Commissions qui ont tenu de fréquentes réunions.

La Conférence a élaboré et adopté la Convention internationale pour l'abolition des prohibitions et des restrictions à l'importation et à l'exportation en date de ce jour, ainsi que le Protocole y annexé.

La Conférence a également fait les déclarations suivantes :

**1.** La Conférence, approuvant les résolutions de la Conférence économique internationale, tenue à Genève en mai 1927, relatives à la lutte contre les maladies des plantes et des animaux par le moyen d'accords internationaux ;

Considérant que certains accords, et notamment la Convention de Berne de 1881 contre le phylloxéra, ont abouti à une action heureusement concertée et dont les résultats ont été favorables ;

Considérant que les mesures contre les épizooties et épiphyties ne doivent avoir en vue que la préservation des animaux et des plantes ou de la santé publique menacée par la consommation de viandes ou de végétaux nocifs, et ne doivent être en aucun cas instituées ou appliquées comme un moyen de restreindre ou différencier le commerce des pays exportateurs de produits de l'élevage ou de l'agriculture ;

Considérant qu'il y a lieu de ne prendre que des mesures d'une efficacité éprouvée et d'en proportionner la rigueur aux menaces de contagion qui sont à redouter ;

Recommande au Conseil de la Société des Nations d'entreprendre, par les moyens qui lui apparaîtront les plus expédients et dans le plus bref délai possible, les études, consultations et enquêtes nécessaires en vue de la réunion d'une ou plusieurs conférences de techniciens spécialisés dans toute question relative à la lutte contre la maladie des animaux et des plantes, qui seront chargés de proposer aux gouvernements une action concertée, efficace contre les maux qu'ils veulent également combattre, et respectueuse à la fois des droits souverains des Etats et des intérêts du commerce international.

La Conférence n'ignore pas que des efforts ont été faits par certains pays pour aboutir au résultat désiré par la voie d'accords bilatéraux ; elle recommande aux organismes que le Conseil chargera de l'étude ci-dessus définie, d'en examiner les dispositions et d'en observer les effets.

**2.** Se référant au paragraphe 6 de l'article 4, la Conférence approuve les résolutions de la Conférence économique internationale, tenue à Genève en mai 1927, en ce qui concerne la liberté nécessaire de se procurer les devises destinées au paiement des marchandises.

**3.** Pour éviter qu'une réserve puisse être présentée, au titre de l'article 6 de la Convention, pour certaines prohibitions, relatives notamment aux peaux et aux os, qui existent actuellement dans un grand nombre de pays, la Conférence recommande :

a) Que les pays où ces prohibitions sont appliquées se concertent immédiatement pour reconnaître s'ils ne pourraient pas renoncer simultanément à toute réserve en cette matière ;

b) Que, si ce résultat ne pouvait être obtenu, les travaux préparatoires soient entrepris pour que la question puisse, lors de la réunion prévue à l'article 17, recevoir la solution la plus favorable.

**4.** La Conférence recommande que la réunion prévue à l'article 17 de la Convention prenne en considération, non seulement l'importance commerciale du pays en question, mais aussi leur répartition géographique et la nécessité éventuelle de la participation simultanée de certains d'entre eux.

**5.** La Conférence déclare que la Convention n'affecte ni le système tarifaire, ni les méthodes contractuelles des pays participants, ni les pratiques destinées à en assurer l'application, mais elle exprime la ferme conviction que la suppression des prohibitions et restrictions ne saurait motiver l'institution de droits d'exportation ou d'importation exagérés ou d'entraves de toute autre nature qui se substitueraient à celles que la Convention de ce jour a pour but de faire disparaître.

Elle déclare que le retour à la liberté du commerce, pour un produit déterminé, entraîne pour les pays producteurs et pour les pays consommateurs des obligations corrélatives qui doivent se traduire par un régime équitable à la fois en matière de droits d'exportation et de droits d'importation et plus particulièrement dans le cas où ces derniers sont applicables à des produits fabriqués au moyen d'une matière première pour laquelle la Convention impose le rétablissement de la libre exportation.

The Conference held fourteen meetings, from October 17th to November 8th ; it also appointed a number of Committees, which held frequent meetings.

The Conference framed and adopted the International Convention for the Abolition of Import and Export Prohibitions and Restrictions of to-day's date, and the Protocol annexed thereto.

The Conference also made the following declarations :

**1. The Conference,**

Approving the resolutions of the International Economic Conference held at Geneva in May 1927 relative to measures for the prevention of diseases of plants and animals by means of international agreements ;

Considering that certain of these agreements, in particular the Berne Convention of 1881 against phylloxera, have led to successful joint action with favourable results ;

Considering that measures against epizooties and epiphyties should have in view only the protection of animals and plants or of the public health endangered by the consumption of harmful meat or plants, and should in no case be imposed or enforced as a means of hampering or discriminating against the trade of countries exporting products of the stockbreeding industry or agriculture ; and

Considering that it is desirable to adopt only measures of proved efficacy and to make their severity proportionate to the risks of infection anticipated :

Recommends the Council of the League of Nations to undertake with as little delay as possible and in the manner which appears to it most expedient, the necessary investigations, consultations and enquiries with a view to summoning a conference or conferences of experts, with special knowledge of all questions relating to the prevention of diseases of animals and plants, which should be invited to propose to the various Governments joint action that would be effective against the evils that all these Governments desire to combat, and at the same time would have due regard to the sovereign rights of States and the interests of international trade.

The Conference is aware that efforts have been made by certain countries to arrive at the desired results by means of bilateral agreements ; it recommends that the bodies to which the Council entrusts the investigations described above should examine the provisions of such agreements and observe their effects.

**2.** With reference to paragraph 6 of Article 4, the Conference declares that it approves the resolutions of the International Economic Conference held at Geneva in May 1927 relating to necessary freedom to procure foreign exchange for payment for imported goods.

**3.** In order to prevent the submission of any reservation under Article 6 of the Convention in the case of certain prohibitions, concerning in particular skins, hides and bones, which are at present in force in a large number of countries, the Conference recommends :

(a) That the countries in which these prohibitions are applied should immediately confer together with a view to ascertaining whether they could not simultaneously renounce all reservations in this connection ;

(b) That, if this result cannot be attained, preparatory work should be undertaken in order that the question may be settled in the most satisfactory manner at the meeting provided for in Article 17.

**4.** The Conference recommends that the meeting provided for in Article 17 of the Convention should take into account not only the commercial importance of the countries in question but also their geographical distribution, and the possible necessity of the simultaneous participation of certain of their number.

**5.** The Conference declares that the Convention affects neither the tariff systems nor the treaty-making methods of the participating countries, nor the measures taken to ensure the application thereof, but it expresses the firm conviction that the abolition of prohibitions and restrictions should not warrant the establishment of excessive export or import duties or hindrances of any other kind which would replace those that it is the aim of the Convention to remove.

It declares that a return to freedom of trade in the case of a particular product entails on producing and consuming countries correlative obligations, which should take the form of an equitable regime in regard both to export and import duties, especially in cases where the latter are applicable to articles manufactured from the raw material for which free exportation is to be re-established under the Convention.

EN FOI DE QUOI, les délégués ont signé le présent Acte.

FAIT à Genève, le huit novembre mil neuf cent vingt-sept, en simple expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations; copie conforme en sera transmise à tous les Membres de la Société des Nations et à tous les Etats non membres représentés à la Conférence, ainsi qu'à la Chambre de Commerce internationale.

IN FAITH WHEREOF the delegates have signed the present Act.

DONE at Geneva the eighth day of November, one thousand nine hundred and twenty-seven, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be delivered to all Members of the League of Nations and non-Member States represented at the Conference and also to the International Chamber of Commerce.

*Président :*

H. COLIJN

*President :*

*Secrétaires :*

P. STOPPANI  
D<sup>r</sup> P. BARANDON

C. SMETS  
V. J. STENCEK

*Secretaries :*

ALLEMAGNE

D<sup>r</sup> TRENDELENBURG

GERMANY

BELGIQUE

J. BRUNET

BELGIUM

GRANDE-BRETAGNE  
ET IRLANDE DU NORD,

ainsi que toutes parties de l'Empire britannique, non membres séparés de la Société des Nations.

GREAT BRITAIN  
AND NORTHERN IRELAND,

and those Parts of the British Empire which are not separate Members of the League of Nations.

S. J. CHAPMAN  
F. A. GRIFFITHS

BULGARIE

Prof. Georges DANAÏLOW

BULGARIA

DANEMARK

J. CLAN.

DENMARK

FINLANDE

Rafael ERICH

FINLAND

FRANCE

D. SERRUYS

FRANCE

HONGRIE

BARANYAI Zoltán

HUNGARY

ITALIE	A. DI NOLA	ITALY
JAPON	ITO J. TSUSHIMA	JAPAN
LETTONIE	Charles DUZMANS	LATVIA
LUXEMBOURG	Albert CALMES	LUXEMBURG
PAYS-BAS	DE GRAAFF F. M. WIBAUT	THE NETHERLANDS
PORTUGAL	F. DE CALHEIROS E MENEZES	PORTUGAL
ROUMANIE	D. J. GHEORGHIU César POPESCU	ROUMANIA
ROYAUME DES SERBES, CROATES ET SLOVÈNES	Const. FOTITCH	KINGDOM OF THE SERBS, CROATS AND SLOVENES
SIAM	CHAROON	SIAM
SUISSE	W. STUCKI	SWITZERLAND
TCHÉCOSLOVAQUIE	D <sup>r</sup> IBL	CZECHOSLOVAKIA
ÉGYPTE	Sadik HENEIN	EGYPT

*Chambre de Commerce internationale.*

*International Chamber of Commerce.*

*Le Président de la Délégation :*

Georges ROCHÉ  
Willard HILL  
Alf. GEORG

4. DÉCLARATION ANNEXÉE A LA CONVENTION INTERNATIONALE POUR L'ABOLITION DES PROHIBITIONS ET RESTRICTIONS A L'IMPORTATION ET A L'EXPORTATION.

Les délégations de la France, de la Grèce, de la Hongrie, de l'Italie, du Portugal, de l'Etat serbe-croate-slovène, et de la Suisse, à la Conférence internationale pour l'abolition des prohibitions et restrictions à l'importation et à l'exportation tiennent à marquer que s'étant abstenues, avec le souci de ne point faire obstacle au succès de la Conférence et ne point susciter entre les Etats participants une controverse de principe destinée à demeurer sans issue, elles ont néanmoins la ferme conviction que la prohibition des produits viticoles ne peut se justifier par les dispositions de l'article 4, paragraphe 4, de la Convention.

4. DECLARATION ANNEXED TO THE INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

The delegations of France, Greece, Hungary, Italy, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Switzerland, present at the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, desire to place it on record that, though they have abstained, in the desire not to place any obstacle in the way of the success of the Conference and not to raise between the participating States a controversy on a question of principle which could lead to no definite conclusion, they are nevertheless fully convinced that the prohibition of viticultural products cannot be justified on the ground of the provisions of Article 4, No. 4, of the Convention.

Genève, le 8 novembre 1927.

FRANCE	D. SERRUYS	FRANCE
GRÈCE	Vassili DENDRAMIS	GREECE
HONGRIE	BARANYAI Zoltán	HUNGARY
ITALIE	A. DI NOLA	ITALY
PORTUGAL	F. DE CALHEIROS E MENEZES	PORTUGAL
ROYAUME DES SERBES, CROATES ET SLOVÈNES	Const. FOTITCH	KINGDOM OF THE SERBS, CROATS AND SLOVENES
SUISSE	W. STUCKI	SWITZERLAND

---

**SECOND PART**

---

**MINUTES OF THE PLENARY MEETINGS.**

---



CONTENTS.

	Page
FIRST MEETING, held on October 17th, 1927, at 11 a.m.	
1. Opening of the Session . . . . .	53
2. Appointment of Credentials Committee . . . . .	56
3. Procedure . . . . .	56
SECOND MEETING, held on October 17th, 1927, at 3 p.m.	
4. General Discussion . . . . .	56
THIRD MEETING, held on October 18th, 1927, at 10 a.m.	
5. General Discussion ( <i>continued</i> ) . . . . .	61
FOURTH MEETING, held on October 18th, 1927, at 3 p.m.	
6. Report of the Credentials Committee. . . . .	68
7. Procedure concerning Discussion of Articles and Amendments . . . . .	69
8. Discussion of Draft Convention drawn up by the Economic Committee (Articles 1, 6, 9 and 10) . . . . .	70
FIFTH MEETING, held on October 19th, 1927, at 10 a.m.	
9. Discussion of Draft Convention drawn up by the Economic Committee (Articles 1, 6, 9 and 10) ( <i>continued</i> ). . . . .	76
10. Discussion of Draft Convention drawn up by the Economic Committee (Articles 2, 3 and 11). . . . .	76
11. Appointment of a Committee of Rapporteurs for Articles 2, 3 and 11 .	79
SIXTH MEETING, held on October 20th, 1927, at 10 a.m.	
12. Discussion of Draft Convention drawn up by the Economic Committee (Articles 4, 5 and 7) . . . . .	79
SEVENTH MEETING, held on October 20th, 1927, at 3.30 p.m.	
13. Discussion of Draft Convention drawn up by the Economic Committee (Articles 4, 5 and 7) ( <i>continued</i> ). . . . .	84
EIGHTH MEETING, held on October 24th, 1927, at 10 a.m.	
14. Discussion of Draft Convention drawn up by the Economic Committee (Articles 4, 5 and 7) ( <i>continued</i> ). . . . .	93
NINTH MEETING, held on October 24th, 1927, at 3.30 p.m.	
15. Discussion of Draft Convention drawn up by the Economic Committee (Articles 4, 5 and 7) ( <i>continued</i> ). . . . .	99
16. Appointment of a Committee of Rapporteurs on Articles 4, 5 and 7 .	106
TENTH MEETING, held on November 3rd, 1927, at 3 p.m.	
17. Second Reading of the International Draft Convention . . . . .	106
18. Protocol to the Convention . . . . .	114
19. Final Act to the Conference . . . . .	116
20. Declaration annexed to the Convention. . . . .	117
21. Examination of Reservations under the Additional Article (Article 6). .	117
ELEVENTH MEETING, held on November 4th, 1927, at 10 a.m.	
22. Examination of the Reservation ( <i>continued</i> ) . . . . .	122
23. Proposal by the Swiss Delegation . . . . .	130
24. Declaration by the Swiss Delegation regarding Certain Commodities. . .	130

	Page
<b>TWELFTH MEETING, held on November 4th, 1927, at 4 p.m.</b>	
25. Report of the Credentials Committee . . . . .	130
26. Proposal by the Swiss Delegation . . . . .	131
<b>THIRTEENTH MEETING, held on November 7th, 1927, at 2.30 p.m.</b>	
27. Adoption of the Final Text of the Convention . . . . .	134
28. Adoption of the Final Text of the Protocol to the Convention . . . . .	139
29. Adoption of the Final Text of the Final Act of the Conference . . . . .	140
30. Statements regarding Signature of the Convention . . . . .	147
31. Annexed Declaration of the Wine-Growing Countries . . . . .	150
<b>FOURTEENTH MEETING, held on November 8th, 1927, at 3 p.m.</b>	
32. The Signing of the Convention . . . . .	150
33. Close of the Session . . . . .	155

---

## FIRST PLENARY MEETING

*Held on Monday, October 17th, 1927, at 11 a.m.*

---

### 1. Opening of the Session.

The PRESIDENT delivered the following opening speech :

Gentlemen,

Before making such preliminary remarks as I have in mind, I have two pleasant duties to perform.

In the first place, I should like to express my appreciation of the honour which the Council of the League of Nations has done me in appointing me President over our deliberations. With the help and consideration which I would ask of you, and which I am sure you will extend to me, I hope that our work may proceed smoothly and quickly to a fruitful conclusion.

On the other hand, I wish, on behalf of the Council of the League, to bid a cordial welcome to all of you—representatives of thirty-four countries—and especially to the delegates of two States which are not Members of the League—the United States of America and Egypt—and also to the representatives of the International Chamber of Commerce, which in this, as in other economic work, has unreservedly placed its valuable help at the disposal of the League. Their full participation in our work is one more sign that, at least in technical work, the world is united in the effort to make progress by international co-operation.

I said “ the world ” ; but you may say, looking at the composition of this Conference, that the representation is predominantly European. Out of the thirty-four countries, more than twenty are European countries. We ought not, however, to be discouraged by this fact. For, as the report of the International Economic Conference points out, it is Europe which lags behind the rest of the world ; it is in Europe—in particular, in certain parts of Europe—that the difficulties which we have met to disperse mainly exist. And in so far as they are not purely European, representatives have come from countries in all parts of the world, Members or non-Members of the League.

Gentlemen, it is not always easy, as we all know, to get a public opinion to accept infectious diseases as notifiable. It is, however, something that all the sick men have come to one hospital.

Coming now to the task which lies before us, all I have to say is really nothing but an expansion and an illustration of one particular point : that we ought, and that we *can*, arrive at a practical and definite solution of the limited but important question now under consideration.

You will remember that soon after the end of the world war, but so long ago as 1920, abolition of import and export restrictions was first advocated at the Brussels Conference. Since then this practice has been condemned by resolutions of the regional Porto Rosa Conference, the Genoa Conference and the Geneva Conference on Customs Formalities, which latter regarded it as constituting “ a grave obstacle to international trade ”. A Congress of the International Chamber of Commerce has fully endorsed this opinion, in the following words :

“ The Congress unanimously confirms the absolute necessity of the adoption of the most liberal policy possible without delay, so as to achieve the suppression of all such prohibitions and restrictions and the elimination of any measures which constitute indirect evasions of the principles involved. ”

And within the League of Nations itself, what has been the history of this question ?

In September 1924, on the proposal of the Italian delegation, the Assembly, “ considering that the system of import and export prohibitions and restrictions constitutes a serious impediment to the free development of international trade ”, passed a unanimous resolution desiring the Council to instruct the Economic Committee to consider the possibility and expediency of an agreement “ with a view to their *final* suppression ”.

During the last two and a-half years, the Economic Committee has made the most careful preparation for the present Conference. After a detailed study, carried out first by its own members and subsequently renewed with the help of special experts from Central European countries not represented on the Committee, it drew up a preliminary draft agreement. This was submitted first to the Governments, and later, through their intermediary, to the industrial and commercial circles of no less than thirty-six countries, Members and non-Members of the League. The opinion of interested and authoritative organisations, such as the International

Chamber of Commerce, the International Institute of Agriculture and the Inter-parliamentary Conference on Commerce, has been obtained. *The results of all this work are now at our disposal.*

But our work has not only been carefully prepared ; it is backed *within* the League by the fullest support and encouragement. The International Economic Conference, representing a mass of authoritative and technical knowledge and a consensus of interests, such as has rarely, if ever, been gathered in one body, spoke with no uncertain voice. I will quote only one passage of its report :

“ The experience of the years since the war proves that import and export prohibitions, and the arbitrary practices and disguised discriminations which result therefrom, together with the obstacles of all kinds placed on the circulation of goods and capital, have had deplorable results by hampering the normal play of competition, by imperilling both the essential supplies of some nations and the not less indispensable markets of others, and by bringing about an artificial organisation of production, distribution and consumption.

“ Experience has shown, moreover, that the grave drawbacks of these measures have not been counterbalanced by the financial advantages or social benefits which were anticipated.

“ It is therefore important for the recovery and future development of world trade that the Governments should forthwith abandon an economic policy which is injurious to the interests both of their own and other nations. ”

The Conference gave its wholehearted and unanimous support to the work which we are now undertaking. It affirmed that the acceptance of the convention before you must not be merely formal, and that the aim in view would not be achieved if it were rendered inoperative by export duties, the fixing of quotas, the imposition of unjustified health regulations, or by any other means.

But it is not only the people who have knowledge who have spoken out but also those who have power. Apart from the specific and unreserved adherences to the resolutions of the Conference, officially declared on behalf of the Governments of Austria, Belgium, Czechoslovakia, Germany and the Netherlands, you will find, in looking through the records of the Council in June, and of the Assembly in September, statements welcoming and endorsing its actions by the accredited representatives of (I take a chronological order) Belgium, Germany, Chile, India, Persia, the Netherlands, Finland, Sweden, Japan, Norway, Great Britain, Canada, Denmark, Poland, Switzerland, France, Austria, Italy, and others.

But perhaps the most impressive step taken has been the decision of the last Assembly, unanimously voted, of which I would like to quote the following most significant passages :

“ The Assembly :

“ Trusts that the economic policies of all countries may develop in accordance with the principles laid down by the Conference and desires that the Economic Organisation of the League should take *these recommendations as the basis of its work* ;

“ Trusts, in particular, that the recommendations of the Conference relating to tariffs and commercial policy will be put into effect, not only by national action and bilateral agreements but also, whenever practicable, by collective conventions reached by means of international conferences of accredited representatives with the aim of gradually evolving among the trading nations of the world, and particularly among those of Europe, common lines of policy *beneficial to all* and not subject to the uncertainties of purely bilateral bargaining, careful attention being given to the special conditions existing at any moment and to the necessity of realising this policy by stages and without undue disturbance ;

“ Expects the Council of the League of Nations and the Economic Organisation to devote their untiring efforts to the realisation of this urgent task and hopes that the Governments will give to it their cordial support and active collaboration. ”

Thus spoke the accredited representatives of all the Governments at Geneva a month ago.

It has sometimes been said, and not always without justice, that there have been remarkable discrepancies between sanguine and benevolent declarations made at Geneva and the action which has followed. But there is nothing in the circumstances of the present time to justify measures which may in certain cases have been defensible in the exceptional years which have given rise to the system of economic prohibitions and restrictions and has summarised them as follows : “ destruction of economic equilibrium, persistence of the

disequilibrium arising out of the war, supplies and reconstruction of indispensable stocks of raw materials and foodstuffs, protection of certain industries considered essential to national security, campaign against the rise in prices and wages, defence of the trade balance and exchanges, etc." Most of these causes have now disappeared almost everywhere; others may be confidently expected to disappear soon; and those which may be more permanent in character, such as the necessity of safeguarding national security, have been taken into account in the proposals put before us. The time is therefore ripe for action, and, while it is true that in this matter, as in everything else that is worth doing, there are difficulties to be overcome, if the words which have been spoken on this subject are not now followed by action, we should no longer be excused for our failure by merely pointing out those difficulties.

The matter is too well known for us to be able to gloss over these difficulties. The object of our gathering—what is expected of us—is not merely to make and ratify a convention which crystallises existing national practices, but to take action which is internationally a positive step forward on individual national policies, and which must therefore necessarily entail changes in those policies. In attempting this, I suggest that we should consider not only the temporary inconvenience, or even loss, in giving up this or that restriction to a particular interest or country, but also the advantages which will inevitably accrue to each individual country if others give up this same practice. In short, we must regard the abolition of these restrictions as a mass action from which each member of the international community must, in the end, derive some benefit.

In conclusion, gentlemen, I wish to emphasise that, however limited our sphere of action in comparison with the vast field of economic activity, and however modest the step which it is proposed to take, we here have, for two reasons, a considerable and, I suggest, rather special responsibility.

It is often the case that when measures of reform are undertaken, the opposition to them, although concentrated in restricted circles, is organised and articulate. On the other hand, the opinion of people who would benefit from such reform is likely to be diffused and mute. But in this matter public opinion will not see merely one more piece of technical work which has been more or less successfully handled under the auspices of the League of Nations. Rightly or wrongly, it will see, in the results of our work, a touchstone of the sincere will of Governments to carry into effect the recommendations of the International Economic Conference, which they have unanimously and publicly approved. In this way our decisions must have a peculiar influence on future work in the same field.

The other reason why this Conference has a special importance is this: qualified opinion on the particular question before us has been so decisive and so unanimous, and the principle of liberating commerce from restrictions has been so widely, so warmly and so explicitly accepted by Governments at Geneva, that, after the long and careful consideration and preparation of the subject matter, any failure to translate that opinion and these intentions into definite practical and immediate action could not fail to react unfavourably upon the reputation of the League of Nations as an institution through which it is possible to take effective action on a serious matter.

Gentlemen, it lies within the power of this Conference to take the first small but definite and practical step to carry into effect the principles of economic solidarity which the recent world Conference has affirmed. To that extent it can make its modest contribution to furthering the peace of the world. In the confident hope that this will be our aim and this our achievement, I take pleasure in declaring the Conference open.

M. SERRUYS (France) felt that there was one motion which should be passed at the beginning of their work. He wished to thank the Council warmly for its choice of M. Colijn as President of the Conference. Many of its members had already worked under the direction of M. Colijn at the Economic Conference. They had appreciated his unfailing but ever friendly authority, his firmness, which was at times touched with irony but which was always exercised with good will, and his diplomatic shrewdness and the fairness with which he had directed their work. If the Economic Conference had been so successful, it was only right to recognise that this was largely due to the impulse it had received from M. Colijn. The fact that all the members of this Conference had such a high opinion of their President was an excellent omen for progress in the difficult task with which he was entrusted.

Mr. Hugh R. WILSON (United States) said that it was with a feeling of deep appreciation that he addressed the Conference to express his thanks and those of the American delegation for the very warm welcome accorded to them by the President. This cordiality was the more appreciated in that they had come to the Conference with the sentiment of lively anticipation of the opportunity to discuss one of the greatest obstacles to free commercial intercourse and to complete re-establishment of world trade. This obstacle had been apparent to the Government of the United States for a long period, and it welcomed this occasion not only for discussion but, he sincerely hoped, for the practical solution of that question.

That much thorough preparatory work had been done by the Economic Committee, that so many Governments had declared their adherence in principle to the idea of the draft Convention, that they had all suffered and were all suffering in their commerce under the

regime of restrictions and prohibitions of importation and exportation, were all excellent reasons for hope that the Conference would result in something tangible and practical in the way of abolition.

The American delegation would lend its utmost endeavour to the accomplishment of this purpose, confident in the belief that the other delegations present were animated by the same motives.

Mr. Wilson desired to express to the Secretary-General of the League, Sir Eric Drummond, the appreciation of his Government for the courteous invitation which enabled it to co-operate in the work.

M. Georges ROCHÉ (International Chamber of Commerce) also wished to inform the President how much he had appreciated the kind reception of the co-operation of the International Chamber of Commerce and the appreciation of the work it had hitherto accomplished. He could give the assurance that the International Chamber of Commerce would give its unstinted technical assistance.

SADIK HENEIN Pasha (Egypt) said that it was his pleasant duty to express, on behalf of his Government, the profound gratitude of Egypt for the kind words of welcome spoken by the President in the name of the Council. While waiting for its admission to the League, which was after all a question of time and opportunity, Egypt was glad to be called to assist at a new international activity and would always endeavour, within the means at its disposal, to work for the success of the Conference. The attitude of the Egyptian delegation might be stated in a single word. In making recommendations to Egypt, the Conference would be preaching to those who were already converted.

## 2. Appointment of Credentials Committee.

The PRESIDENT proposed that M. BRUNET (Belgium) and M. DE BLANCK (Cuba) should be requested to verify the credentials. They would be assisted by a representative of the Legal Section.

*This proposal was adopted.*

## 3. Procedure.

The PRESIDENT recalled that the general arrangements of the Conference were available in documentary form.

He proposed that the Conference should sit as a rule from 10 a.m. to 12.30 p.m. and from 3 to 6.30 p.m.

*This proposal was adopted.*

---

## SECOND PLENARY MEETING

*Held on Monday, October 17th, 1927, at 3 p.m.*

---

## 4. General Discussion.

M. DENDRAMIS (Greece) said that Greece, which had always received with joy any loyal attempt to reach agreement between the nations, greeted the meeting of this Conference with sincere sympathy. His country, which followed an extremely generous commercial policy and recognised that the interests of each nation were not to be contained within its frontiers, and that their interests were interdependent, would bring its modest collaboration to this Conference, to contribute to the success of the effort made under the auspices of the League of Nations to suppress Customs prohibitions and restrictions impeding international commerce. M. Dendramis desired to pay a tribute to the admirable work accomplished in this matter by the Economic Committee.

In order that the decisions about to be taken might be of practical value, certain essential principles must not be forgotten.

1. The measures to be taken would only be effective if of a general and universal nature, for the exception of a single State with a monopoly in or large production of a certain article would be enough to upset the world distribution of the article, to the detriment of whole nations, particularly the poorer peoples.

2. Perfect equity was necessary, and any agreement would be vain which did not assure all the contracting parties treatment on a basis of full reciprocity as regards import and export conditions.

3. The draft agreement proposed was not sufficient to satisfy all the countries unless modified by the addition of new guarantees, particularly concerning Customs barriers and indirect impediments, which occasionally constituted a heavier burden on exports and imports than direct restrictions. No small country would agree to accept an idealism which would involve the ruin of its industry and commerce, and the country which opened its doors before all the others would perish a victim of its idealism. An agreement founded on a basis of absolute reciprocity would only result in favouring the great capitalist countries, whose power was in raw materials and money, and would prove detrimental to the interests of poor and weak countries.

In order to reach tangible and practical results, an harmonious balance must be sought between the interests of the whole world and the real and fundamental interests of each country. They should try to return to freedom of trade by causing the disappearance of those restrictions to commerce set up during the temporary disturbance resulting from the war and the after-war period, but they must not neglect the legitimate desires of certain indebted States to balance their budget, to carry on the campaign against unemployment, to protect certain branches of national production, not to expose their people to the danger of famine, and to struggle against the Customs legislation of certain countries which tended to adopt the principle of selling to other countries without buying anything in return.

If inspired by these principles of international solidarity, and not forgetting that the interdependent interests of all peoples demanded sacrifices by all and not only by some, the Conference would be the beginning of a great attempt to improve the prosperity of the civilised world.

Before concluding, M. Dendramis desired to give the assurance that he would be glad to co-operate wholeheartedly to the ends of the Conference, and hoped that their labour and efforts would be fully crowned with success.

M. CHI-YUNG-HSIAO (China) said that as the representative of a country which had always pleaded for freedom of commerce, and whose control of imports and exports was perhaps the most liberal in the world, he cordially welcomed the draft Convention which they were now called upon to discuss.

There was a time in its history when China hesitated to introduce foreign goods. Its hesitation was not due to economic causes. China was not afraid of foreign goods, but she rightly feared the foreign political influence which accompanied these goods and which injured her own sovereign rights. However, articles which were prohibited or which were limited to imports or exports were at present reduced to a minimum. They consisted in arms, munitions, dangerous drugs, coins, food products and certain raw materials important for Chinese industry. All these prohibitions and restrictions were provided in the treaties in force between China and the foreign Powers and were likewise in part covered by the terms of Articles 4 and 5 of the draft Convention. It might truly be said that the aims of the Convention were already accomplished in China.

But this generosity in the international exchange of goods which had inspired China in settling her commercial relations with other countries had demanded a great sacrifice in the field of national economy, particularly as regards industry, in view of the competition to which the national production was thus exposed. The loss arising from this fact would, however, be less heavy and more easily compensated if China, like all other countries, enjoyed such Customs autonomy as would allow her to safeguard her financial and economic interests by a system of Customs tariffs corresponding to her own needs.

The close connection between the system of prohibitions and that of Customs duties was well known. Making use of the income derived from this source as means of self-defence, States used either or both of these systems, according to circumstances and the seriousness of the case, in order to meet economic crises, to struggle against unemployment, to protect national production against foreign competition, etc. Thus, the system of prohibitions and that of Customs duties had in recent years largely contributed to the solution in certain countries of difficult economic and financial problems. In saying this, the Chinese delegate did not intend to praise before that assembly the system of excessive and prohibitive Customs duties. It was merely to show the necessity that to safeguard its financial and economic interests a State must possess the freedom to establish as it wished the regulations concerning international exchange of goods, either by its right of laying down national Customs tariffs in general or by imposing prohibitions in particular cases.

Not enjoying autonomy in Customs matters, China was thus deprived of the legitimate means of defending its financial and economic interests. This special situation of China might force her at a given moment to apply prohibitions and restrictions, even of an economic nature. It was therefore difficult for China to accept an international undertaking to renounce these rights so long as still bound by treaties which prevented her from promulgating a national Customs tariff. But, as already stated, China had always been inspired by a most liberal spirit in settling her commercial relations with foreign countries. On this occasion she also desired to collaborate wholeheartedly with the other Powers in order to solve the question of prohibitions by an international agreement. Consequently, China would be

prepared to accept the Convention in principle, with the reservation that it should not enter into force for China until she had obtained complete autonomy in settling her Customs tariffs. The effect of this reservation would be shown by time. The Conference would only have to lay down a period during which the Convention would not be applied in China. There were, moreover, many reasons to hope that this period of transition would not be very long. China, then, reserved the right to maintain the prohibitions at present in force referring to the import of salt and the export of rice and other cereals. Once her reservations were accepted, China was prepared to give the most liberal support to all the terms of an international agreement to suppress import and export prohibitions and restrictions.

M. DE NICKL (Hungary) presented the point of view of the Hungarian Government.

As regards the question of the abolition of the system of restrictions and prohibitions, he recalled that his country had been the first in Central Europe to abolish this system readily and completely. Hungary had no longer any import prohibitions and restrictions, and only maintained export restrictions on certain raw materials and waste metal as a temporary measure. However, as this liberal policy had not been universally adopted, it was necessary to be cautious, and any decision which Hungary might take regarding the present agreement would be largely influenced by those made by adjacent countries.

Referring to the preliminary draft Convention which was submitted to the Conference, M. de Nickl paid tribute to the preparatory work of the Economic Committee, which appeared to have found a happy mean between the different trends of opinion. He pointed out, however, without wishing to make a concrete proposal, that by a simultaneous study of import and export prohibitions and by making the same provisions in all cases for imports and exports, the Conference risked raising difficulties which might delay the conclusion of the Convention. He asked the Conference whether it would not be preferable to take these two problems separately.

M. BRUNET (Belgium) said that, as the Chairman had mentioned in his opening speech, the Belgian Government had been one of the first to state that it would give its adhesion to the resolutions adopted by the International Economic Conference of Geneva.

When the work of the Economic Conference was finished, the Belgian Minister for Foreign Affairs made certain statements in Parliament implying unreserved acceptance of the recommendations of the Conference, particularly regarding the abandonment of measures at present impeding the free development of international commerce. The Belgian delegation had therefore come to this Conference with the warm desire that there would result from its deliberations a Convention bringing about the most thorough abolition of the system of prohibitions and restrictions which had arisen after the war and which was still to be noticed in varying extent in a number of countries.

During the work which had led to the preparation of the draft Convention before the Conference, the Belgian member of the Economic Committee had indicated certain classes of Belgian interests which might possibly warrant the application of certain restrictions. The Belgian delegation would not hesitate to say that if agreement could be reached at this Conference on the basis that only those restrictions would be maintained which had existed before the war and which were to be found expressed in most commercial treaties, it would be ready to give up the reservations made by the Belgian member of the Economic Committee and mentioned in the commentary of that Committee (Annex).

The Belgian delegation considered that the sacrifices to which Belgium would thus agree would be counterbalanced by similar undertakings given by the other States. In this way one and all would contribute to the general establishment of economic equilibrium which would be to the interest of all and which would encourage the development of peaceful intercourse between States.

Mr. MACWHITE (Irish Free State) was glad to have an opportunity at the opening stage of the proceedings to explain generally for the information of the Conference what was the position in the Irish Free State in regard to import and export prohibitions and restrictions. The Irish Free State took over in its entirety the tariff system of the United Kingdom (including such prohibitions and restrictions as were then in force) as on March 31st, 1923, and applied this system to itself as a separate fiscal entity. No new prohibitions or restrictions, save a few falling within the exceptions provided for in Article 4 of the draft Convention, had been imposed since the date referred to, and the important restriction on the importation of dyestuffs inherited from the preceding régime had been annulled. Generally, no prohibitions or restrictions of any sort were now operative in the Irish Free State save such as fell within the exceptions provided for in Article 4 of the draft. In other words, the Irish Free State had not employed the weapon of the import and export prohibition for any purely economic purpose.

Mr. MacWhite did not advance these facts with any idea of suggesting a model for other countries to follow. The Irish Free State recognised that several countries—particularly



European countries—had been confronted in recent years with special economic difficulties, for which special remedies had to be devised. They also recognised that it was a matter of importance for those countries to have the fullest liberty to deal with their economic problems by appropriate measures. The Irish delegation was not unsympathetic with nor unmindful of the difficulties in question, nor did it feel called upon at this stage to say more than to present the recent record of Ireland as an example of commercial generosity, worthy of attention and helpful to the work of the Conference.

Sir Sydney CHAPMAN (Great Britain) said that the British delegation had not desired to thrust themselves forward at that early stage of the proceedings, and if points of substance were brought forward they would desire to deal with them later after mature consideration. He had, however, no wish to delay the proceedings of the Conference, and consequently welcomed the present opportunity of stating the British delegation's general attitude. At the same time, he had always felt that the Conference would not come face to face with the difficulties which lay ahead of it—and which it would certainly surmount—until it came to discuss the draft Convention article by article.

He was, nevertheless, anxious to express the British delegation's warm and unreserved welcome of the calling of the Conference so soon after the International Economic Conference. This fact showed how wise the Economic Committee had been—and he could pay this tribute without taking any personal praise to himself, since at the time he had not been a member of the Committee—in foreseeing the pressing need for the present Conference. The British delegation had great hopes of the Conference, and it was unnecessary for him to say how great was his country's interest in the commerce of the world. He very much doubted whether any country had a larger overseas commerce per head of population. All obstacles to trade, and especially those of an arbitrary character, were particularly dangerous to world commerce. At the same time, he realised that it was impossible to adhere absolutely to any hard-and-fast rule and that it would be necessary to take into account the position of each of the different countries represented. Only then would the Conference come to grips with the real difficulties.

He wished to add one word of caution. The problem for the Conference was worldwide, and it must not be expected that a conference which would probably sit for a fortnight or three weeks would be able to attain all the objects set before it. At the same time, even if the ultimate object were not attained it did not follow that the Conference would not have achieved something very important. If it succeeded in making good progress on the highroad, it might very well find that the ultimate goal would soon be within reach. In conclusion he thanked the Chairman for the impressive and inspiring speech which he had delivered at the previous meeting and through which there breathed the spirit of the League of Nations. Sir Sydney Chapman was sure that if the Conference faced its difficulties in the spirit of the League, with patience and understanding, it would succeed in attaining its object. The British delegation attended the Conference in the hope of doing something real to promote the commerce of the world.

M. SERRUYS (France), who, like Sir Sydney Chapman, would have preferred to take part later in the debate, wished also to accede to the President's wishes.

From a feeling of deference, he did not wish to speak before the delegation of that country, which in 1924 took the generous initiative of this Conference, and he had wished not to be the first to remind them that when in 1924 France had supported the proposition of Italy at the Fifth Assembly she had done so with a conviction of which she had already given proof and which she had never since belied.

In effect, since 1920, France, who, it would be impossible to deny, had suffered more than any other country from the devastations of the war, restored the liberty of exchange to which other belligerent or neutral States did not rally for several years. Later, she abstained from all prohibitive measures, in spite of the reactions on her economic situation caused by the crises of the exchange. Barely a few weeks ago, she suppressed the last vestiges of exportation restrictions which she had maintained to preserve the food supplies of the country. She maintained to-day only an infinitesimal number of prohibitions with the object of giving to national work the necessary stocks of raw materials whose market was altered by restrictive measures in certain foreign countries.

It was, then, with sincere and steady faith that the French delegation wished at this Conference to work for the restoration of commercial liberty throughout the world, and they declared themselves ready to take as a basis for this work the excellent project drawn up by the Economic Committee of the League of Nations.

He realised the effort made by the Economic Committee during two years to present to this Conference, after exhaustive consultation of all interested parties in all countries, and after weighing conscientiously all the elements of the problem, a project which was at one and the same time an equitable compromise and a decisive progress.

He could not, in mentioning the fruitful labours of the Economic Committee, refrain from recalling the extremely enlightened activity of a man who combined profound national feeling with an unwearied determination to establish the solidarity and the close co-operation of peoples in the field of economics. He alluded to Sir Hubert Llewellyn Smith, whose absence from this Conference would be a cause of regret if his place had not been taken by a man of equal authority.

In reading over the observations presented by certain Governments or certain technical bodies concerning the project which had been submitted to the Conference, it seemed to him that its economic outlook had not always been properly understood both with regard to the agreements which it comported and with regard to the limitations and the guarantees with which those agreements were surrounded.

The first point to be noticed was that there was an essential difference between the arrangements of the commercial treaties before the war and the project of the International Convention which had been submitted to them.

Certainly the pre-war Conventions frequently stipulated "that there be full and entire mutual liberty between the nationals of the High Contracting Parties". But this provision indicated rather a reciprocal admission of all the nationals of the contracting countries to all commercial activity than a promise not to prohibit certain goods. In this respect, that which the treaties established firmly was the guarantee of complete equality of all contracting countries in the application of prohibitions, with the three usual exceptions: (a) measures with a view to safeguarding public order and the security of the country; (b) measures with a view to safeguarding the health of men, animals and plants; (c) measures inspired by the application of monopolies.

It was true that in the golden age which preceded the world war the application of all other prohibition had disappeared after the long effort of several generations to set up the liberty of exchange between peoples, and that the principles of equality to which the great number of treaties were limited constituted a sufficient guarantee of this liberty. Unfortunately, a few years of war sufficed to destroy the efforts of several generations, and as soon as peace was restored it was on more or less extensive restrictions to the liberty of exchange that a large number of States elected to base their reconstruction. General prohibitions of importation and exportation, control of all sorts, and hindrances of all kinds, the traffic of compensation in goods, the limitation of the buying of money destined to pay them—all these practices were brought into play without success for the reconstruction of the world, and their suppression was the first undertaking put into words in the first article of the project of the Convention which they were about to discuss.

There was no longer a question of guaranteeing equality in the application of prohibitions (the establishment of which, unlikely as it seemed, was often authorised by pre-war treaties): it was a question of definite and radical suppression of prohibitions resulting from an international agreement, and this was the essential point of the project, the point which differentiated it essentially from the pre-war bilateral treaties.

It was obvious, on the other hand, that such an agreement entailed necessary limitations, and those limitations had been described with such caution that it had been said that the project which was before them was rather a catalogue of exceptions to the liberty of commerce than a statute destined to guarantee it.

It was impossible to make a more unjust accusation. The more definite and rigorous a general agreement, the more necessary was it to define the rights which it allowed to stand. To mention them one by one was to limit them, and in many cases to define their use. Hence the permanent derogations enumerated in Article 4. Hence also the exception in Article 5 touching the vital interests which the States might be called upon to safeguard by measures of prohibition in exceptional circumstances.

They must admit that the reservation was general, but who would deny that it was indispensable? It was general, but how was it possible to define or enumerate situations which were hypothetical, hence fortuitous and impossible to foresee? It was indispensable when that which no one could foresee might to-morrow menace the very life of a country. Who could have foreseen the disastrous coal strike in England, and was not England within her rights in safeguarding by measures of prohibition the life of her mercantile marine, the railway traffic and the work of her factories? And who knows if to-morrow there might not arise circumstances or exceptional measures affecting the production of some indispensable raw material in the principal producing countries, forcing the buying countries to take measures for their own security?

On the other hand, the general reserve expressed in Article 5 did not exclude supplementary guarantees. In the recent commercial treaty between France and Germany the exception in Article 5 had been adopted, but it was accompanied by two guarantees, of which one was a mutual interpretation of its importance and the other a right of appeal or denunciation in the case of abuse.

But it was not only the positive and rigorous agreement which it implied regarding the immediate suppression of prohibitions which constituted the decisive progress of the project which was before them. It was also the fact that this agreement was guaranteed by a clause of jurisdiction. In the past, the contracting parties were bound by an agreement of honour, and without breaking their word they could invoke interpretations, legislation or various practices which might give rise to litigation. This litigation was, by the project in the seventh article, referred to a friendly consultative organisation, to arbitration, or to a judgment in the Court of International Justice. The favour which his own country had never failed to show to the procedure of arbitrage left no doubt with regard to the importance which Article 7 had in his eyes, but it was obvious that all the articles in the project could not be submitted to the same procedure, and it would, without doubt, be one of the most delicate tasks of the Conference to take a judicious initiative regarding this question.

Doubtless the most important innovation in the draft Convention was that it substituted for bilateral contracts an international, or at least plurilateral, undertaking. The International

Chamber of Commerce was not under any illusions, but M. Serruys could not associate himself with the doubts which it had held as to the possibility of this work. However, there did exist the preoccupation—and the delegate of Greece had just described it with praiseworthy clearness and vigour—that a convention in which certain of the principally interested countries did not participate might be ineffective or even dangerous for those countries taking part in it. This fear was to some extent explained by the composition of this body. Though almost all the European nations were represented, certain States of Eastern Europe and the Near East were not. Though there was great comfort in seeing the United States of America at the meetings, the greater part of the large South American countries, important producers of raw materials, were absent as well as others. Taking such an essential raw material as wool, it would be noted that in the four principal producing countries of the world, only one—Australia—was represented. The Argentine and Uruguay were absent, as well as South Africa.

Did this mean that because it did not represent world unanimity the Conference was doomed to futility? Certainly not; at least, if the Conference could adopt its resolutions with the realisation that it was not universal and that it was necessary to take into account the possible opposite action of the non-adhering countries.

Indeed, none of the diplomatic conferences held under the auspices of the League of Nations had yet been universal, but their valuable activity had none the less spread throughout the whole world, even to States which did not participate and States non-Members of the League. In how many bilateral treaties concluded between States which had not ratified certain international conventions drawn up at Geneva can one not find the same doctrine as had been put forward in the conventions? When a truth was internationally recognised, it became very difficult to ignore it.

At this point M. Serruys found himself before the statements of Sir Sydney Chapman. Because they would not see to-morrow the whole ideal programme which they had traced out, they should not refuse the progress which to-morrow might bring. He would even add that if at this Conference the most desirable solution could not perhaps obtain unanimous support, they should not refuse to look for those compromises which come nearest to unanimity and produce immediate and effective results.

It was in such a pragmatic spirit that the wisdom of the League lay. The League refrained from laying down doctrines which might be contradicted to-morrow. It refused systems arising out of historical, geographical and economic differences between the nations. If its members were inspired by the spirit of the League, the success of the Conference would be easily assured. It was, in fact, the first application in the form of an international contract of the resolutions of the International Economic Conference held in May which had given rise to such high hopes. The French delegation would work faithfully for the success of this work.

Dr. TRENDLENBURG (Germany) said that the German Government had followed the work of the International Economic Conference and of the Economic Committee in regard to important export prohibitions and restrictions with the closest attention. His Government accordingly welcomed the Conference and hoped that it would be successful on the lines recommended by the International Economic Conference. Doubts had been felt in Germany with regard to the feasibility of the draft prepared by the Economic Committee some two years ago. These doubts were very largely due to the unstable position of the currency existing at that time, but, in consequence of improved conditions, had now been removed. The ultimate aim of the Conference must be to secure the return as speedily as possible to the position existing before the war. M. Serruys was right when he said that before the war there were no restrictions or prohibitions to trade except those enforced on account of national security, disease and Government monopolies. The legal position, however, was somewhat different. In all German pre-war treaties there was an article stipulating the free exchange of goods between the territories of the contracting parties; that was to say, there was to be no prohibition or restriction to imports or exports, and any prohibition or restriction enforced had to be stipulated in the treaty. Dr. Trendelenburg believed that the Conference would only be really successful if the result of its work was to stimulate the exchange of goods. In the belief that it would have this result, the German delegation welcomed the Conference and wished to say that it would support any proposal calculated to secure that end, and would oppose any proposal that appeared likely to result in the continuance of the system existing since the war, for the main object was to return to the pre-war position as soon as possible.

---

### THIRD PLENARY MEETING

*Held on Tuesday, October 18th, 1927, at 10 a.m.*

---

#### 5. General Discussion (continued).

M. Ito (Japan) said that the problem before the Conference was a delicate problem of worldwide concern. The Conference would only obtain the full measure of its objects if and when all countries accepted the principles laid down in the draft Convention. At the same

time, it must be remembered that the economic and financial conditions in the different countries varied very widely. These conditions must be borne in mind if the future convention was to be both practical and efficacious. The Conference had already heard many interesting and subtle speeches, some of which, however, were so subtle that it was difficult to infer their real purport. M. Ito himself desired frankly to place before the Conference a problem which occupied his Government's attention and on which he would be glad to have the Conference's opinion.

In view of the special needs of her national life, Japan had a particular interest in the universal establishment of the liberty and equitable treatment of trading. His Government had constantly upheld this point of view both in the League and also when concluding commercial treaties with foreign Powers. The Conference would make an advance towards the realisation of the wishes which the Japanese Government had consistently expressed and so would make an important contribution to the consolidation of international peace.

The draft Convention prepared by the Economic Committee had for its object the abolition, except in certain exceptional cases, of import and export prohibitions and restrictions. The exceptional cases were either those established by international custom or measures designed to protect the vital interests of States. In the opinion of the Japanese delegation, these exceptions covered and consequently justified such measures as a country might take to safeguard those industries, the maintenance or foundation of which was or might be required by its vital interests or for the purpose of defending itself against serious menaces to the national life. It was essential for the Japanese delegation to make it clear that the exceptions admitted under the present agreement included the measures which he had just indicated.

In conclusion, M. Ito stated that his delegation would return to the points he had indicated at the proper time.

M. GHEORGHIU (Roumania) said that the Roumanian delegation declared, on behalf of its Government, that the latter concurred in the measures to be taken to escape from the abnormal situation created by the war. Consequently, the Roumanian delegation welcomed the preliminary draft for the abolition of import and export restrictions and prohibitions as a timely measure and paid a tribute to the important work done by the Economic Committee of the League.

Roumania, moreover, had directed her economic policy towards a gradual suppression of restrictions and prohibitions. If indeed immediately after the war she had been obliged to prohibit the export of foodstuffs and certain raw materials, and to forbid the importation of certain objects which were not of primary necessity to her population, Roumania had now returned, in so far as concerned imports, to a normal regime of liberty similar to that existing before the war, and, as regards exports, to a system of quite limited prohibitions affecting certain articles.

In continuing this policy, however, Roumania considered it absolutely essential that she should retain her freedom as regards Customs tariffs. She accordingly concurred in the Economic Committee's opinion that the question of Customs tariffs should not be affected by the agreement which it was proposed to conclude. She urged, indeed, that provision should be made for such freedom of action, either in the agreement itself or in a special protocol.

As regards the few articles the exportation of which was still prohibited, Roumania was contemplating, on the basis of the agreement to be concluded, the abolition of the prohibitions affecting the majority of them, while, however, reserving her right, in accordance with the spirit of the draft, to prohibit the exportation of certain raw materials which were indispensable to the national defence and to the national industry and which would be indicated when Article 4 came up for discussion.

In conclusion, M. Gheorghiu indicated that his statement was to be regarded as of a purely general nature and that his delegation reserved the right to make more definite proposals as each article came under discussion.

M. SUVICH (Italy) said that at the time when the Italian delegation, during the 1924 Assembly, submitted a proposal for the conclusion of a convention concerning the abolition of all import and export prohibitions, the world economic and financial situation, and especially that of many European countries, was still full of dangers and uncharted reefs. Nevertheless, the Italian delegation had thought it essential to submit this proposal, since the condition of international trade could not approximate to the normal situation if each country was liable from one moment to another to resort to the Draconian measure of import and export prohibitions. The Assembly, in accepting the Italian proposal, and the Council in entrusting the Economic Committee with the task of studying a draft international convention, had shown that they shared the view of the Italian delegation.

The Economic Committee had continued its enquiries for over two years, and the draft on which the present Conference's proceedings were based had been submitted during this long period of preparatory work to the examination of the different Governments and by the latter to the consideration of industrial, agricultural and commercial circles in the principal countries.

In the address which he had delivered at the previous meeting M. Serruys had referred to the Italian proposal. M. Suvich, in his turn, wished to remind the Conference that the draft upon which its discussions were based, while due in point of fact to the Italian proposal, now represented the fruits of the technical experience of the Economic Committee and of the collaboration both of the various Governments consulted and of industrial agricultural and commercial circles in the principal countries.

The Conference must not conceal from itself the difficulties of its task. While, on the one hand, the Conference must ensure that the Convention which would result from its work was not so hard and fast or so radical that the countries represented would hesitate to sign and ratify it, it must, on the other hand, also ensure that the general reservation contained in Article 5 was not supplemented by such other special reservations as each country wished to make with the object of protecting its own interests. If this second danger were not obviated, the Convention would end by codifying all existing prohibitions and might even cause an aggravation of the present state of affairs as resulting from the bilateral conventions concluded by the different countries and still in force at the present time.

The danger again would not be obviated if the Convention (even supposing it did not aggravate the existing position) conduced to the crystallisation of that position, as had been very rightly remarked by the Chairman and by M. Trendelenburg in the remarks made at the previous meetings.

The Conference must accordingly attempt to discover the proper equilibrium which would render it possible to make some advance at the present time and further advance in the near future.

The declarations made at the previous meeting by the majority of delegates were calculated to inspire forthwith confidence in the success which would not fail to crown the Conference's proceedings. Nevertheless, certain delegates had not failed to express misgivings, which, in the view of the Italian delegation, were somewhat exaggerated. The Italian delegation, for instance, did not think it absolutely essential to obtain the adhesion of practically all States from the outset. They thought, on the other hand, that if it was possible to obtain the adhesion of a certain number of States now, and in particular of the principal European States, not only would a very important result have been reached but the Convention would not fail to exercise a constant and growing power of attraction on those States which had not adhered.

In the second place, it must not be forgotten that, as regards the system of imports and exports, appreciable progress had already been made by means of bilateral conventions concluded between the different States and still in force at the present time. The international engagement which the States were invited to take under the present Convention would not, generally speaking, involve for them obligations much wider than those which they had assumed under bilateral conventions.

Finally, two of the most serious preoccupations which had perhaps to a certain extent justified the system of prohibitions—namely, currency instability and the necessity for revising the pre-war Customs tariffs—had disappeared or been allayed to a very considerable extent.

The Italian delegation considered that the draft prepared by the Economic Committee on which the Conference's proceedings were based represented to a large extent the proper equilibrium which it was the Conference's endeavour to attain. During the discussions the draft might be still further improved, and the Italian delegation itself proposed to submit certain amendments with the object of making its provisions still clearer and more precise. It would, however, in the opinion of the Italian delegation, be a serious mistake to propose any substantial changes in the draft, which, as it stood, represented a remarkable achievement both from the technical point of view and by reason of the measure of acceptance which it had already obtained.

In conclusion, the Italian delegation thought that with a little good will on the part of all delegates present, and provided that each did not lose sight of the necessities of the world economic system in relation to those of his own country, the Conference might successfully fulfil the task entrusted to it and so take this first step towards satisfying world public opinion, which was pressing for more equitable conditions of trade between the nations.

M. POSTHUMA (Netherlands) said that the efforts of the League of Nations to limit existing trade barriers and in this case especially to abolish import and export prohibitions and restrictions were to be applauded. Everything which was likely to contribute to further liberty of trading between the nations would certainly have the support of the Netherlands Government.

One might ask oneself whether this liberty would actually be furthered if only one of the trade barriers were removed without measures being taken to assure that the abolition of that obstruction produced in point of fact a useful result. He would not contemplate the possibility that a barrier which had been abolished would re-appear either in a different shape or by means of increasing the already existing barriers; this would not be in accordance with the spirit which must prevail when a decision to abolish one or another barrier was taken. What M. Posthuma wished to say was that, if once a decision to abolish a trade barrier was taken, then it must also be absolutely certain that the result of that decision would positively contribute to a greater liberty of international trading.

It was from this point of view that he wished to consider the Convention submitted to the Conference. His first impression was that it might be a step in the right direction. He understood that in order to produce a useful result a certain number of countries must be found prepared to ratify the Convention, and he was also convinced that those countries should be countries having a considerable share in international trade. He would remark, however, that it was far from easy to measure exactly the value of this share. It was, of course, possible

to measure the absolute value of a given country's share in international trade, but its relative importance should also be taken into consideration. What interest had a country which wished to export large quantities of wine and spirits with another country, also doing a big trade but which was "dry"? Should the Conference succeed in laying down a convention, it must not be discouraged if the number of countries by which it was ratified was not very large. It should examine carefully whether these countries together did not form an harmonious unit.

M. Posthuma further understood that there were certain prohibitions and restrictions which must necessarily remain, even if in general the abolition of import and export prohibitions were accepted. Prohibitions and restrictions, which aimed at national defence or had for their object the protection of public health or the protection of animals and plants against disease, etc., could be excluded from any general abolition of import and export prohibitions on the conditions mentioned in the draft agreement.

He could imagine that every State should be left free to take, in so far as concerned its import and export trade, all the measures necessary to meet extraordinary or abnormal circumstances with a view to protecting the vital economic and financial interests of the country, but he feared that not all States would have the same ideas as to the exact nature of an extraordinary or abnormal circumstance. He greatly feared that each State would have its own conception of the economic and financial interests which it would have to consider vital, and he found that these fears were fully justified when he examined the numerous wishes that had been put forward as amendments to the article concerned in the draft agreement.

The position of the Netherlands towards the problem of the abolition of import and export prohibitions was a special one, because there were no such prohibitions and consequently nothing to abolish. He doubted whether the absence of import and export prohibitions had had an adverse influence on the prosperity of the Dutch people. The impression obtained from his extensive travels in Europe and the United States was that, relatively speaking, the prosperity of the Dutch people was certainly not less than that of any other. Although it was difficult to prove this thesis, there were two facts which pleaded in its favour: first, the extraordinarily low death-rate in the Netherlands, from which it might safely be concluded that the people were comparatively free from hardship and, second, the fact that in the Netherlands real unmitigated poverty hardly existed at all.

In view of the foregoing considerations, it would be difficult for M. Posthuma to collaborate in the conclusion of a convention which might create dangers for the Netherlands, since the latter would thereby have pledged herself to an agreement which might not mean a real step forward from the present situation.

The actual situation of the Netherlands was as follows. At the present time the Netherlands was obviously free to establish import and export prohibitions whenever it wished to do so as a means of defence against measures taken by other States. If import and export prohibitions were now to be generally abolished, this means of defence for the Netherlands would disappear. In regard to those countries where the Customs tariffs were so high that they might well be called prohibitive, the position of the Netherlands would be weakened. The Netherlands Government was consequently of opinion that, however useful the abolition of import and export prohibitions and restrictions might be when considered on its merits, this would not lead, so far as the Netherlands were concerned, to the desired object of greater liberty of trading, unless the necessity of measures with regard to high tariffs was acknowledged at the same time, since for Netherlands exports the result would be exactly the same, whether a country had an import prohibition against an article exported from the Netherlands or whether a tariff was so high that it meant in point of fact an import prohibition.

The Netherlands Government therefore considered it desirable to give expression if possible in the Convention before the Conference, or in the course of its deliberations, to the conviction that the consequences of high tariffs must be considered as injurious as the existence of unnecessary import prohibitions. The co-operation of the Netherlands Government in framing the Convention would therefore, to a considerable degree, depend upon the effect given to its wish to recognise the disadvantages of high tariffs, which wish the Conference might accept or not. The Netherlands delegation therefore urgently appealed to the Conference and expressed an emphatic desire that high tariffs should be lowered everywhere. If he might add a further wish, it was that the paragraph of Article 7 shown in the draft Convention in brackets should be definitely accepted and the blank space in the article filled in by the words "Article 4".

M. Posthuma had, however, come to Geneva with the firm intention to further in a spirit of friendship the mutual interests which he saw assembled at the Conference, and he hoped in this spirit to assist the Conference in attaining the best possible results.

M. IBL (Czechoslovakia) said that if he ventured to speak on behalf of the Czechoslovak delegation it was not in order to prolong the general discussion; there was, indeed, no need for him to develop his Government's point of view concerning the present Conference or its objects, since that point of view was already embodied in principle in the statement which had been made by the Minister for Foreign Affairs at the June session of the Council of the League and to which the Chairman had referred in his opening speech.

It was in accordance with the spirit underlying that statement that his Government had decided to take part in the work of the Conference.

draft Convention drawn up by the Economic Committee, to which a tribute had been paid by various speakers, furnished the best basis for the international agreement to be concluded. If he personally did not join in the praise given to the work done by the Economic Committee it was because he himself had had the honour of taking part in the Committee's work on this question.

M. Ibl desired to say a few words on a question which came within the framework of the general discussion and to which some reference must necessarily be made during the discussion. This was the question of the relation between the international convention to be concluded, on the one hand, and bilateral commercial treaties on the other hand. One aspect of this problem had been touched upon at the previous meeting by M. Serruys in his address, in which, with his usual powers, he had explained the different questions which arose with regard to the draft Convention submitted to the Conference. There was, however, another aspect of the problem to which M. Ibl wished to draw the Conference's attention.

At the previous meeting, M. Serruys, while stating his gratification at the large number of States attending the Conference, had not concealed his misgivings due to the noticeable absence of certain States. Their absence appeared, and the Conference would regret it, to signify that certain countries would not adhere for the moment at any rate to the international Convention.

In this connection the question arose as to what would be the situation of the contracting countries in relation to non-contracting countries in the case where there existed between a contracting country and a non-contracting country a bilateral treaty of commerce based on reciprocal most-favoured-nation treatment. In the commentary attached to the draft Convention, it was stated in regard to Article 6 that the international agreement must not create any obligation as regards non-contracting States. It did not seem quite clear whether this observation contemplated the case where there existed between a contracting country and a non-contracting country a commercial treaty concluded on the basis of reciprocity as regards the most-favoured-nation clause. In these circumstances, the question might arise whether the non-contracting State could avail itself of the most-favoured-nation clause to claim the regime set up by the international Convention without being bound by that Convention.

In raising this question, M. Ibl fully realised that it was not a question to be solved by the present Conference, since the Conference could not create any right except between the participating States. It was rather a question coming within the category of questions relating to the application and interpretation of the most-favoured-nation clause, the examination of which had been entrusted by the International Economic Conference to the Economic Organisation of the League.

Nevertheless, M. Ibl believed that it would be expedient and indeed perhaps inevitable for this Conference to raise and to draw attention to this question with the object of having it examined by the Economic Organisation.

The aim with which he put forward this suggestion was one in which all members would concur : namely, to make the international Convention as general as possible and to ensure it the greatest possible number of adhesions. He thought indeed that the elucidation of the question he had just indicated was calculated to conduce to the ratification by many countries, without misgiving, of the international Convention which the Conference had met to conclude.

M. DOLEZAL (Poland) said that in rising to speak on behalf of the Polish delegation he would state a fact which was perhaps not too well known : that Poland was one of the countries which in February 1922 had suppressed all prohibited imports with the sole exception of certain luxuries. This situation lasted until the middle of 1925, *i.e.*, till the time when Poland, not having met with a spirit of reciprocity from the other countries, and having to combat the instability of its currency, had re-introduced in part the system of prohibited imports. Without wishing to urge the merits of regulations of external commerce at the present Conference, it must be stated that the measures taken by the Polish Government had for the past year produced a state of monetary stability which had been followed by the legal stabilisation of their currency. The importance of a stable currency in international commerce was shown by the figures for the foreign trade of Poland, which showed that the import of foreign goods into Poland during eight months of the current year amounted to more than double the figure for 1926.

In spite of these good results, and taking into account the other difficulties of a system of regulations, Poland recognised the advantages of a free international exchange of goods, which would have to be completed by the free circulation of capital, as had been the case before the war.

The Conference would realise that their President had mentioned Poland among the States which had given their adhesion and approval to the principles established by the International Economic Conference. One of the first steps towards the realisation of the desires expressed by the International Economic Conference was the present meeting for the elaboration of an international convention for the suppression of import and export prohibitions and restrictions. The Polish Government appreciated to the full extent the initiative of the League of Nations tending towards the re-establishment of the pre-war situation in Europe, *i.e.*, the removal of all obstacles to the free circulation of goods, especially of raw material. It had therefore pronounced itself on principle in favour of the conclusion of an international convention for this purpose.

Paying tribute to the moderate and practical spirit of the Economic Committee, of which he was not a member when the draft Convention was drawn up, M. Dolezal desired to give a general indication as to which points of the draft he would like to have explained. He

supported the principle that their work would be effective only if all the countries of Europe adhered to it. He would ask, in order to remove the danger of a disguised system of veterinary regulations, that an explanation should be given as to the enforcement of Article 4 and that Article 5 should be maintained with certain alterations. During the discussion of the draft Convention article by article, the Polish delegation would give further details. At the present time, M. Dolezal ventured to state that the Polish delegation had come in a spirit of sincere collaboration to the work of world economic reconstruction which was now in progress under the auspices of the League of Nations.

M. GEORG (International Chamber of Commerce) said that the delegation of the International Chamber of Commerce had been invited to attend the Conference not with the object of taking decisions or of participating in the final voting of the Convention but in order to state in straightforward and unambiguous terms the views held by the International Chamber of Commerce on this question. The delegation had listened with great pleasure to the declarations which had been made by the President and by the Government representatives, and which showed that the Conference was resolved to do everything in its power to put an end to restrictions and barriers that had done so much harm to international trade.

The International Chamber of Commerce and its delegates wished to state that they gave their unreserved support to the draft Convention, and more especially to Article 1. That article laid down clearly and precisely the principles which the business world had requested the International Chamber of Commerce to uphold. The International Chamber of Commerce fully realised that it might be necessary to make certain reservations to the text of this article. It realised that sovereign States must in all circumstances take those measures which were indispensable to their security and to public order. It further realised that certain States must, in circumstances to which reference had been made by previous speakers—namely, in time of grave emergency—take measures for the purpose of lessening the material effects of national disasters. The International Chamber of Commerce was convinced that the measures adopted in such circumstances could in no way be considered as at variance with the spirit or the letter of the future convention.

The International Chamber of Commerce, however, begged the Conference not to lose sight of the fact that any reservations which might be accepted as regards Article 1 must not have the effect of annulling the results for which the Conference had been called. All those who had followed closely the origin and growth of the "barriers" to be abolished realised the cleverness with which their supporters had endeavoured to justify import and export prohibitions and restrictions. Accordingly, the International Chamber of Commerce begged the Conference not to include in the Convention any provisions which could give support to those whose personal interests impelled them to maintain prohibitions and restrictions. The Conference must get rid of those provisions which might compromise the good intentions expressed by the various representatives at the Conference. Before the close of the Congress of the International Chamber held at Stockholm in June, Sir Arthur Salter had urged all the delegates to do everything in their power to ensure the success of the reforms demanded by business circles and to see that these reforms were not nullified by dangerous incidental clauses. Like Sir Arthur Salter, the International Chamber of Commerce urged the Conference not to let slip this opportunity for a radical abolition of an abuse which had caused so much evil.

M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes) said that his delegation adhered to the draft Convention which was before the Conference. The draft might be regarded as embodying the maximum concessions which should be made in favour of certain import and export prohibitions and should be considered as an important first stage in a return to normal economic conditions.

His delegation believed that it would be necessary to proceed in stages, and it was of opinion that the draft must have appreciable practical results. It was therefore of opinion that there should be eliminated from the discussions of the Conference questions which had been raised by certain speakers which, though they were relevant to the draft, could not fail to increase considerably the scope of the discussions, and perhaps prevent a practical and useful conclusion from being reached. An enlarged discussion would necessarily lead the Conference to consider the economic problems as a whole, and in that case this Government would have to take up a special position. Such a task appeared to go beyond the limits of the Conference.

An agreement on the basis of the draft, while achieving only a limited object, would nevertheless afford excellent encouragement for the future.

It was the easier for his Government to adhere to the draft as his country, which, owing to similar measures taken by other countries, had been obliged to introduce after the war a system of import and export prohibitions, had resolutely abandoned such methods. It might now be claimed that the prohibitions at present existing in his country did not exceed those which had existed before the war. His Government had no reason to regret its change of policy, though his country, being an agricultural country and having new industries and raw materials to protect, might well be tempted to institute a system of protection by means of prohibitions. His Government had already advanced along the path indicated in the draft Convention, and it firmly hoped that the fundamental principles of the draft would be accepted and enforced by all the countries represented at the Conference. In his view, the success of the work of the Conference would be assured only if the principles on which the draft was based were applied by as large a number of countries as possible, including even those which



were absent from the Conference, and provided the principles were applied with absolute loyalty and in good faith.

Animated by a desire to see an agreement reached on the basis of the draft Convention, his delegation would not spare any effort to achieve that end. In this spirit it was ready to abandon the present draft of Article 5 of the Convention if it were thought that the maintenance of that draft would result in abuses and in the practical evasion of any real application of the Convention.

M. ERICH (Finland) said that the Finnish delegation was glad to associate itself with the general principles which underlay the draft Convention. Finland had all the less reason to refuse to participate in the task of abolishing import and export restrictions as her economic and commercial legislation was already in conformity with the general ideas laid down by the Financial Committee. Realising that the reform contemplated was merely a partial reform in the vast field of economic relations, which were intimately bound up with political relations, and, therefore, likely to affect the peace of the world, she was wholly disposed to contribute within the limits of her modest resources to a general settlement of the problem.

The Finnish delegation was profoundly convinced of the necessity of finding a solution which might reconcile the various ideas put forward in regard to the serious problems dealt with in Articles 5 and 7 of the draft.

If a serious attempt was to be made to abolish the inconveniences resulting from prohibitions and restrictions, it was important not to preclude from consideration by a competent and impartial body the exceptions contemplated in Article 5. Whether or not the expression "vital interests" were adopted, it was hardly impossible to exclude beforehand from the competence of that body disputes in regard to the interpretation and application of certain provisions of the proposed agreement.

Recognising the compulsory jurisdiction of the Permanent Court within the limits of the optional provision of Article 36 of the Statute of the Court, a number of States had already declared, subject to reciprocity, that they were prepared to submit to it all disputes concerning the interpretation of a treaty. It would hardly be possible for these States to abandon a principle already established for the settlement of international disputes. Among those States which had not assumed that undertaking a tendency was becoming apparent to favour a wider recognition of the compulsory jurisdiction of the Court, particularly for disputes of a legal character.

When the application and interpretation of a treaty was involved, it would hardly be compatible with the principles above laid down to decide that certain articles of the agreement were not open to judicial settlement. He would recall, moreover, the very significant fact that in modern treaties of arbitration and judicial settlement the principle had often been abandoned according to which the vital interests of States were urged as an argument against any judicial solution. Would it, therefore, be absolutely necessary to maintain the inviolability of vital interests of an economic character?

He fully realised the bearing of the observation to the effect that it was difficult for States to consent to relinquish the right themselves to define the essential interests of their national economy. However that might be, it would be much more logical, if it were thought necessary to withdraw such questions from any international jurisdiction, frankly to proclaim the principle that every State would decide for itself the question whether its vital interests were affected or not, instead of considerably limiting the principle according to which disputes relating to the interpretation of a treaty were generally regarded as capable of arbitral or judicial settlement.

Even, however, if the principle of vital interests was maintained, it did not follow, in regard to the matter with which the Conference was dealing, that a more supple and less strict procedure under which the parties would not be bound by the findings in the case might not have a very useful effect. A high importance, therefore, attached to the special procedure of an advisory character contemplated in paragraphs 1 and 2 of Article 7 which would take place before a technical body of the League of Nations. Resort to this body might, without going too far, be made compulsory, in view of the fact that its findings would not be binding on the parties. Even if, in the last resort, the question whether its vital interests were affected or not was left to the exclusive and sovereign judgment of the State, and if accordingly such disputes were withdrawn from the competence of any arbitral or judicial jurisdiction, there would perhaps be less hesitation in accepting the obligation to submit even disputes of supreme importance to a purely advisory procedure to which no compulsion was attached.

He would venture to present these few observations in view of the fact that they referred to matters on which the draft was based.

M. DE CALHEIROS E MENEZES (Portugal) said that the Portuguese delegation brought to the Conference the wishes of its Government that its work should lead to favourable results.

In Portugal there existed only a few unimportant export restrictions instituted to protect the national agriculture.

The Portuguese delegation ventured to draw immediate attention to two points in the document containing the preliminary draft to be discussed by the Conference. These points had already been raised by the Japanese and Belgian delegations. The Portuguese Government would like to see mentioned in a future convention something to safeguard the quotas provided in certain commercial conventions and to assure the validity of existing treaties and agreements containing clauses restricting prohibitions or restrictions further than did the proposed agreement.

M. MODIG (Sweden) said he would venture to assume that the traditional policy of economic liberalism followed by Sweden was sufficiently well known, and that it was not, therefore, necessary for him to explain more in detail why his Government had accepted with the greatest satisfaction an opportunity of co-operating with the other Governments represented at the Conference with a view to the economic progress of the world. He would therefore confine himself to assuring the Conference that the Government of Sweden sincerely and fully approved the principles on which the draft Convention was based, and that it was prepared to conclude a convention on the general lines of the draft. Without entering upon a discussion of special questions, he would merely add at that moment, since it was a question of the highest importance, that his Government shared the opinion, recently expressed by the delegate of the Netherlands, that Article 7 of the draft, dealing with the settlement of disputes, should be accepted as a whole, including the clause which was at present within brackets, and that the provisions of that article should be applicable also to disputes arising under Articles 4 and 5 of the draft.

M. CLAN (Denmark) said that no one who had examined the draft Convention as submitted for approval in 1925, before the Economic Committee's commentary had been drawn up, and who had examined that original draft carefully with a view to discovering its real intention, could fail to be convinced that a serious attempt was being made to solve a very difficult problem in a spirit of conciliation and compromise. That conviction had been strengthened by the speech of the French delegate on the previous day, who had cleared up certain points.

The Danish delegation was prepared to co-operate in framing a convention on the lines of the draft. Danish commercial policy was in complete accord with the policy of the draft. Denmark had always pursued a liberal economic policy, and no attempt had been made, even after 1918, to introduce a system of prohibitions, in spite of the fact that a certain amount of pressure had been brought to bear on the Danish Government by economic circles. The Danish Government had in 1925 put its currency on a gold basis—a measure which had resulted in severe hardship and considerable unemployment. At that time the leaders of Danish industry and of the organised workers had asked for certain import prohibitions merely in self-defence. The policy of prohibitions, however, had not been adopted by the Danish Government, which had preferred in its post-war arrangements to rely on the most-favoured-nation clause.

Denmark was prepared to surrender her present system of treaties, provided the proposed Convention included a sufficiently large number of countries, particularly those which, from her point of view, were economically important. Denmark would thereby be making very definite concessions in respect of existing treaties, and for her the question of the relations which would exist between countries which had signed the Convention and countries which remained outside it was of very considerable importance. Denmark would be in a worse position under the Convention unless the principle which had been urged by the Japanese delegation were accepted: namely, that those treaties which went further than the Convention should be maintained.

The PRESIDENT said that the general discussion was now closed. It had not revealed all the difficulties which would have to be met, but some indications had already been given as to the problems which would arise under the separate articles.

He would at the afternoon meeting suggest for the approval of the Conference the procedure to be followed in the discussion of amendments. It was very difficult to discuss amendments logically and in order, particularly when they were unexpectedly submitted. He would therefore venture to frame and submit to the Conference rules for dealing with amendments.

---

#### FOURTH PLENARY MEETING

*Held on Tuesday, October 18th, 1927, at 3 p.m.*

---

#### 6. Report of the Credentials Committee.

M. BRUNET (Belgium), on behalf of the Committee of Credentials, read the following report:

“ The Committee appointed by the Conference to verify the credentials of delegates has proceeded to examine the relative documents communicated to it by the Secretariat. It notes that the delegates of the following States have been furnished with full powers by the head of their State: Belgium, Denmark, Finland, Luxemburg, Netherlands, Poland, Siam, Sweden, Switzerland.

“ In the case of the first seven countries mentioned, the full powers include the power to negotiate and sign the future Convention. In the case of Sweden and Switzerland, the full powers refer to the representation of these States at the Conference.

“ In the case of the four following countries, full powers, also given by the Head of the State, are now being transmitted : Cuba, Germany, Hungary, Japan.

“ The delegates of the following States have received powers given by the President of the Council or Minister for Foreign Affairs of their Government authorising them to sign such convention as the Conference may adopt : Bulgaria, Egypt, France, Portugal, Roumania.

“ The delegate of Latvia has been furnished with powers by the Minister for Foreign Affairs authorising him to represent the Latvian Government at the Conference.

“ Finally, the delegates of the following countries have been accredited by notification addressed to the Secretary-General of the League either by the Minister for Foreign Affairs or by their representative on the Council or by their permanent representative accredited to the League of Nations : Abyssinia, Australia, Austria, Canada, Chile, China, Colombia, Czechoslovakia, Great Britain, Greece, India, Irish Free State, Italy, Kingdom of the Serbs, Croats and Slovenes, United States of America.

“ The Committee would propose that the Conference should request the delegates of this last group of States and those in the preceding groups who have not been empowered to sign the acts which may be adopted by the Conference to be good enough to obtain due authority for this purpose before the end of the Conference. ”

*The report and proposals of the Committee on Credentials were adopted.*

## **7. Procedure concerning Discussion of Articles and Amendments.**

The PRESIDENT suggested that, instead of discussing the draft Convention article by article, the Conference should take the different articles in groups, combining those which were logically connected with one another.

The articles might be arranged in four groups. The first would consist of Articles 1, 6, 9, and 10. Article 1 laid down the principles of the Convention and the time within which abolition should take place. It was closely connected with Article 6, which dealt with the treatment of non-contracting States, with Article 9, under which the entry into force of the Convention depended upon ratification by certain States designated by name, and with Article 10, under which denunciation by one of the States mentioned in Article 9 affected the further existence of the Convention.

The second group would consist of Articles 2, 3 and 11, which contained no points of principle but merely certain matters of a purely administrative nature.

The third group would consist of Articles 8 and 12, together with certain other questions which were purely formal in character and which could be dealt with later in accordance, if need be, with suggestions to be made by the Legal Section of the Secretariat.

The fourth group would consist of Articles 4, 5 and 7.

M. SERRUYS (France) pointed out that as Article 7 was related to the whole of the Convention it would be incorrect to lay down in advance a connection between that article and Articles 4 and 5, to which it might not apply either *in toto* or in part. Subject to this reservation, he did not oppose the arrangement proposed by the President.

The PRESIDENT agreed with M. Serruys.

*The President's proposals were adopted.*

The PRESIDENT pointed out that many delegations would wish to submit amendments. Amendments were always apt to be dangerous unless submitted to very careful consideration. He would therefore suggest that a committee of rapporteurs should be appointed for each group of articles. All amendments submitted, whether relating to new principles or arising out of the draft Convention, as well as drafting amendments and amendments arising out of the discussion, would be referred to the committee of rapporteurs. No decision on amendments would be taken in the plenary meeting before the committee of rapporteurs had placed their views before it. At the same time, it might be advisable to suggest that amendments of principle should be explained by the movers in the plenary meeting. This course was unnecessary in the case of drafting amendments or questions of translation, which would be referred direct to the committees of rapporteurs to save time.

The President suggested that, if his proposal for committees of rapporteurs were accepted, it would be unnecessary to appoint committees for the second, third and fourth groups at the moment, and he proposed to make further suggestions with regard to the appointment of the first committee at the end of the discussion.

At the same time, he desired to point out that the committees, in order to be workable, should be small in numbers. This was also necessary because other committees would have to be appointed and perhaps some sub-committees. In any case, however, a delegation submitting an amendment would of course be entitled to be represented on the committee of rapporteurs for the discussion of that amendment.

*The President's proposals were adopted.*

The PRESIDENT, while having no right or inclination to interfere with the freedom of any delegation, desired at the same time to point out that it would be desirable that a

delegation which included a member of the Economic Committee should be represented by that member on the committee of rapporteurs for any amendment it wished to submit.

8. **Discussion of Draft Convention drawn up by the Economic Committee : Articles 1, 6, 9 and 10.**

*Article 1.*

M. DI NOLA (Italy) submitted the following amendments to Article 1 :

*Paragraph 1.*

(1) After the word "undertakes", insert the words "in its relations with the other Contracting States, on condition of reciprocity".

(2) Omit the words "or maintain".

The first paragraph would then be worded as follows :

" Subject to the exceptions provided for in the following articles, each Contracting State undertakes in its relations with the other Contracting States, on condition of reciprocity, to abolish within a period of six months all import and export prohibitions and restrictions, and not thereafter to impose any such prohibitions or restrictions. "

M. Di Nola explained that the object of the first amendment was to remove the doubts expressed by certain delegates, and dealt with in particular by M. Ibl and others at the previous meeting, in connection with the relations between the Convention and bilateral commercial treaties based on the most-favoured-nation clause.

Before the war the application of this clause had not been contested in so far as concerned the regime of exports and imports, but since the war it had been contested. It would accordingly be very useful if this favoured treatment could be extended not only in Customs matters but also in matters of import and export restrictions. M. Di Nola agreed with M. Ibl that the question should be considered by the Economic Organisation of the League. There were, however, certain countries—among them Italy—which were already bound by bilateral conventions with other countries, in which explicit provision was made for most-favoured-nation treatment as to import and export prohibitions and restrictions. In undertakings of this kind, the clause providing for reciprocity could not come into play. The Conference, however, did not wish to oblige any contracting party not bound to other States by an explicit clause to confer favours on any other State except on condition of reciprocity and unless such favours were granted to the other contracting parties. The Italian delegation believed that its amendment was calculated to encourage certain countries which might otherwise hesitate to adhere to the Convention.

The second amendment related to a question of drafting and not of substance.

M. WIBAUT (Netherlands) said that some of the speeches made during the general discussion caused him some anxiety for the result of the Conference's work. While all speakers had agreed in expressing the hope that the Conference would reach agreement, not a few had implied that the object of the Conference was to find a means of reaching a compromise between the temporary interest of the countries they represented and the desire for an international agreement to be ratified without reservation by a sufficient number of countries. The admission of the need for a compromise involved a recognition of a conflict between national and international economic principles. M. Wibaut wondered whether this conflict did in point of fact exist.

The Greek delegate had emphasised the close connection between the economic interests of the various nations and had said that the Conference must take the first step on the path to international economic solidarity. M. Serruys had praised the Greek delegate's address but had at the same time advised caution. True, caution was sometimes a virtue and was even a desirable virtue in the present matter of setting in motion the international economic machinery. Every economist knew that in this field progress must be gradual, but M. Wibaut doubted whether the caution recommended could be adopted. The delegates should not forget, according to what M. Serruys had said in that part of this speech, that the agreement which they hoped to reach would have to be ratified by the Governments and approved by the national Parliaments. They must also remember that it was by no means certain that these Governments and Parliaments would be inspired by the same keen international spirit as existed in the Conference. M. Serruys had said emphatically that they should not forget that there was a conflict between national and international economic interests.

M. Wibaut thought that no real conflict existed ; the present opposing tendencies merely constituted a quite temporary phenomenon. The fact that the Economic Conference of May 1927 had reached certain recommendations in the matter of world commerce proved that it did not consider this conflict as real and only attached to it a temporary semblance of reality.

M. Wibaut would go further and say that if a real and lasting divergence was bound to exist between national and international economic interests and if national interests must prove triumphant, he was unable to see the reason for or the serious object of international conferences which, as the delegate for Greece had very properly said, should conduce to international economic solidarity.

Would it be utopian to consider the slow but continuous steady development of international economic solidarity as the sole force which could ultimately produce world economic conditions compatible with the productive possibilities at the disposal of steadily growing technique. If that were so, of what use would be future international economic conferences which, it was hoped, would follow on the first held in May 1927? The continuation of the divergencies between international and national economic interests had become intolerable. These divergencies had led to the war and had even been considerably accentuated since the war and in certain matters were becoming yet more accentuated. M. Wibaut did not believe in the possibility of world peace unless the nations could agree to eliminate these economic divergencies.

Speaking as an economist to economists who would not be misled by illusions, M. Wibaut believed that the need of an international economic system had enormously increased since the war. The lessons of war must not be forgotten. One of those lessons was the vital interdependence of all nations which met on the world market. M. Wibaut was convinced that the time had come to proclaim and to accept the supremacy of international over national economic interests.

He did not ask the Conference not to adopt any exception to the rule in Article 1 that contracting States should undertake to abolish all import and export prohibitions and restrictions within six months, but asked that in discussing the details of the agreement the delegates should be prompted by that international economic spirit of which the world had so great a need. They should refuse to consider any draft which emphasised national economic interests in a forced attempt to avoid the difficulties which the adoption of an international economic policy, however narrow the ground it covered, might temporarily cause many of the States represented in so far as concerned the ratification of the agreement. The Conference would be making a grave mistake in adopting an agreement which was not a result of the conviction that in the case of divergency between national and international economic needs the latter must be supreme, except in times of emergency. The Conference would commit an equally serious error if, from a desire to avoid dispute, it adopted an agreement that was lacking in precision.

However small the advance towards a world economic structure, it must be a firm and definite advance.

The President had in his opening speech found cause for gratification that the sick men of Europe had all come to the same hospital. It must not, however, be forgotten that the disease of Customs barriers was a contagious one and could only be cured by extirpating the germ. The germ consisted in the supremacy of national economic policies over the international and world economic interests.

The PRESIDENT read out the following amendments submitted by the Roumanian delegation :

“ 1. For the reasons indicated in its general declaration, the Roumanian delegation proposes the insertion of the following text either in Article 1 or as a declaration in the special Protocol :

“ ‘ It is understood that the present agreement does not apply to export and import duties, each State reserving the right to determine its own Customs tariffs. ’

“ 2. As regards the period of six months specified in the first paragraph of Article 1, the Roumanian delegation considers it to be too short, and thinks a period of at least one year to be necessary to adapt the new regime to the present economic situation of the different States. ”

On the proposal of the PRESIDENT it was decided to refer the Roumanian delegation's amendments to the Committee of Rapporteurs.

M. SERRUYS (France) said that he was unable to take a part in the classical drama constructed by M. Wibaut on the conflict between national interests and international interests. The statements which he had made on the previous day sufficed to show that no trace could be found of any such construction.

True, he had referred to the necessity of caution ; but that caution did not prevent him from adhering, in so far as he was concerned, to the entire draft Convention as prepared by the Economic Committee with his own active co-operation. There were, he admitted, certain omissions in the draft, in particular in the article dealing with jurisdiction. In this connection M. Wibaut might be reassured, for he was aware of the position of France in the question of arbitration. The caution with which it was necessary for the Conference to act would consist of adjusting its decisions to the desires and positions of the majority of participating States in order to obtain the important nucleus of adhesions to which, according to their declarations,

Hon. F. Vernon WILLEY (Great Britain) expressed the British delegation's agreement in substance with the remarks of the Italian delegation, but pointed out that it did not appear quite clear what was intended by the words "on condition of reciprocity" in the Italian amendment. The British delegation accordingly submitted the following alternative amendment with the object of making the intention of the Italian delegation quite clear :

*Paragraph 1.*

After "abolish", delete "all import and export prohibitions and restrictions" and insert "all prohibitions and restrictions on the importation into any of its territories to which this Convention applies of goods produced or manufactured in the territories of any other high contracting party to which this Convention applies and the exportation of goods from any of its territories to which this Convention applies to the territories of any other high contracting party to which this Convention applies".

*Paragraph 3.*

Line 1 : Substitute "possible" for "necessary".  
Lines 2 and 3 : Substitute "by all public authorities, central or local" for "by all Governments, central or local authorities".

The PRESIDENT, with reference to Article 1 and the amendments submitted, thought it would be extremely difficult to deal with those amendments until it was clear whether the Conference desired Article 1 to be of a general or of a reciprocal character. The British amendment, if he correctly understood it, implied that reciprocity was intended.

Hon. F. Vernon WILLEY (Great Britain) said it was the intention of the British amendment that the Convention should be applied only between countries which had undertaken the obligations which it embodied. Those obligations existed as between the signatories of the Convention but not towards countries which had not signed it.

M. SERRUYS (France) supported the proposal of the Italian and British delegations regarding the necessity of reciprocity and the limitation of the obligations to the contracting States alone.

The contractual problem seemed to him to be less complicated than it might appear at first sight. Only three cases were possible :

(a) There was the case in which a contracting State was not bound to another contracting State by any treaty of commerce. In that case, their rights and obligations were strictly limited to those embodied in the Convention.

(b) There was the case in which a contracting State was bound to another contracting State by a treaty based on the most-favoured-nation clause. If the treaty contained provisions which were less favourable than those of the Convention, the provision of the Convention would be supplementary to the advantages derived from the treaty. If the treaty contained provisions more favourable than those of the Convention, such provisions would apply only to the contracting States which themselves enjoyed most-favoured-nation treatment.

(c) There was finally the case of non-contracting States. There the position was equally clear. If a non-contracting State had, by virtue of a special treaty concluded with a contracting State, the benefit of the most-favoured-nation clause, it would naturally enjoy the benefits of the Convention. If it had no such treaty with a contracting State, it would not share any rights or obligations of the Convention.

M. DI NOLA (Italy) thought it was quite evident that the Convention would apply only as between the parties which had signed and ratified it. The question raised by the Italian amendment was different. The Italian delegation desired to determine the position as between the proposed general Convention and the bilateral treaties already existing between particular States, and the amendment which the Italian delegation had submitted was intended to clear up that particular point.

M. SERRUYS had mentioned three cases. There was, however, only one case which presented any real difficulty. What would be the position as between two countries between whom there existed a bilateral treaty containing the most-favoured-nation clause if one of the countries adhered to the Convention and the other did not? Possibly the benefits conveyed by the bilateral treaty were less than those embodied in the general Convention. The State which had not adhered to the general Convention might in that case claim the benefits of the general Convention under the most-favoured-nation clause of its treaty with the State which had adhered. The views of the Italian delegation on that point were identical with those of the British delegation, and it was a point of considerable interest to several of the countries represented at the Conference.

The PRESIDENT said he understood that the Conference agreed that it should be clearly laid down in the final draft of Article 1 that the principle of reciprocity was accepted. Account would also be taken of the observations of M. Di Nola.

*Article 6.*

M. SERRUYS (France) said that this article, which he had not approved when the Economic Committee elaborated it, was not satisfactory either in substance or in form.

In substance it appeared to imply that measures taken by a contracting State against another State for special reasons concerning the latter might be extended to other contracting States. That, however, would be unjust. As to the form, the expression "third State" did not indicate whether it referred to a non-contracting or to a contracting State.

He would reserve the right to submit a new draft.

Hon. F. VERNON WILLEY (Great Britain) said that it was obviously desirable to avoid complications as far as possible. It had, however, been admitted that action under Article 1 would only be taken in respect of the goods of States which were contracting parties, and would not, therefore, affect goods destined or coming from a non-contracting party, even though they should pass through the territory of a contracting party. If that principle were accepted, Article 6 appeared to be entirely superfluous.

Mr. Hugh R. WILSON (United States) said he had not yet considered the exact bearing and importance of Article 6. He felt that it was necessary in some form, but would reserve his comment until he had further considered the question. He would probably desire to make a statement to the Committee of Rapporteurs.

*Article 9.*

The PRESIDENT suggested that in discussing Article 9 the Conference should concentrate its attention mainly on two points. First, there was the question which States should ratify the Convention before it came into force. In that connection, he would refer to the footnote to the article, which was as follows :

" The list of States to be set out in appendix will include the principal States of Europe whose participation in this Agreement is of greatest importance, having regard to the magnitude of their trade or their geographical position. "

Secondly, it would be necessary to fill in the space which was left blank in the article by determining the number of States which should ratify the Convention before it came into force.

It might also be necessary to discuss the second paragraph of the article.

M. BRUNET (Belgium) felt that the solution of the questions raised in Articles 9 and 10 must largely depend on the substance and character of the Convention. It was hardly possible to draw up a list of States whose adherence to the Convention was to be considered as essential, so long as the obligations embodied in the Convention had not been defined with precision. He would accordingly suggest that the Committee of Rapporteurs should be asked to consider Articles 1 and 6 immediately, but that Articles 9 and 10 should be provisionally reserved.

Mr. Gilbert VYLE (Great Britain) suggested that the principal States referred to in the footnote to Article 9 should at least include all those with permanent seats on the Council of the League and five other European States.

M. SERRUYS (France) said that the Economic Committee had in its draft embodied two different guarantees. First, there was the guarantee that there should be a minimum number of States adhering, and secondly, there was the guarantee involved in the selection of States whose economic position rendered their adherence indispensable either because they were producers of raw materials or finished products, or because they had special importance from the commercial point of view, or because they had a certain geographical position. The Economic Committee had perhaps not been very well inspired in confining these guarantees to Europe.

The PRESIDENT, referring to the observations of M. Brunet, said it might be better perhaps to discuss Article 9 immediately. It was true that it was difficult to decide which States must adhere until the provisions of the Convention were known, but it was equally true that, so long as one did not know how many States were going to adhere to the Convention, it was difficult to decide as to its provisions.

Did M. Brunet wish to make a definite proposal to postpone the discussion of the article ?

M. BRUNET (Belgium) said that he had no objection to the discussion of Article 9. The adjournment which he had proposed only concerned the work of the Rapporteurs. He would in this connection remind the Conference of the procedure which had been followed for the International Convention on Tonnage Measurement signed at Paris in 1925 and which had

given very good results. A certain number of signatory States which had continuous mercantile relations with each other had an essential interest in the Convention being put simultaneously into force between them. The Belgian Government suggested that the Governments of France, Germany, the Netherlands and Switzerland should sign a declaration to the effect that they would all deposit their ratifications of the Convention on the same date. This was done, and M. Brunet ventured to say that it was due to this arrangement that the Convention was now in force.

M. SERRUYS (France) said that the precedent referred to by M. Brunet referred rather to the interdependence of the interests of certain States belonging to a particular region, to which M. de Nickl had referred.

To the two guarantees contemplated by the Economic Committee it was perhaps necessary to add a third.

The manifold character of the aspects of a problem which was of considerable importance not only because the future of the Convention might depend on it but because it was necessary to guard against dangerous precedents showed that it would be better for definite proposals to be addressed in writing to the Committee of Rapporteurs. The Committee of Rapporteurs, having classified and elucidated these proposals, might present the Conference with a definite basis for a further discussion.

The PRESIDENT said that he was still disposed to press for a continuation of the discussion of that article. He would ask the Economic Committee, which had drafted Article 9, if it would give some explanation of what it had intended to secure by that article.

M. SERRUYS (France) said that on that subject he would not give his own personal opinion but a statement of the views of the Economic Committee. The Economic Committee had drafted Article 9 with the intention of securing two different guarantees. First it had desired to guarantee a minimum number of adherences. Secondly, it had wished to secure a guarantee based on the economic importance of certain States without whose adherence the application of the Convention would not be desirable.

The Economic Committee had been influenced by the recent example of the draft convention on the private manufacture of arms. He furnished certain explanations regarding that precedent.

M. DI NOLA (Italy) said that the Economic Committee had been concerned with a difficulty which it was unable to solve and had decided to call the attention of the Conference to that difficulty without indicating a definite solution. The importance of the matter had perhaps been somewhat attenuated in view of the fact that the reciprocal character of the Convention had now been definitely admitted.

He would draw attention in this connection to the commentary on Articles 9 and 10. The relevant passage was as follows :

“ The form of these articles is a little unusual, but it has been strongly represented to the Committee that the practical possibility of suppressing import and export prohibitions in one country is so vitally dependent on the corresponding action of the countries with which it has important commercial relations that without some such stipulation it would probably be impossible to make the agreement generally acceptable. ”

Such considerations were less important if the reciprocal character of the Convention were emphasised, and if States were not bound to accord its benefits to countries which had not adhered.

He was prepared to support the proposal of the British delegation as to the number and character of the countries whose adherence and participation should be regarded as essential.

M. STUCKI (Switzerland) said that he had not intervened in the general discussion, since there existed no export or import prohibitions and restrictions in his country. He had become aware of the two currents of opinion in the Conference. First, it was said that it was necessary for nearly all States to sign the Convention. It was argued, on the other side, that it would suffice if a small number of States were to make a beginning.

M. Di Nola, in supporting the proposal of the British delegation, had argued that the problem had been to a large extent solved by the decision that the Convention was to be regarded as reciprocal.

He could not agree with that view. It was assumed that the provisions of the Convention would only come into force as between the States which signed it and that the States which signed it remained entirely free towards non-contracting parties. Was that assumption, however, correct ? Many States had treaties of commerce with countries which were not even represented at the Conference, and those treaties contained, quite unconditionally, the most-favoured-nation clause. Was it possible for States which were bound by treaties of that kind to sign the general Convention unless it was also signed by the States towards which they had assumed those special obligations ? He would take the case of Spain. Many countries had treaties with Spain containing the most-favoured-nation clause. If Spain did not sign the Convention, would it be possible for States which were parties to the Convention to abolish any restrictions which affected other parties to the Convention and at the same time to maintain such restrictions with Spain ? The answer appeared to be in the negative, as a country which had a treaty with Spain containing the most-favoured-nation clause...



bound to extend to Spain all the benefits which it accorded to other countries under the Convention.

If this interpretation were correct, the problem at issue was not affected by the decision that the Convention was reciprocal, and it would be impossible for certain States to sign the Convention unless they knew that certain other States with whom they had important commercial relations would also sign. He did not go so far as the International Chamber of Commerce, which held that it was necessary for all States to sign the Convention. He did, however, agree with the Institute of Agriculture, which had in October 1927 expressed the view that, unless the Convention were adopted by such States, say, as Canada, Australia, Mexico, Japan and the United States, it could not possibly give satisfactory results.

Mr. Gilbert VYLE (Great Britain) said he had put forward his suggestion as to the States whose adherence was necessary merely as a basis for discussion. He would like it to be clearly understood that the British delegation was in favour of as many signatures as could be secured. It felt that there would be less ground for the fears expressed by M. Stucki in proportion as a greater number of signatures were secured.

M. IBL (Czechoslovakia) supported the views of M. Stucki. While fully recognising the value of the amendment moved by the Italian delegation to Article 1, he did not think that that amendment disposed of the point which he had himself raised at a previous meeting. The proposed Convention could not affect the contents or validity of existing treaties. The problem referred to by M. Stucki definitely arose when there was a treaty in existence between two States containing the most-favoured-nation clause in its unconditional form. In that case a question of interpretation arose which it was essential to solve. It must be decided whether a State which was not a party to the Convention could claim the benefits of the Convention under that clause. There was a further point to be decided: namely, the exact meaning to be attached to reciprocity. Was the reciprocity formal or material? That was a question of substance which arose under Article 6, and it would be impossible to determine the scope of Article 6 without first determining what exactly was meant by reciprocity.

There were, moreover, treaties of commerce in which it was laid down that, if a restriction were abolished in respect of a third party, it must also be abolished in respect of the other party to the treaty. The decision that the general Convention was to be reciprocal did not dispose of that difficulty.

M. SCHÜLLER (Austria) said that M. Ibl was quite right in contending that the proposed general Convention could not affect the contents or validity of existing treaties. He denied, however, that a non-contracting State could, by virtue of a most-favoured-nation clause in its treaty with a contracting State, necessarily claim the benefits of the general Convention. It was possible for any State which was a party to the Convention to say that its benefits did not apply to the non-contracting State. Countries which had treaties containing the most-favoured-nation clause did not always have most-favoured-nation treatment as regarded the special question of prohibitions and restrictions. The question of prohibitions and restrictions was comparatively new and had not been contemplated when the most-favoured-nation treaties had been drafted. There were at present negotiations proceeding between certain Governments with the special object of securing that the question of prohibitions and restrictions should be specifically brought within the scope of the most-favoured-nation clause. The question, however, had not yet been decided. For example, there was no reference to the matter in the treaty between Germany and the United States. In the present state of international law no nation could be sure of obtaining the advantages of a general convention merely because it had a most-favoured-nation treaty with a State that had signed the Convention.

If the arguments put forward by M. Stucki were pushed too far, it would never be possible to obtain a general convention. A State was free to decide whether it could safely sign the Convention provided certain other countries also signed it, and a State, in taking that decision, would retain its freedom of negotiation with States which remained outside.

M. BRUNET (Belgium) said that he could not fully agree with the arguments of M. Stucki. He reminded the Conference of the precedent of the International Sugar Convention. The countries which signed that Convention agreed to suppress all export and production bounties on sugar and to levy a compensating tax on any sugar coming from a non-signatory country which accorded such bounties. This Convention had been strictly applied, and sugar from a number of countries had accordingly been penalised, but without any of the States affected having claimed that action taken under the Convention was contrary to the most-favoured-nation clause in their commercial treaties. This was partly to be accounted for by the moral authority which the Convention derived from the number and importance of the signatory States.

M. Brunet felt that if a fairly appreciable number of States signed the Convention for the Abolition of Import and Export Prohibitions and Restrictions, the States parties to the Convention would hardly risk being asked to consider claims to extend the benefits arising

under the Convention to non-contracting States. This possibility seemed to be entirely removed by the fact that the Convention was open for signature to all States and any country could be admitted and share its advantages. That was an important consideration which must not be lost sight of.

The PRESIDENT proposed that the Committee of Rapporteurs for Articles 1, 6, 9 and 10 should consist of M. BRUNET, M. SCHÜLLER, M. IBL and M. STUCKI. Any members handing in amendments or sub-amendments would be members of the Committee when their amendments came up for discussion.

Since M. Stucki had raised questions which would have to be further discussed, he proposed that the Committee of Rapporteurs should call for a representative of the Economic Committee to attend its meetings and to give advice as far as was necessary.

*The proposals of the President were adopted.*

---

## FIFTH PLENARY MEETING

*Held on Wednesday, October 19th, 1927, at 10 a.m.*

---

### 9. Discussion of Draft Convention drawn up by the Economic Committee : Articles 1, 6, 9 and 10 (continued).

#### Article 6 (continued)

Mr. Hugh R. WILSON (United States) proposed to eliminate the word "third" in the third line. Otherwise a State party to the agreement would be in a position to object to prohibitions which another State party to the agreement might adopt for the purpose of a penalty or retaliation, which was certainly not the intention of the Economic Committee.

### 10. Discussion of Draft Convention drawn up by the Economic Committee : Articles 2, 3 and 11.

#### Article 2.

M. DI NOLA (Italy) proposed the following amendment :

(1) In the phrase "in pursuance of their general legislation"; substitute the word "national" for the word "general".

(2) After the words "or the imposition of marks", insert the words "or to any other formalities or conditions".

Article 2 would then read as follows :

"Should the contracting States, in pursuance of their *national* legislation, subject the importation or exportation of goods to certain regulations in respect of the manner, form or place of importation or exportation, or the imposition of marks, *or to any other formalities or conditions*, they undertake that such regulations, formalities or conditions shall not be made a means of disguised prohibition or arbitrary restriction."

M. SERRUYS (France) expressed the view that the Italian amendment to Article 2 proposing to replace the words "general legislation" by "national legislation" might establish too narrow a limitation by excluding the provisions of general legislation which arose from international agreements. M. Serruys desired, on the other hand, that the words "conditions and formalities" be added after the word "regulations".

He proposed to add the words "of origin" after the word "marks". Most Customs regulations only affected marks of origin, and it was desirable to avoid creating new impediments to commerce by arbitrary regulations on all kinds of marks.

Sir Sydney CHAPMAN (Great Britain) said he fully agreed that something would somewhere have to be said with regard to marks of origin. He was doubtful, however, if such a reference would be suitably made in Article 2. The proper place for such a reference was, in his opinion, Article 4. Article 2 was not intended to cover general legislation regarding marks of origin but referred solely to questions of Customs administration. If, in order to facilitate Customs operations, it was necessary to lay down stipulations in regard to particular formalities of transport or to certain marks of origin, those rules should not be abused and be applied in such a way as to amount in effect to a prohibition. The question might, in his opinion, be left to the Drafting Committee.

M. ITO (Japan) accepted the Italian amendment. He felt bound to say that he did not quite agree with Sir Sydney Chapman, as he did not think that the article related solely to Customs regulations. A country might institute a system of control over certain of its products in order to maintain their reputation abroad. Such control, though equivalent to a species of export restriction, was wholly to the advantage of international commerce, and was, therefore, not contrary to the intentions of the Convention.

M. SERRUYS (France) observed that the question raised by M. Ito might more usefully be dealt with in Article 4. In reality it was necessary to confine the present article to prohibitions which were purely Customs prohibitions.

M. DENDRAMIS (Greece) supported the Italian proposal. According to his interpretation of that article, there were certain administrative measures directed against certain products which were equivalent to a boycott and were much more vexatious than formal restrictions.

M. CLAN (Denmark) said that his country, which exported considerable quantities of farm and dairy produce subject to the fixing of certain marks and a certain control, interpreted Article 2 in the same sense as the Japanese delegation.

### Article 3.

Mr. Hugh R. WILSON (United States) submitted the following new draft of Article 3 :

“ In the case of any prohibitions or restrictions which may be applied within the limits set by the present agreement, the contracting States shall in the matter of licences comply strictly with the following provisions :

“ (a)<sup>1</sup> That the conditions to be fulfilled and the formalities to be observed in order to obtain such licences should be brought immediately in the clearest and most definite form to the notice of the public ;

“ (b)<sup>1</sup> That the method of issue of the certificates of licences should be as simple and stable as possible ;

“ (c)<sup>1</sup> That the examination of applications and the issue of licences to the applicants should be carried out with the least possible delay ;

“ (d)<sup>1</sup> That the system of issuing licences should be such as to prevent the traffic in licences. With this object, licences, when issued to individuals, should state the name of the holder and should not be capable of being used by any other person ;

“ (e) That, in the event of the fixing of rations or quotas, no conditions or formalities shall be imposed or required, in connection with the allocation of licences for restricted goods authorised for importation or exportation, that may prevent according to each other contracting State an equitable share of such importation or exportation, having regard to the normal volume of trade of the respective countries in the particular class of goods in question. In the application of the provisions of this paragraph, no distinction shall be made between direct and indirect shipments.”

That article, in its present form, proposed that the contracting States should, in the matter of licences, conform with the provisions of the International Convention for the Simplification of Customs Formalities. The United States, however, were not a party to that Convention, and probably there were other States present at the Conference which were in the same position. Accordingly, it seemed to him advisable to stipulate that the Convention, which was in process of negotiation, should be complete in itself and should not involve any reference to another international document. With that object in view, the delegation of the United States submitted its amendment. He would observe that, except for paragraph (e), the amendment did not change the meaning of the article. The only modification consisted in rephrasing the first paragraph so that the corresponding paragraphs of Article 3 of the International Convention above referred to might be incorporated.

With respect to paragraph (e), the United States Government felt, in the light of its experience in dealing with those countries which exercised a regime of restriction, that the terms of the article should be revised and enlarged. The text suggested followed closely that of an article dealing with licences, which was now inserted in commercial treaties which the United States were negotiating with a considerable number of States. According to the view of the United States delegation, the reference in that paragraph to equitable allocation referred to allocation in respect of foreign sources of supply and not to allocation among domestic importers, since the latter form of allocation was obviously an internal question. In order to avoid any possible misunderstanding, it was important that the passage relating to the matter should be very carefully drafted.

For the rest he did not ask that there should be a discussion of the matter, but would submit his views to the Committee of Rapporteurs.

M. BRUNET (Belgium) thought that the idea which underlay the American proposal was wise and opportune. It was important that the provisions which would bind the signatories

<sup>1</sup> Paragraphs (a), (b), (c) and (d) reproduce the text of the corresponding paragraphs of Article 3 of the International Convention for the Simplification of Customs Formalities signed on November 3rd, 1923.

should be explicitly embodied in the Convention itself. M. Brunet had for that reason contemplated putting a footnote at the bottom of the page containing Article 3 to reproduce the text of the provisions of the 1923 Convention on Customs Formalities, from which the article in question was taken. But the proposal of the United States went further and included new provisions concerning licences. A new and thorough examination of the question would then be necessary, and it was doubtful whether the present Conference was ready to deal with very special subject. It therefore seemed preferable for the Conference to confine itself to the provisions of the 1923 Convention, reproducing the text in the manner just indicated.

M. DI NOLA (Italy) also desired to make certain observations on the substance of the American amendment. The provision proposed in paragraph (e) was framed in a very general manner which might not be conformable to the spirit of the Convention. According to the American amendment these rules would apply to the restrictions and prohibitions indicated in Articles 4 and 5 which would remain legitimate, and any country which made use of these provisions but granted dispensations to these prohibitions by means of quotas would have to allow a quota for each country. The provisions of Article 4, however, were subject to the rule that the prohibitions in question, such as those on live-stock, could only be in force against those countries whose live-stock was afflicted by a certain disease. This would exclude the possibility of allotting a quota for each country.

If it was a question of the prohibitions indicated in Article 5, it was highly unlikely that a country would be prepared to grant exceptions to prohibitions established to protect the vital interests of the country. In any case the American proposal would mean that quotas would have to be proportionate to the normal volume of foreign trade of each country. Apart from the difficulty of fixing the quotas on such a basis, it might be added that such conditions would give certain countries whose industrial production, and therefore volume of foreign trade, was enormous, a position of complete superiority.

The American amendment finally provided that, "in the application of the provisions of paragraph (e), no distinction shall be made between direct and indirect shipments". If that were so, it be very easy to circumvent the prohibition regulations by causing goods to be sent through the agency of another country.

M. SCHÜLLER (Austria) agreed with M. Di Nola. In case of epizootic diseases, rationing could not apply.

Personally, he was prepared to accept the American amendment, with the exception of the following passage in paragraph (e): "having regard to the normal volume of trade of the respective countries in the particular class of goods in question". The normal volume of trade was a purely arbitrary notion, and its lack of precision would be a perpetual source of litigation.

M. SERRUYS (France) reserved the right to express his views on reproducing in the proposed Convention the text of Article 3 of the International Convention for the Simplification of Customs Formalities. His proposal depended on the ultimate shape of the Convention.

He was unable to support paragraph (e) of the American proposal. In this case, the question did not concern the formalities regarding the granting of licenses but the methods of distributing quotas. It was not merely premature but entirely out of place to raise this question. The Convention allowed no prohibitions for which a regular system of allowance should be made.

It was desirable not to forget that the American proposal raised the question of whether the most-favoured-nation clause affected the fixing of quotas. For eight years this question had been the subject of endless controversy and a new conference would be needed in order to solve it. The American proposal solved it in a negative manner and laid down a principle which would perhaps not find support among countries whose normal volume of trade was small. If the American principle were admitted, America, who produced as many motor-cars as the whole of Europe, would have the right to import into Austria—a country which rations imports—a quota as large as that of the whole of Europe. M. Serruys would be tempted to ask for the same principle to be applied as regards the export of French wines, if not to the United States at least to other countries. He wondered what could be said to be the "normal volume of trade". Did this mean the total trade or the trade in a specific product or trade with a given country?

He concluded that these questions were sufficient to show that the problem was a complex one and could not be solved at this Conference.

M. DOLEZAL (Poland) said that, as representative of a country which enforced certain measures of regulation, he ought to share M. Serruys's opinion, but, as Article 1 said that, "subject to the exceptions provided for in the following articles, each contracting State undertakes within a period of six months to abolish all import . . .", he unreservedly supported the American amendment, with the exception of the last three lines of paragraph (e). Poland, in point of fact, only applied treaty duties to more or less direct shipments. In order to avoid any confusion, it would be better to prescribe that the system laid down in the amendment had nothing to do with the application of the rate of duties.

He did not agree with M. Schüller. Either regulation existed or did not. In the first case, the normal volume of trade could be taken into account, irrespective of the most-favoured-nation clause.

He would be glad to know whether this passage applied solely to the fixing of quotas or whether it might affect the rate of Customs duties.

M. POSTHUMA (Netherlands) enquired what the American delegation meant by the "normal volume of trade"; did this term relate to the past, the present, or the future?

Mr. Hugh R. WILSON (United States) replied that it was not intended to give a mathematical formula but merely to explain what was meant by an equitable share of importation and exportation.

*Article 11.*

No observations.

**11. Appointment of a Committee of Rapporteurs for Articles 2, 3 and 11.**

The PRESIDENT proposed the appointment of the following Committee: SADIK HENEIN Pasha (Egypt), M. ITO (Japan), M. DE NICKL (Hungary) and M. POSTHUMA (Netherlands).

He further proposed that, in view of the commercial interests involved, the Committee should be joined by M. ROCHÉ (International Chamber of Commerce).

*The Conference agreed.*

M. ITO (Japan) said that he had no particular knowledge of this question, and asked that he might be replaced by an expert belonging to his delegation.

*The Conference assented.*

---

SIXTH PLENARY MEETING

*Held on Thursday, October 20th, 1927, at 10 a.m.*

---

**12. Discussion of Draft Convention drawn up by the Economic Committee: Articles 4, 5 and 7.**

The PRESIDENT said that the Conference would now discuss Articles 4, 5 and 7 and the amendments which had been submitted to those articles. Articles 4, 5 and 7 formed the nucleus of the Convention. He had examined the amendments, and realised that some of them were extremely important.

He proposed that, in view of the importance of the amendments submitted, the Conference should not conclude its general discussion of Articles 4, 5 and 7 on that day. There should first be a serious discussion of the amendments, and after that discussion time should perhaps be left to members of the Conference carefully to consider the views expressed. On the following day, other articles of the Convention might be taken in Committee, Articles 4, 5 and 7 being reserved for further consideration and discussion at a later stage.

He would ask the members of the Conference to discuss the amendments to Article 4, referring only to the amendments to Articles 5 and 7 in so far as they were closely related to the amendments to Article 4.

*The Conference agreed.*

M. CLAN (Denmark) referred to a question which had been discussed at a previous meeting: namely, the question of the marking of certain goods for export. In Denmark the trade in agricultural produce accounted for 80 per cent of her exports and amounted in value to over eight hundred million krone. It was suggested that regulations as to the marking of products for export should be included under Article 4. He did not, however, agree with that suggestion. Article 4 dealt with exceptions to export and import prohibitions and restrictions; the marking of goods for export, however, did not come under that head. In Denmark and in other countries there was a strict control of agricultural produce in which the Government and certain institutions and colleges participated and on which large sums were annually expended. This control was in Denmark a corporate control facilitated by the smallness of the country and the uniformity of the mental and agricultural education of the inhabitants, and the mark affixed to Danish produce had been recognised as a collective one by the recent Conference at

Washington on the protection of industrial property. It was not intended as a restriction on export but as a means of ensuring that goods exported should, in the interests of the foreign customer, be of a certain quality. He would not like such a control to be described as a restriction on Danish export, and he would submit that the practice of marking goods for foreign export would come more appropriately under Article 2.

He would like to ask Sir Sydney Chapman whether, in his view, the practice of marking goods could more properly be dealt with under Article 2 than under Article 4.

Sir Sydney CHAPMAN (Great Britain) said that the British delegation was of opinion that provision should certainly be made for such cases. He did not think it was of very great importance where the provision should be inserted, but he was inclined to think that it should come under Article 4. The British delegation had accordingly submitted an amendment to that effect, proposing that prohibitions or restrictions intended to enforce requirements as to the marking of imported goods or imposed to secure the maintenance of a minimum standard of quality should be included among the exceptions recognised under Article 4.

The PRESIDENT said that all the members of the Conference were agreed as to the material question. The question of the article under which the exception should appear might be reserved for further discussion.

M. DOLEZAL (Poland) urged that the object of the Convention was to restore the commerce of the world. It was recognised that consumption must be increased and markets freed from unnecessary restrictions. It was particularly necessary for countries in which agricultural production was predominant to find markets for their produce. The recent Economic Conference, from the national point of view, had been perhaps excessively physiocratic, but not sufficiently physiocratic from the international point of view, and the same might be said of the draft convention prepared by the Economic Committee. That draft was excellent from the industrial point of view and was calculated to remove all impediments to the marketing of industrial production. It did not, however, go sufficiently far in respect of agricultural produce.

Article 4 admitted exceptions for reasons of public health or for the protection of animals. It had been agreed, however, that such prohibitions or restrictions should not be imposed for economic reasons and that there was a danger of abuse. The Economic Conference had drawn attention to that danger, which had again been emphasised by the Third Agricultural Congress at Rome. It was notorious that often, for reasons which were not apparent, difficulties were placed in the way of the transit even of frozen meat or live cattle passing in transit in sealed waggons through certain countries. Moreover, the question of quotas had arisen. He, of course, agreed that, if there was any risk of disease, veterinary and sanitary regulations were justified, but such regulations could only be pleaded in defence of an absolute prohibition of imports, and there could be no valid reason for establishing a quota owing to grounds of public health.

The Polish delegation had therefore thought it necessary to submit the following draft appendix to Article 4 in order to put the position beyond all doubt. This appendix might perhaps be inserted in the Final Act of the Conference :

“ Import prohibitions on animals for slaughter, products of animal origin, or plants or parts thereof intended for consumption may be imposed only where the importation of such goods constitutes a clear threat of infection for the importing State.

“ In imposing import prohibitions in such cases, account must be taken of the nature and gravity of the contagious disease, and the prohibition must not apply to the whole territory of the exporting State but only to areas infected and actually threatened by the diseases.

“ Import restrictions may only take the form of specifying points of entry for such goods when imported, carrying out an examination and veterinary and phytopathological inspection of the consignment, and making it compulsory for the goods to be accompanied by official certificates of soundness and origin.

“ Import prohibitions imposed with a view to the protection of animals and plants against degeneration and extinction must apply only to animals and plants used for reproduction. ”

The Polish delegation also suggested that the word “ purely ” should be deleted before the word “ economic ” in the first paragraph of Article 4. The deletion of that word would make the intention of the article clearer and more absolute.

M. DI NOLA (Italy) referred to the following amendments submitted by the Italian delegation and said that for the moment he would confine himself to explaining their general intention.

(a) For the clause numbered 1, substitute the following :

“ (1) Prohibitions or restrictions having in view public safety.

“ (2) Prohibitions or restrictions affecting the trade in arms, ammunition and implements of war, or, in exceptional circumstances, affecting war supplies. ”

(b) For clauses 2 and 3 of the draft, substitute the following :

“ (3) Prohibitions or restrictions issued on grounds of public health for the purpose of securing the protection of human beings, animals and plants against disease and noxious insects and parasites. ”

(c) For clauses 4, 6 and 7, substitute the following :

“ (4) Prohibitions or restrictions imposed for the purpose of extending to imported goods any prohibition or restriction imposed by the national legislation on the production, sale, carriage or consumption of similar national goods. ”

He would merely, for the present, explain its general significance.

Article 4 should group together all cases of prohibitions or restrictions which were not imposed for economic reasons but in the essential interests of the country imposing them. The object of the amendments proposed by the Italian delegation was to prevent the possibility of introducing exceptions which would in fact be of an economic nature.

With regard to the observations of M. Clan, it was, of course, admitted that a country might insist on trade marks being affixed to goods destined for export in order to guarantee their quality to a foreign consumer. In Italy a whole system of legislation would shortly come into force for the purpose of guaranteeing to foreign consumers the quality of agricultural produce exported from Italy. Such regulations could never attain the proportions or character of a prohibition or restriction on export, which in such cases would be clearly contrary to the interests of the exporting country.

More difficult questions were raised by the amendments of the British and United States delegations. The British delegation proposed to accept measures imposing certain requirements as to the marking of imported goods. M. Di Nola felt that an exception worded in this way would be useless and even dangerous. In his opinion the question was already covered by Article 2, which provided that an importing country was authorised to make regulations concerning the imposition of marks on imported goods, provided, however, that such regulations did not amount to a disguised prohibition or arbitrary restriction. He could not therefore understand why it was necessary to add a new exception to Article 4.

Another amendment submitted by the British and United States delegations caused him still further anxiety. It was proposed to except prohibitions or restrictions intended to secure a minimum standard of quality. Almost any protective measure might be justified under this exception, which implied that the importing country might arbitrarily fix a standard for goods coming from abroad. In his opinion it should be left to the exporting country to take the necessary steps to guarantee the quality of its exports and to ensure that its best produce was sent to the foreign market. It was fully understood that an importing country must have the right to prohibit the import of goods the poor quality of which might be dangerous for the public health. This exception had, however, been provided for in the Economic Committee's draft.

Dr. TRENDELENBURG (Germany) said that the German delegation attached the utmost importance to limiting as far as possible the exceptions admitted under Article 4. Those exceptions should, moreover, be very clearly defined in order to avoid any difficulties arising as to their interpretation. He accordingly welcomed the Italian amendment, which was more precise than the original draft.

The German amendments were based on the provisions which had been inserted in the recent commercial treaty concluded between Germany and France. In that treaty the exceptions admissible in respect of import and export prohibitions and restrictions were defined in a way which exactly expressed the views of the German Government. He would submit those provisions to the consideration of the Conference.

He agreed with M. Di Nola as to the amendments submitted by the American and British delegations with the object of extending the exceptions permitted. The German delegation desired to limit and not to extend those exceptions, and was of opinion that the provisions contained in the Franco-German commercial treaty covered all possible cases.

He would call special attention to paragraph 4 of the German amendments : “ Prohibitions or restrictions relating to the traffic in arms, ammunition and implements of war, and, in exceptional circumstances, all other military supplies ”.

Prohibitions or restrictions on the import and export of arms might, of course, be instituted at any time, but, if there was a state of tension or any danger of war, a State might extend such prohibitions or restrictions to all supplies which might possibly be used for military purposes.

The extension of prohibitions or restrictions to such supplies, however, should not include products which were not immediately intended for war purposes but which might eventually have a military value. Such supplies must be fully and clearly excluded as a general rule, and the exception should only be admitted in abnormal circumstances.

M. SERRUYS (France) said that he was rather surprised to find that the discussion had turned upon important questions of detail but tended to neglect the general aspect of the problem at issue and particularly to ignore the close connection which existed between Articles 4 and 5. The central problem on which the success of the present Conference would depend had not as yet been touched. M. Serruys would, however, for the present, keep within the limits of the points which had actually been raised : namely, the specific exceptions to be included under Article 4.

These exceptions were, in his view, too abundant. He would begin by referring to the amendments proposed by the British and American delegations in regard to the marking of imported goods. He had already expressed his opinion regarding Article 2 and had proposed the addition of the word "origin" in order to limit, so far as possible, the impediments to commerce by regulations for marking. He agreed with M. Di Nola and M. Trendelenburg that it was not advisable to go too far in that direction. Exceptions in regard to such marks should, in his opinion, be confined to indications of origin, and he did not think that the exceptions should refer specifically to foreign marks. Such a reference had a nationalist and sentimental character.

M. Serruys did not desire to go further and state that foreign goods should not be allowed into a country unless they corresponded to a certain standard description. He felt that this standard type was always a description of the goods of the nation in question, and such regulations were merely a pretext to cover a policy of economic nationalism and protection of which the consumer was himself a victim. The consumer undoubtedly had a right to buy foreign goods. M. Serruys therefore agreed with his Japanese and Danish colleagues that, in order to protect the reputation of a country's exports, a guarantee might be given to foreign consumers by the marking of goods. In the case of imports, however, such measures were imposed purely in the interests of the importing country.

There was another question which he was reluctant to raise but which it was essential to discuss : the original draft of Article 4 referred to prohibitions or restrictions "having in view national defence, public safety or order". The German delegation had submitted an amendment which referred to "prohibitions or restrictions relating to the traffic in arms and ammunition and implements of war and, in exceptional cases, all other military supplies". This amendment meant that, in exceptional circumstances, not necessarily actual mobilisation but, *e.g.*, in a period of tension, the prohibitions should be imposed on all military supplies.

There were two opposing ideas. There was first the idea of the Economic Committee that at any time prohibition could be imposed on goods connected with national defence, and it referred to permanent interests in time of peace. This had been the view taken in the Economic Committee as the result of a compromise. Recently, however, in the treaty between France and Germany, a second conception had been adopted which further limited that admitted by the Economic Committee. According to this conception it should not be said that the goods of a certain industry connected with the national defence could at all times be prohibited, but that in exceptional circumstances a prohibition could be imposed on those articles necessary for the national defence.

M. Serruys would abstain from stating his own personal preference but would point out that the second had been accepted as the basis of a treaty concluded between two countries between whom such arrangements had a political as well as an economic significance. There were doubtless supporters of both conceptions in the Conference, and a choice would have to be made.

The German delegation considered that if the provisions of its amendment concerning Article 4 were accepted it would be possible to suppress Article 5. M. Serruys disagreed with this idea and felt that there was a clear connection between the choice which the Conference would have to make between the two conceptions before it and the decision which it would have to take upon Article 5. He would accordingly ask the Conference to consider the problem not as an embargo upon a fragmentary discussion. The Conference should, moreover, discuss this matter in the light of practical realities, taking due account of the legitimate rights as well as of the obligations to be accepted by the parties to the Convention. He added, in conclusion, that he had merely wished to open the debate on this subject and reserved the right to make a later statement upon it.

The PRESIDENT wished to emphasise one point on which M. Serruys had touched when he said that the Conference seemed reluctant to approach the heart of the question before it. He thought that it would be better to make the plunge at once and to begin the discussion on the crux of the problem.

Mr. Hugh R. WILSON (United States) thought that there had been a misconception of what the American delegation meant by classification. While the American delegation fully shared the wishes of those who desired to reduce the exceptions to a minimum, it must, nevertheless, point out that its Government had for a long time devoted much attention to fixing standards and grades of those commodities which formed a large proportion of its world trade. It was with a view to facilitating the orderly marketing of these commodities that the American Government had fixed these standards. That being so, the refusal by importers from other countries to follow those standards would have the effect of nullifying American legislation. In imposing these standards the American Government had no desire to hamper importation or exportation, and, before applying them, had consulted foreign business interests in other countries in order to satisfy itself that its measures would be in conformity with their ideas.



M. DENDRAMIS (Greece) wished to submit certain general remarks. The German delegate had urged that the number of limitations should be as small as possible. While he agreed with this view, M. Dendramis pointed out that in order to ascertain whether the number of exceptions should be limited or otherwise, the Conference must first discuss what was to be the interpretation of Article 5. Two tendencies had become manifest in this connection, the first that the interpretation of Article 5 should be hard and fast and the second that it should on the other hand be elastic. A clear distinction must be drawn between countries with a stable currency and countries where the currency was unstable or in course of stabilisation. It was in the vital interest of the countries in the second category that they should be in a position to take all measures required to secure the stabilisation of their currency. There was, however, another principle at stake. Certain countries had adopted measures with a view to the protection of their industries. M. Dendramis thought that it would be unfair to expect poor countries to renounce measures they had taken to afford some small degree of protection to their industries if the richer countries which owned a large share of the metals and raw materials of the world restricted exportation of those commodities.

Sir Sydney CHAPMAN (Great Britain) would have preferred to wait until other speakers had expressed their views, but was prepared to respond to the Chairman's appeal.

The Conference was rapidly approaching a position in which it would have to choose between two different conceptions of a convention. There were, on the one hand, those who held more rigid views and were anxious to have as tight a Convention as possible; there were others who, owing to the peculiar circumstances of their countries or in pursuance of a wider policy, thought it better to have a convention which would obtain the largest possible number of signatures and could not accordingly be quite so rigorous.

This difference of opinion had become particularly apparent with regard to two questions. The first was that of national defence. It had been suggested in two amendments that had been brought forward that the prohibitions and restrictions coming under the heading of defence should be very strictly limited and, as M. Trendenburg had said, exclusive of certain intermediate products of great importance for purposes of defence. Sir Sydney Chapman was glad that this point had been raised, because Great Britain was very closely interested in it. The British delegation firmly upheld a much wider view. It thought that the exceptions should cover certain intermediate products and plant which were essential to national defence. There was no need to disguise the fact that the prohibitions which he had in mind related to dyes.

The other point which had been raised related to a matter in which the British delegation had only a restricted interest: namely, prohibitions or restrictions imposed for the application of standards. The proposal made in this connection had been interpreted as relating to import prohibitions, but Sir Sydney Chapman believed that such regulations as existed related only to export prohibitions. In this matter there was a divergence in the economic views held in different countries. It might be the wiser view—he was not prepared to give his opinion on this now—that the question of the maintenance of quality in exports should be left to the individual producers and that it was not a matter for the State, and that if the State took a hand it would cause more harm than good and interfere with international commerce. There were, however, countries which took a different view and thought it right to apply certain standards in order to preserve their goodwill in foreign markets. Sir Sydney Chapman would enquire whether the Conference was in a position to dictate on such questions of domestic economic policy. If this system gave rise to no abuses he would take the view that the Convention should not definitely rule out such prohibitions. He did not say that he believed in them, but he did not think that they had any connection with the abuses with which the present Conference was concerned. In short, so long as the Conference did not allow the continuance of the real abuses connected with import and export restrictions, it should at the present stage make the Convention wide enough to secure the maximum number of signatures.

As he had said on the opening day, the British delegation attached enormous importance to the Conference—and indeed all delegates should do so—since this was the first Conference to be held following on the World Economic Conference and the results obtained by it would have a very strong influence on what was done by later conferences to give effect to the other resolutions passed by the World Economic Conference. The vital thing for the Conference was to obtain a convention which would be very largely signed before the delegates dispersed and very largely ratified within a short time afterwards. That would indeed be a new departure since, of the economic conventions which had been concluded and signed at Geneva, the great majority had received only a very limited number of ratifications. If the Conference failed to make this new departure, it would continue the present system whereby conventions were adopted only by small groups of countries. It was for the present Conference to set a new example.

Sir Sydney Chapman wished to make one other observation in connection with what M. Serruys had said. The World Conference held in May was an economic conference, and the present Conference was concerned primarily with economic matters. The question submitted to it was complicated by the fact that there were numbers of prohibitions which were not strictly economic at all. The Conference would be courting difficulties if it attempted to deal with these non-economic prohibitions. It should be made clear in the Convention that it

dealt only with economic matters and that these other non-economic matters were left entirely outside. It would be unfortunate if the Conference started out with the assumption that there would be abuse of these other prohibitions after the participating States had been placed under a moral obligation not to abuse them. For years countries had carried on with treaties in which the obligations to which they subscribed were purely moral, and in the general experience these treaties had, on the whole, been observed. Therefore, if these non-economic prohibitions were not covered by the scheme of the Convention, there was ground for hope that the danger of abuse would at any rate not be serious. In pursuing this course the Conference would be taking the only step possible at this stage. It should not set up machinery relating to these non-economic prohibitions. What the Conference wanted was machinery for the obligations which would arise out of the Convention, and such machinery must be made tight. The time had not yet come to include non-economic prohibitions and restrictions, for Governments had their special and peculiar obligations to their peoples in matters to which they related.

In conclusion, he pointed out that, if the Conference succeeded in concluding a convention, that would not be the end of that convention. The convention would have to be re-examined in the future to see whether the scheme had worked well, what abuses there had been, etc. He was sincerely convinced that, with a view to giving real effect to the resolutions of the Economic Conference, the Convention must be signed as soon as possible by the largest number of countries, and that this could only be obtained by the choice of a liberal policy.

The PRESIDENT drew the attention of the Conference to Sir Sydney Chapman's observation that there were two possible different conceptions of the form the Convention should take, and he might add that, in point of fact, two different conceptions existed among the delegations. It might therefore be necessary for him to call upon each delegation to express its opinion on this particular point at the afternoon meeting. In order to afford the delegations an opportunity of consultation, he proposed that the Conference should adjourn and re-assemble at 3.30 p.m.

*The Conference assented.*

---

## SEVENTH PLENARY MEETING

*Held on Thursday, October 20th, 1927, at 3.30 p.m.*

---

### 13. Discussion of Draft Convention drawn up by the Economic Committee : Articles 4, 5 and 7 (continued).

M. Ito (Japan) thanked M. Serruys for the clear explanation which he had given that morning of the bearing of Article 4 and of the amendments proposed by the Italian and German delegations. The attitude of the Japanese delegation would depend on the way in which this article was interpreted. The Conference must always bear in mind that, as Sir Sydney Chapman had said, the fundamental basis of the Conference consisted in the abolition of prohibitions and restrictions of an economic nature. He would like to abolish those which were detrimental to international commerce as early as possible and felt that the delegates had the right to ask that their undertakings in this matter should be clearly defined. Each country must be allowed sufficient liberty to take those measures of prohibition or restriction which it considered necessary for non-financial and non-economic reasons, such as national defence, public safety, etc. This would be on the condition that they were not used to disguise provisions for a purely economic purpose.

The Italian and German delegations had proposed an amendment to Article 4 dealing with these exceptions. According to the explanation given by M. Serruys, the text of the draft Convention established by the Economic Committee allowed contracting countries in normal circumstances to take prohibitive or restrictive measures for national defence if these fulfilled the two conditions imposed in the preamble of the article. The amendment of the Italian and German delegations allowed restrictions and prohibitions indispensable to the national defence in normal times only as regards the traffic in arms, munitions and war material. As far as concerned other matters of national defence, the contracting countries would only be allowed to impose prohibitions or restrictions in exceptional circumstances. Sir Sydney Chapman's question must be immediately raised as to whether the goods temporarily restricted came within the above category. There was thus a fundamental difference between the suggestion of the Economic Committee and that of the Italian and German delegations. It was of vital importance for the Japanese delegation to know what was the general opinion in this matter.

M. Ito recalled that the President had asked that they should give their opinion on these two tendencies which had manifested themselves in the Conference. He did not quite understand what the President meant by this, and he desired that the Conference should make this point clear.

M. CURCIN (Kingdom of the Serbs, Croats and Slovenes) thanked the President for having given the delegates time to reflect. He alluded to Sir Sydney Chapman's remarks as to two different tendencies, but he thought that he would come to conclusions which were almost in opposition to it. He considered also that two tendencies were obvious in this Conference. One was to restrict the exceptions to the strict minimum of pre-war times—a tendency which Sir Sydney Chapman had qualified as narrow. He was of the opinion that it was narrow in so far as the number of exceptions was concerned, but wide in its conception, as it admitted of freer commerce between peoples. M. Curcin was of the opinion that the more restrictions and prohibitions the Conference admitted, the less would they be in harmony with the tendency of the Economic Conference, which wished, above all, to re-establish the pre-war state of things. The second tendency consisted in extending the restrictions and prohibitions in the economic field. He was of the opinion that the effect would be, with regard to small States, and above all to agricultural States, to increase abuses and pretexts hindering the entrance of their products into foreign States. In this respect agricultural countries had had cruel experience. Measures of veterinary policy, for example, had served as a pretext to prevent their exportation and had had the effect of driving them towards industrial protection. It would oblige them, for example, to take "veterinary" measures against machines and foreign cloths, because it was undeniable that contamination was possible in any imported article.

He did not share Sir Sydney Chapman's fears in thinking that the first tendency would prevent a sufficient number of States from signing. He was of the opinion that health was even more contagious than illness, and that a healthier state of things would make more converts than an unhealthier state of things. Each exception must be counterbalanced by assurances of serious guarantees, and not by verbal promises. They must bear in mind realities and their ultimate consequences. He rather wished to limit the exceptions regarding prohibitions and restrictions to importation and to exportation, especially the latter, only he did not want to take into consideration standards or quotas, nor exceptions which led to discrimination, to the detriment of other States.

M. GHEORGHIU (Roumania) recalled that it had been stated that the Conference was faced with two systems, one being of a wider nature as proposed by the Convention, the other of a restricted character, according to the suggestions of certain delegates. He felt that a choice would have to be made. The Roumanian delegation had given its approval to the system proposed by the Convention, but these provisions would have to be clarified and completed. It would be advisable to add a protocol to the draft, for it would be necessary to explain the clauses under Article 4. A rider would be necessary to facilitate the transition from the present position to that of the future.

So long as the time had not come when general rules could be established among the nations, it would be necessary to draw up agreements to meet the present situation. The proposal of the Economic Committee was a sign of closer relations between the peoples, and if these closer relations could be encouraged the free circulation of goods would be ensured.

M. DE CALHEIROS E MENEZES (Portugal) said that the Portuguese delegation supported the view of Sir Sydney Chapman. It felt that it would be preferable not to limit unduly the exceptions to Article 4 in order to count on the adhesion of the majority of States. The Portuguese delegation thought that they must begin by the first step on the road laid down by the Conference without wishing to go too far. Once the Convention came into force, practical circumstances would show States whether it was desirable to remove certain exceptions, and a new meeting might then be called.

The Portuguese delegation felt it necessary to maintain Article 5.

M. IBL (Czechoslovakia) said that it would not be possible for his delegation to debate on the second suggestion put forward by the German delegate. The consultations which had been asked for in the economic circles interested and the instructions which Governments had given to their delegates were founded on the original draft drawn up by the Economic Committee. He felt that it was impossible to predict that a second conception would arise which would be going further than the original draft.

M. Ibl thought that if those two drafts, which corresponded to two different conceptions, had been submitted to the Governments, the situation would be different, for they would have been able to consider the matter and to confer adequate powers upon the delegates. He here repeated what he had already said in the general discussion, that he would give his approval to Articles 4 and 5 as found in the original draft drawn up by the Economic Committee.

Dr. TRENDELENBURG (Germany) said it might be assumed from the speech of M. Ibl that the German delegation had changed its views in regard to Article 4, and that at a previous stage in the elaborating of the draft Convention it had supported a different conception. That, however, was incorrect. Germany, at the time when the draft Convention was framed by the Economic Committee, had not been a member of that Committee. A German representative

had, however, been present at its meetings, and had always raised objections to the proposed draft, asking for the suppression of Article 5 and the limitation of the number of exceptions admitted under Article 4.

The PRESIDENT said it was true the German delegation had not modified its views on the subject, but he was not under the impression that M. Ibl had accused it of having done so.

M. DOLEZAL (Poland) stated that he was in favour of a convention which could be signed by the greatest possible number of countries. Even if certain exceptions might appear necessary in the course of the work, he felt that their number should be kept as limited as possible and that in any case they should not apply to the free trade in raw materials and agricultural products.

Mr. Hugh R. WILSON (United States) said he would give his views frankly in regard to Articles 4, 5 and 7, which were all very closely related.

The American delegation was preparing an amendment to Article 5 in the light of the present discussion.

With reference to Article 5, M. Serruys had been inspired to make the very wise suggestion that they could have the benefit of that debate and the benefit of other suggestions made by other delegations before putting in certain of their amendments. They had been working on an amendment which they had not yet fixed to their satisfaction but which they expected to submit. With reference to the words "to protect the vital economic and financial interests", the American delegation felt that that clause was so broad that its effect might nullify the purpose of the Convention. They feared that under the guise of "vital interests" so many exceptions and prohibitions and alterations could be imposed that the Convention might prove of little value if finished in that form. What they were therefore seeking was some phraseology which could perhaps be substituted therefor, and they suggested "in case of war or national calamity". Mr. Wilson did not feel that this constituted such a change in Article 5 as to merit the reproach that it was in effect something quite different from what had been anticipated.

With respect to Article 4, they felt that they were undertaking a very solemn obligation when they signed the document and that therefore they must know exactly to the last iota the scope and extent of the obligations which they undertook before affixing their signatures thereto. They believed that the exceptions must be reduced to the necessary minimum, but they laid as much emphasis upon the word "necessary" as they did upon the word "minimum". Despite opinions expressed to the effect that Article 2 or other articles might cover any necessary exceptions, they were not perfectly certain that an international court, which after all was the last resort, would agree with the opinions expressed. They therefore wanted to know before rather than after the fact exactly where they stood. Mr. Wilson desired to emphasise in connection with Article 4 simply that the American delegation must know just where it stood, and they must therefore insist on, or rather urge, the acceptance of such a resolution as they submitted regarding standards. They must also adhere to and urge the acceptance of a further resolution proposed by the British delegation regarding prison-made goods, which fell within another category of their laws. In so doing they did not feel that they were loosening the Convention, but rather making it more exact and obligatory than it was in its present form.

With regard to Sir Sydney Chapman's statement that he felt that the path to follow was to draw up the kind of document that would induce a maximum number of States to adhere thereto, of course they also wanted to see the maximum number of States adhere to that document. They felt, however, that there was a certain danger that the Conference might be led in its desire to gather all the States into the fold to sanction international practices which they were brought together to abolish.

Sir Basanta MULLICK (India) said that in his opinion Articles 4, 5 and 7 of the draft Convention were the crux of the question. The real problem before the Conference was what were the exceptions to be provided for, and whether they were to be subjected to the provisions of Article 7, which dealt with compulsory arbitration. History had now reached a most interesting point: namely, the development of the world's economic growth. On the one hand, there was the system of conventions, by which States met together and by a preconcerted programme settled the broad principles upon which economic growth had to be determined. On the other hand, and simultaneously, there existed the system of private bilateral treaties, by which one State contracted with another for the modification of general principles or for the establishment of separate provisions for the national economic development of both contracting parties. There was no antagonism between these two systems. The former dealt with general principles, while the latter dealt with special cases applicable to the contracting parties. The French delegate had pointed out that it was possible for a State to be a contracting party

to a convention and at the same time to limit its exceptions or obligations by bilateral treaties, and that the contracting parties often found it to their interest to adopt both systems.

At the present time, when bilateral treaties existed between one State and another, the signature of a convention framed in wide terms seemed essential for the peace of the world. The principles of that convention should be studied in a liberal spirit so as to bring in as many States as possible. It had been said that this Conference was the first fruit of the World Economic Conference, and that if it produced a convention signed largely by the States represented, or a convention so framed that other States would after consideration feel themselves in a position to accept it, a great advance would have been made. If the Conference could succeed in removing part of the wall of obstruction with which it was confronted, the work of demolition could no doubt be completed within a measurable period of time.

In dealing with the case of India, Sir Basanta Mullick reminded the Conference that every Government had its own particular difficulties. India had difficulties in regard to the prohibition of goods from foreign possessions in India by reason of the peculiar situation of these isolated blocks of territory in so large a country. In order to safeguard Customs revenue, the Indian Government had been compelled to make provisions with regard to the import and export of certain articles. This difficulty was recognised in Article 14 of the Barcelona Convention of 1922. With regard to the particular difficulties connected with opium, India had undertaken within a period of ten years to abolish the export of opium except for medicinal or scientific purposes. She had further difficulties with regard to the protection of her animal and vegetable resources from infection from abroad and conversely was obliged to prevent the export of certain materials liable to infection. She had further to protect her national resources and her goodwill in the markets in which she hoped to compete. In questions such as this Sir Basanta Mullick submitted that the Government of a country was the only possible arbiter of the necessity for restrictions and that it could not afford to surrender the responsibilities placed upon it and submit the case to any foreign or extraneous body.

With regard to the precise question raised by the President, he might say, on behalf of the Indian Government, subject to anything that might induce it to change its opinion after the close of the Conference's proceedings, that it would prefer to see all measures connected with prohibitions relating to national security, revenue, finance, health or morals removed altogether from the Convention. The Indian Government would have no objection to their being placed in a separate article, but in no case would the Indian Government, as at present advised, be willing to accept that they should be submitted to a tribunal for arbitration, voluntary or otherwise.

M. SCHÜLLER (Austria) said that the Austrian delegation was prepared to accept the German and Italian amendments to Articles 4 and 5, and considered that great progress would be made if other countries could accept those amendments. The Austrian Government thought that the convention should go as far as possible, and the Conference had met to determine the measure of that possibility. The British delegation had stated that the British Government was unable to withdraw its prohibition on dyestuffs. Every house had its skeleton, and if the skeletons were not got rid of, one would appear and others would follow sooner or later. The sooner the skeletons were got rid of the better, for it was, in M. Schüller's opinion, useless to discuss formulas if behind these formulas there were concealed other and vital questions. The danger was that, by discussing general formulas, the Conference might adopt exceptions more general than was desired, and therefore it must ascertain which were the points on which restrictions were necessary and leave for later discussion the way in which those restrictions could be expressed. The formulas finally adopted should be made as light as possible on account of the unavoidable exceptions which it was impossible to remove at present. Therefore, M. Schüller would urge: "out with the skeletons". His instructions from his Government were that it considered essential the success of this first step on the road pointed out by the World Economic Conference. No amendment was as important as the achievement of a convention, but that convention must be a serious convention and not a sham. Given an earnest desire to do so, the Conference would undoubtedly achieve that object.

M. BRUNET (Belgium) apologised if at first sight it seemed that the statement which he was about to make in the name of the Belgian delegation was not a direct reply to the question which had been put at the morning meeting by the President. He believed, however, that it would be a sufficiently precise definition of the attitude of his delegation to allow the Conference to know its views on the question at issue.

The Belgian delegation had stated at the second meeting that although certain Belgian interests must cause it to wish to reserve the right to make certain prohibitions and restrictions to meet special cases, it would be ready to give its adherence to a convention which only authorised those prohibitions and restrictions which were generally admitted by international law before the war. They would sign a convention which did not include Article 5 of the Economic Committee's draft but merely kept to the exceptions provided by Article 4.

The Belgian delegation felt that the very real sacrifices to which Belgium would thus consent would be compensated by a reciprocal undertaking entered into by the other States.

The opinions expressed during the discussion gave little room for hoping that an agreement could be framed on these bases even between a small number of States. The Belgian delegation could but regret this fact. Being anxious to see the Conference reach concrete results, the Belgian delegation was ready to make allowance for certain special circumstances, particularly those to which the Greek delegate had alluded and which were based on currency instability. With the object of arriving at an agreement combining an important number of States, it would admit exceptions other than those mentioned in Article 4. It went without saying, however, that the position which it had taken up at the beginning of the Conference, on the instructions of its Government, compelled it to state that in principle it preferred the proposals which were more restrictive as regards exceptions.

The Belgian delegation believed that in this way it was fulfilling the duty which had been imposed by the resolutions of the International Economic Conference which it felt morally bound to observe in full detail. As had been stated on Monday last, the Belgian Government had made public statements which laid down for it a policy from which it could not depart.

Bearing continually in mind the text of the resolutions in question, the Belgian delegation would proceed to state its views on the questions submitted for discussion at the present Conference. If the agreement was to be accepted by a sufficiently large number of States for the Convention to have such a scope as would make it really effective, concessions would have to be made in order to reach the necessary compromise.

The Belgian delegation wished, however, to state that care must be taken to see that these concessions did not result in the Conference's sanctioning in any way, without any limitation of time, exceptions which were only justified by quite special and temporary circumstances.

Were the Belgian delegation required to state its opinion on an agreement which would be very wide as regards the number of signatory States but the economic scope of which showed no real and durable advance on the present situation, it would not hesitate to give its preference to an agreement more restricted so far as concerned the geographical field of application but conforming more closely to the wise and well-considered recommendations of the Economic Conference. M. Brunet added that the Belgian delegation had come to Geneva prepared to show a large-minded and conciliatory spirit, and it would be glad to see a greater conformity of views. It noted regretfully that the divergences of opinion were still somewhat wide.

M. DI NOLA (Italy) had already said that Italy was prepared, if necessary, to accept Article 5 of the Convention. She would, however, be equally ready to agree to the withdrawal of the guarantees in this article, but in that case it was to be hoped that other exceptions would be introduced into Article 4 so as to weaken its purport. If Italy were prepared to give up Article 5, this was only because she had proved by experience that import and export prohibitions were of no practical use. Even when faced with difficult circumstances, Italy had not taken exceptional steps, for it was felt that her national economic life should be protected solely by her Customs tariffs.

In spite of the serious crisis which had arisen owing to the stabilisation of her currency, Italy did not propose to bring in restrictions, but felt, on the contrary, that the time had come to abolish them since the situation in Europe made it possible to return to the pre-war position. M. Di Nola found great encouragement in the fact that France and Germany, in their recent commercial treaty, had stated that, in view of the normal state of affairs, there was no need to recur to Article 5. Italy, however, would accept Article 5 for three reasons. In the first place, no convention could be concluded without this reservation; secondly, Article 5 in its present form was sufficiently restricted to provide the necessary guarantees but did not permit a country to do exactly as it wished. Thirdly, Italy had every confidence in the loyalty with which the States would enforce this Convention and felt that here national honour was the best possible guarantee.

M. Di Nola stated that his delegation's acceptance of Article 5 constituted the maximum concession which it was prepared to make to meet the views of those who did not wish to undertake too strict an obligation.

M. DE NICKL (Hungary) agreed that Articles 4 and 5 formed the crux of the question. He would be brief in dealing with them, because he represented a country which had abolished all restrictions and had no intention of re-introducing them, and whose only desire was that every restriction should be removed as speedily as possible. Further, he had already explained his country's point of view, which was that the Economic Committee's draft formed the happy mean between the different tendencies manifested. There was one idea by which the Conference should be guided, namely, that the Convention should secure the adherence of as many States as possible, for only so could it be a really practical and efficient instrument. He would utter a word of caution against altering too radically the Economic Committee's draft. The Hungarian Government accepted Article 4 as it stood. It did not refuse to

examine amendments within the limits which he had indicated, and, indeed, had itself put forward certain amendments, which related, however, to matters of drafting, with the object of defining as closely as possible the exceptions provided for. The Hungarian delegation accepted Article 5, because it was far from sure that the omission of that article would secure the adhesion of a greater number of States.

With regard to the connection between Articles 5 and 7, M. de Nickl wondered if it would be right to maintain arbitration for questions of vital national interest. He thought that more States would accept the Convention if vital interests were excluded from arbitration.

In his opinion the essential question was whether or not there was any current of public opinion in favour of the abolition of prohibitions. If such a current did not exist, the Conference would not succeed. If it did exist—and everyone was convinced that it did—it was no use endeavouring to set up too many guarantees that the few prohibitions admitted by the Convention would not be subject to abuse.

M. SERRUYS (France) spoke as follows :

We have reached a stage in the discussions when the systems before us begin to be clearly defined and formulated in the texts on which the delegations present have to make their choice. I will endeavour to show you the very essence of these two systems, why they have come into being, what arguments are invoked in their defence, and what alterations either of them might undergo in order to come nearer to the other.

The first system is that of the Economic Committee, and contains a list of exceptions such as are formulated in all commercial conventions and treaties. This list has not been drawn up with the idea of limiting the scope of the Convention but in order to tabulate in full the provisions which the law of contract should lay down. This list is really a general safeguard, a safety valve which is to work in time of exceptional and unforeseeable circumstances. It is what is called in contracts the *force majeure* clause. Article 4 binds States not to lay down any prohibition outside of those included in the article. Article 5 covers the case where a State might be compelled to protect its national economic life if affected by what is called *force majeure*—such as a strike taking away its means of transport or labour, a grave financial crisis, or political difficulty. But it lays down that no State can take these exceptional measures save in circumstances of an exceptional and extremely serious nature, and solely so long as these circumstances last. This system is that of the Economic Committee. The second system, proposed by the German delegation, has received the approval of the Italian delegation with certain reservations. It is founded upon the principle that the time has not yet come to make such rigorous provisions. The German delegation considers that Article 4 is sufficient to meet the case. In its opinion there is no need for a safety valve, and no need to provide for the case of *force majeure*.

These, then, are the two systems before us. Since the first of them was drawn up, events have taken place in Europe. When the Economic Committee was working in 1925 we were in the midst of monetary crisis—Belgium, Italy, and France suffered a terrible shock. The Economic Committee did not know to what extent States would be able to fulfil the undertakings which they would have to give. Other examples showed us that a monetary reform could not be brought about by import and export prohibitions. We also knew that a nation which is adopting monetary reform is bound to suffer commercial as well as fiscal repercussions. It is universally admitted that such phenomena are sufficient to strike panic into a people. Consequently, the Economic Committee took account of these exceptional circumstances and cases of *force majeure*. Since then, however, events have changed, peace has returned and the Convention concluded between France and Germany even contained the following text :

“ The high contracting parties agree that the provisions of the two preceding paragraphs shall not be applied again in the present economic position of the two countries, and that they only intend to reserve a possible right which the high contracting parties agree not to use unless there should arise circumstances of such exceptional gravity that they do not foresee. ”

The two high contracting parties have accordingly stated that they both refrain from using this right for the moment. They also gave each other guarantees to cover the case where one of them might use such a right. They specified that the case of *force majeure* invoked by one or other party was accompanied by guarantees. The text continued :

“ They declare that if one of them should appear to the other to be relying upon the provisions of the two preceding paragraphs to take steps such as would break the balance of benefits and concessions which result from the present agreement, to the disadvantage of the former State, it may ask for the immediate reopening of negotiations and, if these negotiations do not succeed within a period of 45 days from the date of the request, it may denounce the present agreement, to terminate two months afterwards. ”

The two parties also showed their good faith by inserting the following clause :

“ With regard to this procedure, the high contracting parties state that they are ready to substitute any other means which the Convention resulting in October 1927 from the Diplomatic Conference made under the auspices of the League of Nations might provide for the settlement of such disputes. ”

The two countries have therefore considered that circumstances were such that they should moderate the effect of Articles 4 and 5 drawn up by the Economic Committee. They have not put an end to the balance of the Economic Committee's proposals, for they have admitted Article 4 and at the same time maintained the safety valve of Article 5, but they have also strengthened Article 5 so that it cannot break and limited the rights provided in Article 4. We therefore see in what way the system of the Economic Committee may be retained and even moderated.

It is not the first time that the problems of prohibitions have come before the League of Nations, nor is it the first time that certain States have had to take steps to meet arbitrary provisions. We thus have a text—which does honour to the Economic Committee—which deals with prohibitions and the question of raw materials. Immediately after the war there was a great shortage of raw materials in certain countries which had completely exhausted their stocks. On the other hand, certain countries were surfeited with raw materials but were in a state of financial distress. There were prohibitions on coal and iron, and in fact all raw materials. Wool, of which there was a surplus in the world, was only sold by auction and in small lots in order to keep up the price.

After this state of affairs the question was brought before the League of Nations by M. Titoni, and the question of prohibitions on raw materials was raised. I will quote certain passages from the report of the Economic Committee to which the question was referred for study ; they will perhaps provide matter for reflection for those persons who think it is sufficient to place certain ritual provisions in the Convention which leave the rest of the problem unsolved :

“ Recent developments in 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 regime in conformity with their national economy. ”

Here we have the prohibition admitted and recognised as helpful in certain cases, but linked up with the case of *force majeure*.

The text then immediately continues :

“ 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. ”

Is it true that since 1921 a State has lost the right to reserve a raw material which has become necessary for its economic life and which does not affect the economic life of other countries, is not aggressive in character, and does not establish any discrimination ? I do not find it anywhere laid down in the second system which has been proposed. On the contrary, this right is covered by the case of *force majeure* in Article 5 of the Economic Committee's draft. But what Article 5 does forbid is the present situation. We have therefore the right to hope that a convention will alter this situation. The state of affairs is in fact no longer the same as it was in 1921 : we are no longer short of raw materials. All existing prohibitions which weigh so heavily on the economic life of certain countries are nothing but prohibitions established for economic interests or speculation. At the present moment I would like to quote one or two of them, not in order to criticise any particular country or to make excuses for my own but in order to show you the position with which we are faced.

In a large number of European countries there is a prohibition on hides, although there is no shortage of hides in Europe. When we can easily and with equal facility obtain supplies of hides this prohibition seems to me to be entirely useless. Still, only two months ago it existed in France, and if France has decided not to maintain it it is merely because it felt that it was unjustified in view of the fact that there is not a shortage of hides in Europe. When certain countries apply such a prohibition, others do the same. Owing to the general interdependence, a certain number of countries are at present maintaining a prohibition which has no longer any justification.

Let us take another example. Till August 30th last, France maintained an export prohibition on foodstuffs. There was no shortage of foodstuffs in France, but the prohibition



was purely and simply a survival of wartime arrangements and the post-war inflation which led to a desire to keep goods at a price lower than that of the price in the world market. France has abolished the prohibition on foodstuffs and that on leather as well.

By the side of prohibitions which speculate on a fall in prices there are those which speculate on a rise. I will not refer to what are called prohibitions for valorisation, the system by which certain States (especially on the other continent) refuse to let goods go out of the country save in batches so that when they reach us they fetch a maximum price.

There is one country which produces more coal than it needs and has a general import and export prohibition on coal. This prohibition, which now exists in Germany, has been imposed not because Germany had need of coal but because she wanted a means of controlling prices. This prohibition was imposed in a period when Germany had barely escaped from her economic difficulties. Unless I am mistaken, the decree binding all German firms to join a single selling organisation and abolishing all domestic competition was accompanied by an import prohibition shutting out all foreign competition.

It is quite clear that it is easy to dictate prices in a market where there is no foreign competition, but we must admit that this is an abnormal economic situation. We must, however, say this in Germany's favour : that these measures were taken at a time when Germany had to meet her obligations imposed by certain treaties, etc. Not only was coal prohibited but coal substitutes as well. The whole of Europe is at present affected by a prohibition on scrap iron. It exists throughout Germany, in Italy, Czechoslovakia and consequently in France. Its existence is due to economic solidarity. France has to pay 21 marks for coal, while Luxemburg only pays 17, and it is due to the discrimination resulting from a prohibition. And so in order to protect herself France keeps her own scrap iron. One ton of scrap iron saves three tons of coke, and if we were to allow 800,000 tons of scrap iron to go out of the country it would mean our buying 2,400,000 tons of coke. Consequently, as we cannot obtain coal in a normal way, we are obliged to retain our scrap iron, though we are not prevented from allowing some to Italy and other countries. All this is the result of an artificial measure which has itself resulted from a measure of economic valorisation.

I consider that not one hundredth of the present prohibitions in Europe come within the definition laid down by the Economic Committee, which said that prohibitions should meet a country's necessity for preserving its own resources. All these prohibitions are intended as economic speculations or result from such speculation. If the Conference succeeds, and if its views prevail, it will indeed have suppressed much.

If we now propose to meet a definite need and to lay down laws which will establish for Europe and perhaps other continents a system of rigid and binding rules to cover the obligations of States as regards import and export prohibitions, our rules will either be reduced to a negligible authority or they will be too strict to be carried out.

The Conference can perfectly well base this work upon the draft of the Economic Committee, but in such a case the draft will have to be modified, for it was established in 1924, when Europe was still in confusion, and it cannot now be denied that we are in a comparatively stable position. Guarantees must be given for Article 4 and Article 5, and even if they are not of a contractual nature, like those in the Franco-German Treaty, they will be like those given by the Economic Committee in 1921 as regards raw materials. The Conference has perhaps to mark the boundary between the rights of States as regards raw materials and finished products. The Conference can doubtless also exclude a large class of products on which international commerce is founded.

This morning Sir Sydney Chapman said that veterinary and sanitary provisions were not really an economic question but one for the sovereign rights of nations to settle. If he meant that these steps taken in accordance with Article 7 would be submitted to an international court, I agree that we must examine the question, but if he considers that the present position is to be maintained, I must reply that it is absolutely impossible.

A certain number of countries represented here are agricultural States and depend essentially upon the work of the peasant. There is really no country whose economic life is not based upon agricultural labour. These States cannot remain at the mercy of all doubtful measures which will always allow a country to find imaginary diseases when it does not wish to admit goods coming from another country.

Article 4 deals with the health of persons, and I may say that the health regime has given rise to a large number of restrictions, particularly as regards drugs. Certain drugs invented by a distinguished savant whose statues may be found in every country cannot be exported because they do not correspond exactly to the formulæ laid down in a given country. We find that, as regards chemical products, science ceases to be a universal matter and becomes a national one. Sometimes a given chemical product the ingredients of which are indicated is said to be a secret formula, because the product has been manufactured abroad by a process of cooking or sterilising to which no reference is made on the bottle. The day will come when we shall have also to deal with such matters, for we are put in an unbearable position under the pretext that it is desired to protect public health.

We must also confess that in Article 5 there is much to be accomplished and that States should attempt to face the facts. This leads me to the statement by the representatives of certain States that we ought above all to get as near as possible to a unanimous adherence

to the Convention and that we ought to lessen its obligations and allow plenty of freedom in its wording. In this way I feel sure that we should obtain an international convention which everyone could sign because it would not lay any obligation on anyone.

I told you at the beginning of the Conference that we ought to show a great spirit of conciliation, for the texts of international agreements are not like those of bilateral treaties concluded between States, who know their economic position and the extent and possibility of their being able to accept obligations. The texts of international agreements have to conform to economic principles and rules if they are not to make the grave mistake of ignoring the particular situation in the contracting countries as regards their labour conditions. This is a factor of which we must certainly take account if we are going to sign anything which will not be a retrogression on most of the bilateral conventions at present existing. Any such valueless convention would be a bad starting point for the work of the League of Nations. We have to achieve something which will be a mark of progress and which will trace out the path for further progress and define to-morrow's duties. I am firmly convinced that such a convention can be established so as to be acceptable to all.

Sir Granville RYRIE (Australia) said that, although his country was removed by 13,000 odd miles from Europe, it nevertheless had great sympathy with the efforts to remove the obstacles which had in the past and still formed a hindrance to trade and general prosperity throughout the world. It appreciated that the present disequilibrium of commerce and industry was a most serious bar to the economic reconstruction of the world, and it was with the greatest interest that Australia had taken part in the World Economic Conference. While his Government had seen fit to be represented at the present Conference, which had for its aim the abolition of import and export prohibitions, it appeared to him obvious that the existing conditions of Europe supplied for the greater part the motive for the removal of these so-called obstacles. It could scarcely be conceived that a few minor prohibitions in so distant a country as Australia could have any great influence on general conditions in Europe; at all events, they could have little bearing on economic conditions in particular. The removal of any prohibitions existing in any country like Australia could, in his opinion, have no possible effect in improving the conditions in Europe.

Australia was a young country; the development of her resources was only in its infancy, and her primary and secondary industries were in a state of very early and gradual development. In order to safeguard these particular industries, it had been found necessary to impose certain restrictions on imports and exports. These restrictions related, for exports, to sugar, live pearl oyster shells, and metals, alloys and minerals, and for imports, to sugars, dyes and prison-made goods. The fact that Australia desired to retain these prohibitions had already been communicated to the Economic Committee, and was mentioned in the document containing the draft Agreement. With regard to dyes, in view of the very direct statement made by Sir Sydney Chapman, Sir Granville Ryrie wished merely to say that the restriction in Australia had been imposed consequent upon Great Britain's similar prohibition and was outside the sphere of economics. As to the other restrictions, it would be generally conceded that the unrestricted import of prison-made goods would give rise to most unfair competition in industry and could not be permitted. The balance of Australia's prohibitions originated from her extreme isolation and the huge problem of settling extensive tropical areas. This problem in particular differentiated the Australian position from that of the European countries and was one which his Government had continually to keep in mind.

He might add that Australia was acting in accordance with Article 3 of the Convention for the Simplification of Customs Formalities, and that there appeared to his Government no strong reason at present why the Commonwealth should assume further obligations as contemplated in the Convention under review. Although he appreciated the possibility of Australia's signing the proposed Convention while at the same time making certain reservations, still the fact could not be overlooked that signature to such a document would not permit the imposition of any prohibitions or restrictions which might, in the vital interests of the respective States, become necessary at a later date.

The PRESIDENT said that, thanks to the initiative taken by Sir Sydney Chapman at the previous meeting, the Conference now had a clear view of the conflicting opinions of the various delegations. There were, on the one hand, those who said that in order to secure the greatest possible number of signatures and ratifications it would be necessary to leave a certain amount of latitude in the Convention. The standpoint of these members seemed to imply the necessity of maintaining provisions similar to those contemplated in Articles 4 and 5 of the Economic Committee's draft. There were, on the other hand, those who thought that the Convention should be more watertight in character, that it should be a convention doing away with all prohibitions except those which were considered in international law both admissible and sufficient before the war. Their view seemed to imply that Article 5 could be omitted and that Article 4 would require careful revision. This, he thought, was a fair description of the two opposing views, with, of course, deviations on either side.

At the same time, there were still sixteen delegations which had not yet expressed their opinion. This was all to the good, because towards the end of the meeting M. Serruys had made a speech which had opened up a new train of thought and a new way of looking at the matter. Accordingly, the sixteen delegations which had not yet spoken might be urged to give special attention to what M. Serruys had said, and no doubt those delegations which had spoken would desire to do so as well. In order, therefore, to give all delegations time for reflection, the Chairman suggested that the Conference should adjourn its plenary meetings until Monday, October 24th. This would give the Committees of Rapporteurs on the first and second groups of articles time to meet the next day (October 21st) and complete their reports for the plenary meeting.

*The Conference assented.*

---

## EIGHTH PLENARY MEETING

*Held on Monday, October 24th, 1927, at 10 a.m.*

---

### 14. Discussion of Draft Convention drawn up by the Economic Committee : Articles 4, 5 and 7 (continued).

#### *Amendments to Articles 4 and 5.*

The PRESIDENT said that the Conference would further consider the amendments submitted to Articles 4 and 5 of the Convention, referring to Article 7 only in so far as it was connected with Articles 4 and 5.

M. CLAN (Denmark) said that the Danish delegation accepted Article 4 as it stood, feeling that it contained all the necessary exceptions. There had been a careful examination of Article 4 by the Danish Government and Danish economic circles, and there had resulted a conviction that the provisions of the article were extremely wide. The Danish delegation assumed that Article 4 had been intentionally framed in that liberal manner so that there might remain no doubt that it covered all the exceptions compatible with freedom in the exchange of goods.

It agreed with the views expressed by other delegations to the effect that the article should be more clearly expressed, always provided that its substance remained unaffected.

The Danish delegation felt that Article 5 might tend to nullify the effect of the Convention. It was prepared to accept the article, provided it were understood that its application would be reserved for extreme and exceptional cases.

M. CLAN felt that the paragraph in Article 7 within brackets should stand. The Danish delegation was exceptionally anxious that disputes arising in regard to the interpretation of the Convention should be settled by arbitration, and was prepared to go as far in that direction as the Conference desired.

M. GEORG (International Chamber of Commerce) said it would not be compatible with the duties or position of the International Chamber of Commerce to express any views on questions which affected matters of public policy or health or national security, in regard to which reservations would have to be embodied in the Convention. Such reservations were dictated by the legitimate anxiety of those who drafted the Convention to give to the Governments such guarantees as were necessary in fields other than the economic. The International Chamber of Commerce must defer to exceptions admitted for such reasons, though they were to be regretted from the economic point of view.

It was, however, the right and the duty of the International Chamber to insist that such exceptions should be reduced to a minimum, and that they should allow as great a number as possible of products to be freely exchanged. The exceptions should, moreover, be drafted in such a way as to preclude any abusive interpretation of their provisions under cover of which prohibitions or restrictions might for economic reasons be maintained or restored. It was notorious that provisions similar to those contained in Article 4 had enabled certain Governments to maintain restrictions of an economic character, even while they were insisting that no such restrictions existed on their frontiers. He would allude, for example, to the practice of closing frontiers on the alleged ground that there was a danger of introducing epizootic diseases and of using that pretext to introduce a system of rationing. Such practices naturally led to reprisals, and it was essential that provisions which might serve as a pretext for such measures should be very carefully defined and surrounded by all the necessary guarantees.

However carefully the Convention were drafted, its application would almost certainly give rise to divergent interpretations. The International Chamber of Commerce was in favour of arbitration in all such cases.

The business world desired to see the Convention signed by the greatest possible number of States. It felt, however, that the tenor of the provisions contained in the Convention was perhaps even more important than the number of signatures secured. The Convention should be drafted in such a way that it would not be a source of later disappointment or give rise to further obstacles to commerce or lead to further abuse under cover of mutual agreements between the parties or diplomatic action. The restoration of freedom of trade was an object which could not be achieved in a single stage. The proposed Convention, however, should be such as to form the basis of further progress towards the abolition of those barriers which at present impeded the economic restoration of the world.

M. POSTHUMA (Netherlands), referring to Article 4, said that in the preliminary draft ten exceptions were admitted. The Italian delegation had endeavoured to reduce these exceptions, and the German delegation had made similar proposals, taking as a basis the provisions of the recent Franco-German commercial treaty. The British delegation had divided Article 4 into two parts and had suggested that one part should not be subject to any of the provisions of Article 7, whereas the other part, containing less important stipulations, should come under the provisions of that article. The United States delegation had wished to extend Article 4 by including among the exceptions to the general rule prohibitions and restrictions relating to the application of standards, and the British delegation had supported that proposal. The Japanese delegation, on the other hand, had made a serious attempt to maintain the text of Article 4 in a simpler form, and several other delegations had put forward considerations of a less important character.

The Netherlands delegation was in favour of accepting the proposals of the Italian and German delegations, which did not differ in substance. It was in favour of those proposals because they took as a basis the modern definition of exceptions already embodied in pre-war commercial treaties. If the Conference had any objections to urge against the proposals of the German and Italian delegations, the Netherlands delegation would accept Article 4 as it stood and would note the wishes of certain delegations to extend it.

The Netherlands delegation had observed during the general discussion that Article 5 contained many provisions which might be put in a different manner. It thought that the present draft of Article 5 was too vague and therefore dangerous. The question arose whether on those grounds the article should be rejected. The Netherlands delegation felt that it was not possible to provide for all possible cases in Article 4, and that it was therefore well, in case anything should be overlooked, to have a kind of safety valve such as that afforded by Article 5. The safety valve should not be too heavily loaded, as in that case it would not be sufficiently sensitive. On the other hand, it should not be too lightly loaded, as in that case it would open too readily. The Netherlands delegation felt that it would meet the case if Article 5 should refer only to the event of a catastrophe, according to an expression which had already been used in a speech made at the Conference. He would submit an amendment which would indicate the views of the Netherlands delegation.

In reference to the combination of Articles 4, 5 and 7, which he regarded as forming a single whole, he would observe that the provisions of Article 4, however precisely they were drafted, would always give rise to divergent interpretations. It was accordingly necessary, if the Conference wished the results of the Convention to be definite, for certain interpretations of the provisions of Article 4 to be recognised as correct according to a permanent body of jurisprudence. For that purpose it was necessary to submit Article 4 to a compulsory jurisdiction and preferably to the jurisdiction of one and the same body. That was also true of Article 5, since, whatever might be put into that article, it would always give rise to divergent interpretations and thus to divergent applications.

If the desirability of arbitration were recognised in advance, agreement would probably be more quickly reached as to the final drafting of Article 5.

The Netherlands delegation would conclude by stating once again that, although it welcomed the abolition of import and export prohibitions and restrictions, it considered that freedom of international trade could only be enlarged in a really important degree in so far as excessive Customs tariffs were appreciably reduced. In order that the Conference might indicate whether it shared the views of the Netherlands delegation on that question, he would venture to submit a proposal to the bureau of the Conference<sup>1</sup>.

The conclusion of the Netherlands delegation in regard to Articles 4 and 5 was as follows: The delegation would vote for Article 4 in the form suggested by the German and Italian delegations; it wished to limit Article 5 to the event of catastrophe; and it wished to subject the provisions of both articles, however they might be drafted, to the provisions of Article 7.

Dr. W. A. RIDDELL (Canada) said that in the discussion which had taken place the previous Thursday there had been repeated reference to two tendencies. There was a good deal to be said for both of them. Canada had hitherto in practice represented the first, or freer-trade tendency. No country had been more prodigal in the export of its raw materials or opened its markets wider to foreign imports. During the last six years the Canadian tariff had been revised four times in the downward direction.

The result had been a very rapid growth of the export trade of Canada. There was, however, a growing feeling that too much of the success of that policy had been attained by

<sup>1</sup> See fourth Part: Annexes.

the sacrifice of national resources, more particularly of the Canadian forests. It was felt that if the present rate of export of raw material were maintained, there was a danger of a serious depletion of the natural wealth of the country, and that Canada, by following that policy, would be injuring her own vital economic and financial interests.

There had accordingly in Canada been a practical policy of the open door, but in theory Canadian economists were being forced towards the position of those who represented the second tendency referred to, and therefore toward a convention which would embody certain reservations. The Canadian delegation was convinced that the proposed convention must make adequate provision for exceptions, and that the exceptions should not, at any rate, be less than those contained in the preliminary draft. Canada would even find it difficult to accept Articles 4 and 5 as they stood. No provision was made in those articles for a prohibition of prison-made goods or for a standardisation of exports. Domestic questions, such as the admission of opium and the protection of animals and plants from disease, degeneration and extinction, were to be subjected to external jurisdiction. Moreover, no provision was made for the adherence of States to the Convention subject to certain reservations. Canada was a federal State, and the Canadian Government could only bind itself so far as its own interests were concerned, and so far as those interests did not conflict with the legislation of the provincial Governments.

He had no desire to strike a discouraging note. He had rejoiced in the success of the recent International Economic Conference, and believed that a considerable step forward might be achieved by means of the Convention at present under discussion. He felt, however, that it was desirable, in this first attempt to carry out the recommendations of the Economic Conference, not to go beyond present international law and practice. The present Convention should aim at removing the worst evils and look to future conferences to bring the position more into line with the views of those who desired to be freed from all restrictions.

Prince CHAROON (Siam) said that the interests of the Siamese Government in the present question lay in the direction of keeping her foreign trade as free as possible from restrictions. The Siamese delegation was accordingly prepared to support any action designed to minimise restrictions and prohibitions.

He was in favour of retaining Article 5, provided it was interpreted to cover the point raised by the Belgian Government on page 30, paragraph 8 (a), of the document prepared by the Economic Committee. The prohibitions contemplated in Article 4 would not appear unequivocally to authorise the prohibition by the Siamese Government of the export of rice, and that was a right which the Siamese Government must retain to guard against a total, or almost total, loss of a crop, such as had occurred in 1921.

Should the Conference decide to suppress Article 5, the Siamese delegation were willing to accept that decision, provided an amendment covering the right of the Siamese Government to which he had alluded were added to Article 4 in sufficiently clear terms to cover the point.

M. CHI YUNG HSIAO (China) said that China must reserve the right to apply such prohibitions as were already in force in that country. He would refer, in particular, to the restrictions in regard to the import of salt and the export of rice and cereals. The prohibition of the import of salt was not an economic but a fiscal measure designed to ensure the collection of revenue. The prohibition of the export of rice and cereals was necessary to ensure the food supplies of the country. China did not produce sufficient cereals to justify their export. Subject to these reservations, China was prepared to accept all the provisions of the Convention as drafted by the Economic Committee. She was not, however, prepared to accept some of the amendments which had been proposed, as they changed the scope and character of the Convention.

Certain amendments, however, were deserving of consideration. He would refer in particular to the amendment of the Greek delegation to the effect that after the words "public safety or order" there should be inserted the words "the country's requirements in foodstuffs or for purposes of revenue". That amendment appeared to complete the meaning of paragraph 1 of Article 4, and it related to the financial and essential interests of the country. The Chinese delegation supported that amendment and hoped that it would be accepted.

The Roumanian delegation had suggested, in reference to Articles 4 and 5, that a special protocol, forming an integral part of the Convention, should be annexed, in which the contracting States might, if they thought fit, give explanations and interpretations with regard to commodities subject to prohibitions and restrictions. He thought that the Roumanian proposal was excellent and, in view of the fact that it was customary to annex a protocol to an international convention, the proposal did not appear to raise any difficulty. The acceptance of the protocol might contribute to the elimination of certain amendments which had given rise to objection on the part other delegations. Countries might, in such a protocol as was proposed, express their views as to the significance of certain clauses in the Convention, and thus satisfy themselves that those clauses provided for certain exceptions in which they were interested. Such a procedure would facilitate discussion and lead to the ratification of the Convention by a larger number of States.

M. ERICH (Finland) said that Article 4 would be acceptable to his delegation. He suggested, however, that point 3 should be altered in accordance with the amendment proposed

by the delegations of Sweden and Finland to include a few words to define without extending the meaning.

M. ERICH was convinced that the reservations of Article 4 took full account of the interest of those States which considered necessary certain import restrictions, *e.g.*, that on alcoholic liquor. It was desirable to stress the connection between Articles 5 and 7, to which question M. Erich had submitted an amendment and would revert later. He was glad to hear the statement of the Netherlands delegate as regards the arbitration and judicial settlement provided for in Articles 4 and 5. In this matter the delegation of Finland had already expressed its approval.

M. STUCKI (Switzerland) recalled that M. Serruys had expressed certain doubts as to whether an international convention for the abolition of import and export prohibitions and restrictions would be necessary. M. Serruys had now said that after hearing the speeches in the present Conference he felt that such a convention was indispensable. M. Stucki thoroughly supported this view. He had had a survey compiled of the import and export prohibitions and restrictions at present existing in most of the countries represented at the Conference, and, though this survey was limited only to restrictions of a purely economic nature, its volume was startling. In it there were only a few countries who had either never introduced any prohibitions or restrictions or had abandoned those which they had once introduced. Among the latter class was Switzerland, and this action was to her interest. On the one hand, experts drawn from all parts of the world had stated at the Economic Conference that it was to the interest of all countries, whatsoever their economic position, to abolish these impediments to commerce. It was, however, natural that the few countries which had taken a lead in the matter were now expecting some action from the rest.

The desired results might be obtained by an international convention, but not every convention could succeed in causing the other countries to follow the good example which had been set. Only a convention which marked a real step forward from the present situation could prove satisfactory, and rather than a convention which merely legalised the present state of affairs he would prefer no convention at all. Sir Sydney Chapman had reminded the Conference that the prestige of the Economic Conference and of the League of Nations were at stake, and he had urged caution. Any attempt, however, to satisfy all the conflicting desires which had been expressed would result in a convention which would not be a step forward and which would be worse than no convention at all.

Those countries which had adopted a policy of full liberty of commerce had a great interest in that the other countries should follow suit. They could not, however, promise to maintain their attitude unless the others were going to follow their example. M. Stucki had said in his first declaration that the Convention should receive the adherence of many States. He maintained this attitude, but would add that he would prefer to reduce the number of States adhering to the Convention rather than obtain an agreement robbed of all practical value.

After these general remarks, M. Stucki desired to make certain observations on the various articles. He had examined the German and Italian proposals as to Article 4, and the Swiss delegation would give them its full support. It also shared the views expressed by the chief of the German delegation when he had stated that the aim of the Convention was to reach the degree of liberty of commerce which had existed before the war and was reflected in several commercial treaties concluded by Germany, in which all import and export prohibitions and restrictions had been excluded. The Swiss delegation would be unable to accept the text of Article 4 proposed by the Economic Committee, which had been the subject of rather a dangerous interpretation. The proposals of the British delegation were also unacceptable.

As regards the British proposals, Sir Sydney Chapman had frankly stated that it was necessary for Great Britain to protect herself by restrictions on the import of dyestuffs. The Swiss delegate would point out with equal frankness the results which such an attitude would have on the position of a small country like Switzerland. After Germany, Switzerland was one of the most important dye-producing countries whose industry depended upon her exports. If Switzerland was alone to promise to pursue a policy of absolute liberty of trade she would find herself at the mercy of any State which had retained the liberty to give or refuse import permits. The indirect repercussions of this policy would be perhaps even greater. Switzerland had had to secure a clause in her commercial treaties with other countries providing for a reduced rate of duty on imports of dyestuffs. They had naturally had to concede something in return. The statement that each State was free to establish any prohibitions and restrictions which it felt necessary for its national defence would deprive Switzerland of all the benefits she had gained by these commercial clauses, sometimes at the cost of great sacrifices.

Another example existed in the case of leather, which was admittedly essential for the national defence. For this reason, the Swiss delegation was unable to accept the text of the Economic Committee or the British amendment, but was in favour of the Italian and German proposals.

As regards Article 5, Switzerland had since the war concluded commercial treaties agreeing to the removal of all import and export restrictions save certain classic examples. They therefore felt that it was not essential to have Article 5 and would agree to its complete deletion. However, Switzerland had included the most-favoured-nation clause in its commercial treaties and had extended this regime to a number of countries. However, it appeared that without Article 5 the Convention would be impossible to carry out, and for this reason the Swiss

delegation would agree to its maintenance, considering that a convention even with Article 5 would be a step forward from the present situation. But the wording might be improved. M. Serruys had alluded to a clause in the Franco-German commercial treaty to the effect that the existing circumstances were not to be considered as an exceptional situation. The Swiss delegation suggested that such a provision might be adopted so as to limit the use of Article 5.

As regards Article 7, M. Stucki reminded the Conference that Switzerland had always been strongly in favour of arbitration and had adhered to Article 36 of the Statutes of the Permanent Court of International Justice. Switzerland had concluded arbitration treaties with a large number of countries and was therefore favourable to compulsory arbitration. Sir Sydney Chapman had, however, rightly stated that there were certain matters in this Convention the very nature of which excluded their reference to arbitration. It was not a question of good faith but of technical judgment, and the situation affected Article 5 and part of Article 4. M. Stucki, therefore, felt that certain questions, *e.g.* national defence, could not be referred to arbitration, and for this reason he desired to insist on a clear and restrictive definition of the term "national defence" in the Convention.

Much had been spoken on the question of prohibitions for the protection of population, cattle and plants from certain forms of disease. The eastern agricultural countries, warmly supported by M. Serruys, had claimed that these prohibitions were in reality protection in disguise. It was true that Switzerland did not very readily accept the cattle for slaughter which France found it desirable to send her. But Switzerland too had found some difficulty in the earlier restrictions which had been put upon the import of breeding stock into France. The Swiss authorities had found it necessary to put sanitary restrictions on the import of cattle for slaughter. These matters were such that it would be quite impossible to submit to arbitration. M. Stucki was even doubtful whether it was in the interest of the countries who called for it. Assuming that one country complained that another country imposed unfair restrictions on the import of its cattle, after this matter had been taken to a court and experts had been found to examine the legality of the sanitary provisions, it would be found that judgment would be given so long after the event as to be of no real value to either party.

In conclusion, M. Stucki would reply to the remarks of the Polish delegate that restrictions in the form of rationing of the import of cattle exemplified abuses which might arise from the legal provisions on the police regulations for disease. The theory was that either there existed the danger of disease and the frontier should be entirely closed or there was no danger and it should be left open. This argument was alluring, but nevertheless false. Switzerland, for instance, bred cattle for the support of her population, but she frequently found it necessary to allow foreign cattle to come in to have sufficient food supplies. Its entry was effected through special frontier stations with veterinary supervision and through trustworthy commercial houses. M. Stucki felt that there could be no injustice in this arrangement.

The Serb-Croat-Slovene delegate had suggested that these sanitary measures would be used to restrict the import of machines and textiles for insufficient reasons, but M. Stucki pointed out that Switzerland could show real substantial loss in its cattle owing to disease which had come with cattle over the frontier.

M. MODIG (Sweden) said that this delegation desired to see the Convention as effective as possible with a minimum number of import and export limitations. The list in Article 4 appeared to meet the legitimate desires of States, but he felt that it was essential that they should avoid any kind of vague generalities. The present wording of Article 5 was not satisfactory, and the amendment proposed by the United States delegation would be preferable. The Swedish delegation was prepared to delete Article 5 if this was agreed to by the majority of the Conference.

As regards the restrictions on the import of seeds and plants, M. Modig felt that it would be better to say openly what the dangers to be guarded against really were.

His delegation agreed with the remarks of the Danish and Japanese delegates as regards the legality of the measures taken by certain countries to safeguard the reputation of their exported products. He would refer to this matter again later.

There was one further question closely related to the present subject. The general trend of economic development in Europe had shown that there was a greater possibility for free movement of goods than when the draft of the International Economic Conference had been drawn up. The Conference would remember that the report on the Economic Conference read in part as follows: "The aim would not, however, be achieved if the acceptance of this Convention were merely formal, and if its provisions were rendered inoperative by export duties, the fixing of quotas or by any other means." The proposed Convention would be of no value unless it succeeded in eliminating the dangers foreseen by Economic Conference. The Conference should remember that it was essential that the principles of the Convention should not be rendered ineffective by the measures taken by certain countries.

M. DE GRAAFF (Dutch East Indies) said that the Government of the Dutch East Indies had adhered to the principle of the free circulation of goods. Apart from the usual reservations

regarding security, public health, etc., they had no prohibitions save those on opium and salt, which latter product was a State monopoly. The Dutch East Indies would therefore raise no objection to the application of the principles laid down in the agreement drafted by the Economic Committee. Their Customs duties made no distinction between the country of origin and the country of destination as regards imports and exports. The existing regulations were purely of a fiscal nature.

He wished to emphasise that the reservation of paragraph 1 of Article 5 was absolutely necessary for the Dutch East Indies. The need for such a reservation as regards catastrophes and exceptional circumstances was particularly apparent in the case of tropical countries where, after a bad harvest of cereals, the Government might have to protect its people from famine by export prohibitions. The urgent nature of such prohibitions are undeniable, and the case of catastrophe could not therefore be left out of the Convention, whose general principles would greatly contribute to world economic re-establishment.

The PRESIDENT asked the Conference to allow Sir Granville Ryrie to make a short statement on behalf of the New Zealand Government, which was not represented at the Conference.

Sir Granville RYRIE (Australia) said that he was authorised by the New Zealand Government to state that New Zealand was favourably disposed towards adhering to an agreement for the abolition of import and export prohibitions and restrictions, subject to the addition of certain exceptions to those already enumerated and provided for under Articles 4 and 5.

The considerations which permitted the New Zealand Government to put forward these suggestions were based upon the existing needs of that country, which might require certain restrictions for the protection of revenue or for the efficient administration of the Customs Act for the prevention of fraud and the regulation of the trade in goods made by prison labour. The New Zealand Government also considered that prohibitions should be permitted for the purpose of conserving supplies for the use of countries of production or for the purpose of grading certain goods or controlling the market of such goods.

The New Zealand Government would like to consider the agreement in its final form before deciding on adherence thereto.

M. DE BLANCK (Cuba) said that his country had decided to second any endeavour in favour of the abolition of prohibitions and restrictions which were useless or prejudicial to the general interest. At the same time, it was desirable not to go too far, and States should be allowed a certain liberty if practical results were to be reached.

If it were impossible entirely to remove prohibitions and restrictions while commerce was confronted by other impediments of a technical kind, such as, for example, high and preferential tariffs, certain charges for tariff classification, State monopolies, and certain distinctions in interior taxation, etc., it was desirable to bear in mind Article 3 of the Convention for the Simplification of Customs Formalities.

As conventions did not last for ever, and as the merit of the best of them lay rather in their effective enforcement than in the severity of their terms, when the present Convention had been in effect for a certain time countries would realise whether it could be improved and amended.

The Cuban delegation was prepared to accept Article 4. As regards Article 5, an attempt had been made to establish a distinction between normal and exceptional circumstances which would limit the rights of States. The Cuban delegation had submitted an amendment. If the Conference was inclined to favour suppression of the article, the Cuban delegation would agree. As regards Article 7, the Cuban delegation would vote for the text which satisfied the majority.

Mr. MACWHITE (Irish Free State) said that regulations were enforced in his country for ensuring a high standard of quality for exported agricultural products, but these regulations hardly constituted a restriction within the meaning of the proposed Convention, being designed rather to increase protection by stimulating the demand for a superior article. The Irish delegation was therefore prepared to support the provision as suggested by the Danish delegation, declaring that such regulations did not fall within the scope of the prohibitions and restrictions contemplated in the Convention.

The Irish delegation attached great importance to the maintenance of adequate measures of protection for animals and plants from disease or extinction, and would not support any provision in the Convention likely to limit unduly the discretion of their Government in devising such means. Any laxity in veterinary or sanitary supervision in relation to the export of plants and animals from a given country might mean the necessity for the imposition of severer restrictions in countries like Ireland, which attached great importance to the maintenance of the health of plants and animals.

The PRESIDENT stated, in reply to a question by M. Serruys, that in the discussion of Article 7 delegates would be permitted to refer to Articles 4 and 5 in so far as they affected Article 7.

---



## NINTH PLENARY MEETING

*Held on Monday, October 24th, 1927, at 3.30 p.m.*

### 15. Discussion of Draft Convention drawn up by the Economic Committee : Articles 4, 5 and 7 (continued).

#### Article 7.

SADIK HENEIN Pasha (Egypt) said that, of the two tendencies which had become apparent in the Conference, the tendency in favour of reducing prohibitions and restrictions to a minimum accorded with the system in force in his country. No prohibitions on imports or exports were imposed by his country with a purely commercial object. The Egyptian Customs tariff was solely designed to meet the fiscal needs of the country and did not discriminate between the trade of different countries.

He was obliged, however, to draw the attention of the Conference to the fact that his country, owing to her geographical position and her essential agricultural character, was forced to maintain certain prohibitions and restrictions. They amounted to two or three at most, and they were of essential importance to Egypt. They had never constituted any impediment to trade with other countries.

The prohibitions were as follows : (1) there was a prohibition on the export of animal manures, including pigeons' dung, the refuse from shambles and dried blood ; (2) the export of cattle was subject to a permit from the veterinary service ; (3) there was a restriction on the export of eggs during certain months of the year.

Justification for these prohibitions and restrictions, which were essential for Egypt and innocuous for other countries, was clear. An agricultural country which imported a considerable quantity of chemical manures could not reasonably allow the small amount of animal manure which it produced, and which it greatly needed, to leave the country. That prohibition, moreover, was purely precautionary, as the animal manures in question were not generally in demand abroad.

It was clear that, in a country of intensive cultivation and small properties, it was not possible to allow a free export of the cattle which formed the nucleus of the agricultural industry, all the more so as the use of agricultural machinery on a large scale was for various reasons not very likely to be developed. The Egyptian Veterinary Service, which took an annual census of cattle, was authorised to grant export permits whenever it considered that it was possible to do so without damaging the interests of agriculture.

Lastly, the restriction on the quantity of eggs exported was only imposed in bad years and for two or three months in order to avoid ruining the chicken-farming industry and reducing the quantity of eggs available for the provisioning of the country.

Such were the few prohibitions and restrictions which Egypt intended to maintain, and he hoped that the proposed Convention would cover them, since they were modest and legitimate and entirely in harmony with the spirit of the Conference.

M. WIBAUT (Netherlands) said that the amendment proposed by the Netherlands delegation concerning Article 7 suggested, for the settlement of disputes which might arise in regard to the application of Articles 4 and 5, a procedure different from that described in paragraphs 1 and 2 of that article.

It was proposed in that amendment that the third paragraph of Article 7 should read as follows :

“ Should a dispute arise with regard to the interpretation or application of Articles 4 and 5 of the present Agreement, the parties shall, at the request of any of them, refer the matter to the decision of the Permanent Court of International Justice.

“ The Council of the League of Nations shall appoint a body to keep itself informed as to the existence of such disputes and the action, if any, taken in consequence of the proceedings referred to above.

“ The body in question shall, without further formality, refer the dispute to the Permanent Court of International Justice if the parties have not already done so. ”

The Netherlands delegation hoped that it would not be necessary to bring into operation the paragraph of Article 7 as amended, but for special reasons it was necessary, even though the perfect good faith of the contracting parties were taken for granted, to provide against the possibility of disputes as to the application of Articles 4 and 5. The application of those articles would be subject to more various interpretations than the other articles of the agreement, and their interpretation would often necessarily depend on the economic conceptions of the contracting parties. A special procedure for regulating disputes arising out of the application of those articles was therefore justified, and it was necessary that the parties should not, in

settling those disputes, resort merely to a friendly arrangement between themselves or to a procedure before arbitrators chosen by themselves. The fact that the provisions of Articles 4 and 5 were peculiarly subject to different interpretations made it imperatively necessary as soon as possible to form a system of jurisprudence in regard to their interpretation which might be recognised as of the highest authority. That was a serious argument for requiring that the only procedure to be followed in respect of Articles 4 and 5 should be the submission of possible disputes to the Permanent Court of International Justice. He did not therefore think that the methods indicated in paragraph 1 of Article 7 should be admitted.

Disputes as to the application of Articles 4 and 5 did not exclusively concern the parties between whom the dispute arose, but all the contracting parties to the agreement. If the parties between whom a dispute arose were left entirely free regarding the application of those articles, there would be a danger of their failing to agree and resorting to measures of reprisal. The mere possibility of such a fact threatened the whole basis of the agreement between all the contracting parties. Each similar case would weaken the basis of that agreement, and not many such cases would be needed to deprive an agreement concluded between a large number of nations of all real value. It was therefore essential that the parties between whom a dispute arose in regard to the application of Articles 4 and 5 should submit that dispute to the Permanent Court of International Justice, and that a body should be constituted able on its own authority to refer the dispute to the Permanent Court if the parties in question failed to do so.

Should the amendment of the Netherlands delegation be rejected in deference to the sovereignty of States? He would merely observe, in that connection, that new conceptions of sovereignty were developing, and that these new conceptions were at the basis of the authority which the League of Nations was acquiring. In his opinion, the Conference might have full confidence in the judgment and decision of a body like the Permanent Court of International Justice.

He would ask the Conference favourably to consider the amendment of the Netherlands delegation, in the conviction that its adoption would give added importance to the proposed general agreement.

He had intended to confine himself to a merely formal defence of the amendment of the Netherlands delegation, but he felt obliged to add a few observations suggested by the speech of M. Stucki. M. Stucki had said that he accepted the principle of arbitration contained in Article 7 exclusively for legal questions but not for questions of appreciation.

He would venture to point out, in opposition to that thesis, that the more the articles of a convention were subject to various applications and interpretations the more important it was for the parties to find some means of establishing as soon as possible a certain unity in the ideas which would underlie such interpretations. That unity might be achieved in the present instance by resorting to a decision of the Permanent Court of International Justice. The idea of arbitration defended by M. Stucki was, he thought, losing ground, and he was convinced that, if it was desired to establish international conventions of real value, it was necessary that arbitration should be accepted without the reservation which M. Stucki had made.

All that could be done to render arbitration acceptable for all parties and in all cases was to entrust it to a body which was generally recognised as having the highest authority, and which had at its disposal all the necessary resources, such as the power to consult experts, etc. Thereby a guarantee was secured that all decisions would be taken with a full knowledge of the facts. Such a body would be found in the Permanent Court of International Justice.

M. CURCIN (Kingdom of the Serbs, Croats and Slovenes) asked to be excused if he referred to Articles 4 and 5 in connection with Article 7. He felt it necessary to reply to certain observations which had been made in regard to his own remarks.

The economic interests of the various countries were closely interdependent, which meant that restrictions and prohibitions had far-reaching effects, whereas freedom of trade resulted in an easier access to markets and in the decrease of unemployment and other advantages.

It was the conviction of this interdependence which had led the Economic Conference to begin the campaign against impediments to commerce. The representatives of certain western countries had declared that it was especially necessary to abolish prohibitions and restrictions, and at that moment they had looked pointedly at the representatives of countries which were economically weaker. The latter countries had taken that warning seriously and had come to the present Conference prepared to abandon the system of prohibitions and to collaborate loyally in their abolition.

To be quite frank, however, the present discussions were disappointing. Instead of abolishing prohibitions, it was being proposed to make room for them in the Convention, and it seemed that freedom of commerce was becoming continually more remote. Good commercial policy could only be put into effect by means of reasonable import duties to protect a growing industry. It was therefore beside the point to refer in that connection to any necessity to maintain prohibitions. Such prohibitions must be reduced to the strict minimum, as had been urged by the delegations of Germany, Italy, the Netherlands, Switzerland and other countries. Otherwise the first stage towards the realisation of the work of the Economic Conference would be compromised, and all those who had placed their faith in that Conference would be disappointed.

There were, however, prohibitions which were not decreed by any law or written provision, or provided for in any convention or treaty, but which might nevertheless be very strict, effective and unjust. He was referring to what were known as embargos on credits and loans granted to countries which were poor in capital. Such embargos constituted an entirely arbitrary discrimination, rendering money dearer and the costs of production higher. The countries which were economically weak were accordingly on their guard against any provisions of the Convention which might give rise to an elastic interpretation, and also on their guard against inadequate and ineffective guarantees.

M. Stucki had said that it was impossible to submit the question of epizootic diseases to arbitration, as it would be difficult to prove even to experts the existence of such diseases in a particular country. There were, however, cases in which even the layman might judge the merits of the case. If, for example, a country prohibited the entrance of cattle alive or dead from fear of contagion, but at the same time offered to facilitate the entry of raw hides, there was no need to appeal for a verdict to the tribunal at The Hague. If certain States endeavoured to protect their production of cattle by interpreting in their own veterinary agreements, the States which exported cattle might be obliged to move in the direction of industrialisation and, in order to protect their young industries, to invent forms of prohibitions which would keep out machinery and stuffs.

It was accordingly essential that there should be prompt and effective guarantees against abusive and arbitrary interpretations of the Convention.

He would also venture to refer to questions which had been raised by several speakers but which were not on the agenda of the Conference—for example, the questions of import duties, the exchanges, etc. To take up such questions might result in neglecting the questions which were actually on the programme of the Conference, and would bring up for discussion numerous subjects which would raise the economic problem as a whole. If other such questions were discussed it would be necessary to deal with the economic problem in its entirety, as the Economic Conference had done. Even the Economic Conference had committed a species of injustice in neglecting the questions of credits, inter-allied debts, and other problems which formed part of the economic problem in its entirety.

He accordingly thought that it was advisable to deal exclusively with the question of import and export prohibitions and restrictions and that all other questions should be reserved for future Conferences.

M. ERICH (Finland), on behalf of the Finnish delegation, submitted the following text for Article 7:

“ Should a dispute arise between two or more contracting States as to the interpretation or application of the provisions of the present agreement, and should such dispute not be settled either directly between the parties or by the employment of any other means of reaching agreement, the parties to the dispute undertake, before resorting to any arbitral or judicial procedure, to submit the dispute, with a view to an amicable settlement, to such technical body as the Council of the League of Nations may appoint for this purpose. This body will give an advisory opinion after hearing the parties and effecting a meeting between them if necessary.

“ If the advisory opinion given by the said body is not accepted by all the parties to the dispute, they will have recourse to any arbitral or judicial procedure which they may select. It is understood that parties which have reciprocally recognised the jurisdiction of the Permanent Court of International Justice as binding shall, at the request of any of them, refer the matter in dispute to the decision of the Court, if the matter is within the Court's jurisdiction according to the engagement entered into by the parties.

“ The adoption of the procedure before the body referred to above or the opinion given by it will in no case involve the suspension of the measures complained of ; the same will apply in the event of proceedings being taken before the Permanent Court of International Justice, unless the Court decides otherwise under Article 41 of the Statute. ”

He said that from the outset the Finnish delegation had insisted on the organic connection between Articles 5 and 7. As clearly appeared from the amendment submitted by the Finnish delegation to Article 7, Finland would regret any infraction of a rule generally admitted in principle and realised to a large extent in practice : namely, the rule according to which disputes concerning the interpretation or application of a convention were declared subject to an arbitral or a judicial solution. Doubtless it must be granted that there existed vital interests and exceptional positions, and to meet that difficulty the reservations contained in Articles 4 and 5 had been established. On the other hand, it could not be admitted that all such jurisdiction must be impotent as soon as the question was raised by one of the parties concerning the existence or non-existence of an essential interest. If that contention were admitted, it would be preferable openly to state in Article 5 that vital interests were withdrawn from the competence of any impartial jurisdiction. The body authorised under Article 7 to give its views as to the interpretation of the agreement would then take account of that reservation, just as the Council, under paragraph 8 of Article 15 of the Covenant, would abstain from intervening in a dispute if, as the result of exception being taken on the ground of competence by one of the parties, it decided that the dispute came within the exclusive competence of that party.

Certain speakers seemed disposed to go further and to declare that any State should itself in full sovereignty judge as to the existence of a vital interest, and that the competence of any other jurisdiction in that matter must be excluded. He would not say that such a conclusion represented the general view. On the contrary, according to modern principles of international jurisdiction, an impartial body whose duty it was to decide as to a dispute was itself judge of its competence and, if necessary, decided whether a vital interest was at stake or not.

It was, however, unnecessary to insist upon principles. The problem was to find a compromise. It would be better to insert in Article 5 all the reservations which were considered necessary but to preserve intact in Article 7 the principle according to which all disputes relating to the application and interpretation of the agreement should be submitted to the examination of an impartial jurisdiction, account being taken of the reservations inserted in Article 5.

If the principle were laid down that disputes relating to the interpretation of the present agreement fell within the competence of an impartial jurisdiction, it would not be necessary to restrict the scope of Article 5 to extreme cases which affected the most essential interests of the parties.

The amendment submitted by the Finnish delegation to Article 7 was founded on the following considerations :

The body contemplated in paragraph 1 would be appointed by the Council of the League of Nations, which would take full account of the interests and points of view of any contracting State not a Member of the League of Nations. That body would in its purely advisory capacity have all the necessary elasticity. It would be able to take into consideration the varying needs of international life, and the conclusions which it would formulate would not have a compulsory character. There would therefore be no hesitation in introducing such an advisory procedure as a means of conciliation before resorting to an arbitral or judicial court. Thanks to that advisory procedure, it would be possible in the majority of cases to dispense with a contentious procedure before a tribunal. He did not think it was necessary seriously to consider the difficulty to which attention had been drawn arising from the fact that the Permanent Court of International Justice or some other tribunal might find itself in the embarrassing position of being asked to consider a dispute which was not suitable for examination or a judicial sentence.

As regarded the competence of the Permanent Court of International Justice, the Finnish amendment was calculated to meet the considerations which had given rise to the amendment of the United States delegation. The Finnish amendment contemplated a judicial settlement when the parties did not agree as to the conclusions of the advisory body, but it would not necessarily be the Court which was competent to settle dispute. The signatory States which had not recognised the compulsory jurisdiction of the Court under the optional provision of Article 36 of the Statute or which were not parties to the Protocol of Signature would not, according to the Finnish amendment, be bound under Article 7 to resort to that supreme jurisdiction. They would resort to an arbitral or judicial procedure of their own selection. The Finnish amendment, while stating the obligation to submit disputes to such a settlement, took full account of the position of States which had not signed the Protocol of the Court, and of States which had not signed the optional clause.

On the other hand, it was obviously necessary to respect, fully and without reserve, engagements which had been previously accepted by States which to a more or less extent had recognised the competence of the Court.

The text proposed by the Finnish delegation took all these various points of view into consideration. He therefore ventured to hope that the text of the Finnish amendment might serve as a basis for the drafting of Article 7, even if the procedure for an impartial settlement of disputes relating to the interpretation of the agreement did not secure the approbation of the Conference to the extent contemplated by that amendment.

M. ITO (Japan) would not go into the details of Article 7 after M. ERICH. There was one point on which opinions were divided : that was the point of obligatory litigation and the referring of any dispute to the International Court of Justice on the demand of one of the parties. He desired that the special situation of certain countries represented at this Conference but not Members of the League of Nations be taken into account in Article 7. On this point the United States amendment should be carefully examined.

The protocol regarding the competence of the Permanent Court of International Justice had been open for signature since 1920, but certain countries had not signed, and opinion was far from unanimous regarding this question. Article 7 touched this question.

The Japanese delegation was not in favour of too rigid a text.

It would base its adhesion on the amendments of the United States and Finnish Governments.

M. SOKOLOWSKI (Poland) said that his delegation considered Article 7 as one of the essential parts of the Convention owing to its practical importance. If the idea of compulsory arbitration and conciliation were increasing in importance where political questions were concerned they should also have their place in the economic field.

The Polish delegation did not consider that the present Convention should be a return to the pre-war situation ; they should turn to the future ; the Conference should meet the needs of the present era. The Polish delegation felt that for many countries the safety valve consisting

of Article 5 was necessary to combat the general economic instability. It feared that if too rigid it might prove to be unworkable. He considered that the liberty of international trade should be greater, more general and more effective than before the war.

It would be possible to put an end to agricultural restrictions which still existed as before the war. The Polish delegation desired to draw up a plurilateral convention under the auspices of the League. It wished to bring into being a modern system of arbitration and conciliation in cases of disagreement which must inevitably arise. There were two objections to Article 7 in its present form as drafted by the Economic Committee. In the first place, conciliation procedure had been extended to cover all the articles in the Convention, including Articles 4 (Nos. 1 and 10) and 5. The interests contemplated in these articles were of such importance that all possibility of international pressure must be avoided.

Secondly, the measures under litigation might place a State in such a delicate position that it would be unfair to prevent it from safeguarding its interests until the end of the arbitration proceedings. For this reason, the Economic Committee had made provision for optional arbitration procedure in paragraphs 1 and 2 of Article 7. The Polish delegation was not opposed to the deletion of conciliatory procedure in Article 4, paragraph 1, and Article 5, but considered that it would be wiser to retain the possibility of recourse to conciliation if desired. If a State considered that its interests were too gravely menaced to have recourse to the technical organisation of the League of Nations, then it could reject the procedure but would expose itself to retaliation.

If the restrictive and prohibitive measures taken by a State corresponded to its really vital interest it would be difficult to suggest that this State submit to conciliation procedure. In the case of measures of doubtful validity, a State should be able to comply with the provisions of Article 7, paragraphs 1 and 2, without weakening its prestige or prejudicing its sovereign rights.

By introducing optional arbitration into Article 4, paragraph 1, and Article 5, the Polish delegation felt that these articles might be rendered acceptable to those countries which feared the possibility of their abuse. Paragraph 10 of Article 4 raised a vital point for countries that were short of capital. Here, also, there should be optional and not compulsory conciliation proceedings. Articles 9, 10, 11 and 12 should cause no fundamental difficulty.

Paragraphs 1 and 2 of Article 1 of the draft Convention, though fundamental, should not lead to obligatory arbitration before the Supreme Court. The Polish delegation would not oppose arbitration for this group of articles if the Conference so decided.

Compulsory arbitration should be applied to paragraph 3 of Article 1, Article 2 and Article 4, with the exception of paragraphs 1 and 10 ; otherwise the Convention would run the risk of proving ineffective.

The Polish delegation agreed to the whole of paragraph 3 of Article 7 as drafted by the Economic Committee, and proposed the addition after the word " application " of the words " either of paragraph 3 of Article 1, or of Article 2 or of Article 4 (points 1 and 10 excepted) ".

The Polish delegation considered that the problem of difficulties pending arbitration be eliminated by the application of Article 41 of the Statute of the Permanent Court of International Justice. In cases where conciliation was the only possible means, it would be wise to provide a procedure as rapid as possible in paragraphs 1 and 2 of Article 7. The acceptance of Article 5 would be extremely useful in quite exceptional cases where litigation had proved detrimental to vital interests.

M. Sokolowski insisted on the importance of Article 7 as applied to Poland, who had hitherto been obliged to regulate her imports but who had none the less proposed no exceptions to the liberal principles contemplated by the Conference.

M. SERRUYS (France) desired to state frankly at the outset on what points he agreed with M. Stucki. He did not desire a convention which would be a set-back on the situation resulting from the majority of bilateral treaties which had so far been signed between the several States. Neither did he desire that the Convention should merely have the appearance of a step forward while actually nothing but an international sham. As M. Stucki had rightly said the value or validity of the Convention would depend on a certain number of the provisions including Article 7. This article was the guarantee of execution and pacification. It was of vital importance, but the Conference must recognise that it introduced into the technical field a system of conciliation and international jurisdiction which in other matters did not yet receive unanimous support.

M. Serruys could speak freely, because his country had given its adherence to Article 36 of the Statute of the Permanent Court of International Justice. In consequence, any country could bring France before the Court in a dispute concerning any international or bilateral convention.

Article 7 appeared to be the subject of a certain number of theories. There was, first, the integral doctrine supported by the Netherlands delegation that all States, whether or not they had adhered to the Statute of the Permanent Court, should agree to bring before the Courts disputes referring to prohibitions.

Then came the doctrine which provided to a limited extent recourse to the Court. On this point M. Stucki had stated that there were certain matters such as questions of national defence, public security and questions affecting the sovereignty of States, *e.g.* measures of public health and hygiene which could not be brought before the Court. M. Stucki had expressed himself less clearly on Article 5, but nevertheless M. Serruys did not feel that his Swiss colleague intended that it should be brought before the Permanent Court of International Justice.

The third doctrine was that supported by the Finnish delegation and taken up in part in the American proposal. It provided for two stages : first, proceedings for the friendly settlement of the general question at issue, followed by arbitration proceedings if the friendly settlement did not prove successful.

M. Serruys was somewhat perplexed at these two proposals. What would happen if the two parties did not reach agreement on the choice of arbitration or judicial proceedings? This weakness in the Finnish proposal was further accentuated in that of the American delegation because the latter provided that the parties might choose whether the dispute be settled by arbitration or judicial proceedings. The proceedings were not obligatory but purely optional, and they only allowed a simple general system for friendly settlement with the possibility of referring the dispute to arbitration.

The fourth doctrine proposed by the Polish delegation suggested friendly compromise in some cases and arbitration in others.

All these theories could only be indefinite so long as the substance of the Convention to which they referred had not been clearly laid down.

The interpretation of Article 7 would differ according to the provisions which it was decided to include in Articles 4 and 5.

M. Serruys did not feel that it would be possible to apply compulsory arbitration to all cases. If the Convention included an Article 4 which was almost entirely withdrawn from arbitration and an Article 5 entirely withdrawn, what would be the obligations which States were about to accept? The Conference should see that Article 4 did not become a source of abuse or Article 5 a pretext for arbitrary action. If they gave up compulsory arbitration, the members of the Conference were bound to avoid any disputes which might arise as to the interpretation of these articles.

Article 7 at present appeared to be too rigid, unless Articles 4 and 5 were made more precise. If, on the contrary, a compromise were to be reached on Article 7, Articles 4 and 5 would have to include the necessary guarantees. On this point the French delegation supported the Italian and German proposals. It accepted an Article 4 cut down to four paragraphs, because in that form the text was well defined and rigid and did not contain the loopholes which had appeared in the former text.

If compulsory arbitration were not admitted, new guarantees would have to be found for some parts of that article, particularly regarding necessary veterinary and phytopathological restrictions.

M. Stucki had stated that the policy of France had been dictated by her own interests because she exported live animals and imported meat. M. Serruys desired to reply that this was not so. The veterinary and phytopathological restrictions were continually increasing. In consequence, if the Conference did not accept jurisdiction there would have to be certain guarantees for veterinary and phytopathological restrictions. Guarantees had already been contemplated before the war. In 1913 the great agricultural countries signed at Rome a Convention providing guarantees concerning sanitary prohibitions. Though the present Conference was not the place to suggest a convention for this matter, M. Serruys felt that, if that fundamental article was going to be withdrawn from arbitration, the Conference should at least state that it had not meant to give its sanction to an increased use of arbitrary restrictions.

Progress might be made on this point either by an international convention or by the appointment of a committee on animal diseases. If jurisdiction were not admitted, the Conference should recognise that Article 4 should be well defined and rigid and should carry new guarantees.

Article 5 concerned the vital interests of States. M. Serruys did not wish to reopen a discussion on the adhesion of States to Article 36 of the Statute of the Permanent Court. The speeches which had been delivered at the Conference showed that it was not even possible to secure the majority necessary for referring Article 5 to the Court. He hoped, however, that it would not be a loophole for arbitrary restriction.

There were two possible solutions : Article 4 might be restricted to definite and rigid terms or the door might be shut regarding Article 5. Article 5 should only apply to cases of catastrophe, and it was generally agreed that it must not be an open door for possible abuses. It must therefore carry the necessary guarantees. France had given such guarantees in the commercial treaty which she had concluded with Germany, but that article would not be applied, as neither Germany nor France was in such an exceptional position as to justify such measures. Moreover, if the present position were to lead France to take exceptional measures, it would be possible to reopen negotiations and even to denounce the Convention.

It was doubtful whether other countries could state that their present position was in no way exceptional. The Greek delegate had stated that he could not admit the position of a State in financial difficulties as normal.

M. Serruys therefore suggested that the Conference should lay down a definite interpretation of Article 5 and proposed the following text :

“ *Ad Article 5.*—The Conference declares that in adopting the text of Article 5 it has had in view circumstances ‘extraordinary and abnormal’ not only by their nature but also by their gravity.

“ It unanimously holds the view that the exceptions provided for in Article 5 should in no case weaken the efficacy of the present Convention, and that they should be introduced only if they are dictated by unavoidable necessity, there being no other method of safeguarding the vital interests of the country.

“ In particular, the Conference has not desired to give its approval :

“ (a) To a policy of reservations with regard to raw materials as condemned in the Economic Committee’s report to the Council of the League of Nations, November 1921.

“ (b) To prohibitions which tend to create artificial conditions of supply or demand for national production, in such a way as to interfere with the free play of international competition ;

“ (c) To permanent prohibitions based on a fiscal system or consumption policy ;

“ (d) To prohibitory or restrictive measures of an alleged sumptuary character intended to paralyse international trade in so-called luxury products. ”

It had frequently been argued that certain countries applied a fiscal policy of heavy Customs duties in order to assist both the budget and the national protection which really constituted a prohibition. A number of countries pursued this policy particularly as regards export duties on raw materials. There was also an argument that there was an international struggle between countries to put heavy Customs duties on the export of raw materials such as zinc and lead. These products underwent an export duty of 20 per cent and in addition to transport and Customs expenses. In this way a producing country succeeded in preventing other countries from buying its raw materials.

There were also countries which claim to defend themselves against a policy of excessive consumption to the detriment of the consumer. They also placed restrictions on consumption in order to prohibit the import of certain goods. This was the case as regards luxuries, and M. Serruys felt that such a policy could not continue.

He desired to add one provision to Article 6, which was closely connected with Article 7.

In his view Article 6 should carry two guarantees. The most serious prohibitions in Europe were established as protective measures, not to say as reprisals. It was usual to recommend that such prohibitions should not affect States which were not parties to the dispute. The second provision which M. Serruys desired to insert in Article 6 was that if some contracting State which had agreed to friendly compromise then refused to accept it there should be some sanction provided. This was, he felt, a connection between Articles 4 and 7.

If his proposals were accepted the Convention would include effective guarantees. In Article 4 there would be no safety valve and no loophole. Article 5 would not be arbitrary but would provide an effective limitation, and Article 6 would provide sanctions in case of need.

At the actual moment there were serious disputes arising from intolerable prohibitions. One could neither ignore them nor make provisions which would render it impossible for certain countries to sign the Convention.

M. Serruys felt that the remedy might be found in Article 9, which would allow the Convention to be ratified by means of certain provisions governing the conditions of adherence.

In any case it was quite impossible for the Conference not to recognise the gravity of the present situation or to allow each member to emphasise his own point of view and ignore their international ideals. Guarantees should therefore be provided for Articles 4 and 5, and the difficulties of Article 7 would thus be solved. Article 9 would provide a solution for present disputes.

As there were no more speakers on the list, the PRESIDENT called on M. Fougère, the French expert, to speak.

M. FOUGÈRE (France) said that the fact that Article 5 was not supported by careful interpretation drew attention to the form of prohibition which had been applied in times of economic troubles but which should now cease. He referred to the restrictions and prohibitions on luxuries. Neither Article 4 nor Article 5 applied to or justified this measure, and it was time to stop a form of hindrance which gave rise to counter measures. There were two reasons for suppressing this form of prohibition. In the first place, it was a hindrance to the normal progress of civilisation ; in the second place, the export and import of luxuries affected the vital interests of many countries. The progress of art and civilisation was carried on by the production of luxuries which were a natural aspiration towards beauty and had a tendency to bridge the chasms between classes. The prohibitions or Customs dues which some countries placed on luxuries gave rise to a large and profitable smuggling organisation. It was very difficult to define exactly what luxuries were.

Could it be maintained that silk clothing sold at reasonable prices was a luxury ? Was the motor-car, which ranged from 500 to 6,000 dollars, a luxury ?

The second serious point was that a number of countries found it vitally important to be able to produce luxuries or the raw materials necessary for them. China, Japan, Italy and eastern countries were vitally concerned in being able to market their silks. The raw materials necessary for silk were equally important for the United States, France, Italy, Switzerland, Germany, Czechoslovakia, etc.

It was of vital importance to Persia, the Cape and Brazil that they should be able to sell the precious stones used as raw materials in industries which flourish in the Netherlands, England and France ; it was of vital importance for Russia and Canada to sell the pelts which prosperous industries in the United States, England, Germany, France, etc., transformed into furs. If the export to other countries of these products were prohibited, the countries affected by such prohibitions would obviously be driven to make reprisals which would be highly detrimental to the prosperity of the economic world and to peace in general.

With regard to high Customs duties, some people thought that the States should be perfectly free to fix these duties ; others thought that the matter should be regulated. It was all to the good that so many diverse opinions had been expressed at this Conference. Duties that were made two, three, four or even six times heavier than the value of the object were singularly like prohibitions. The Conference had roused people to a realisation of these things, and if they could not come to a definite conclusion now they would at least go away with the intention of improving matters.

He asked in the name of France that there be inserted in the text some clause like the following : " That no contracting party should apply to any other State, on the strength of Article 5, prohibitive measures or restrictions of a so-called sumptuary character destined to paralyse the international commerce of so-called luxuries ".

#### 16. Appointment of a Committee of Rapporteurs on Articles 4, 5 and 7.

The PRESIDENT proposed the appointment of Committee C, which would be a committee of Rapporteurs dealing with Articles 4, 5 and 7. He proposed that this Committee should consist of :

Sir Sydney CHAPMAN  
M. SERRUYS  
Dr. TRENDELENBURG  
M. DI NOLA

M. ITO  
M. CLAN  
M. DOLEZAL  
Mr. WILSON

and a representative of the delegate of the Kingdom of the Serbs, Croats and Slovenes.

This Committee would call for advice upon M. BRUNET (Belgium), M. IBL (Czechoslovakia), M. STUCKI (Switzerland), M. SCHÜLLER (Austria) (as a member of the Economic Committee), and two delegates from the International Chamber of Commerce would be present at the meetings of this Committee and members of the delegations of the following countries which had submitted amendments : Netherlands, Finland, Hungary, Sweden, Greece and Roumania. He ventured to propose himself as Chairman of this Committee.

*This proposal was accepted.*

M. DENDRAMIS (Greece) proposed that M. ERICH (Finland), who was an eminent jurist, should take part in this Committee in an advisory capacity.

*This proposal was accepted.*

---

### TENTH PLENARY MEETING

*Held on Thursday, November 3rd, 1927, at 3 p.m.*

---

#### 17. Second Reading of the International Draft Convention<sup>1</sup>.

The PRESIDENT proposed that any delegates desiring to move amendments of substance to the draft should present them in writing. Observations submitted upon points of drafting would be referred to the Drafting Committee to be considered on the following day.

The present discussion should be regarded as a second reading of the Convention. The final text would be prepared having regard to amendments adopted or observations made in the course of that discussion, and he hoped it would be possible for the Convention to be read a third time on Saturday.

*The proposals of the President were adopted.*

<sup>1</sup> It has not been felt necessary to print the text discussed by the Conference at this meeting. Where, however, it differs considerably from the text finally adopted, it has been repeated.



*Article 1.*

*The Conference adopted this article without discussion.*

*Article 2.*

Dr. RIDDELL (Canada) proposed that the expression "the necessary measures to ensure" should be replaced by the expression "all the necessary measures within their competence to ensure", etc.

The amendment was designed to cover the case of Federal States which might not be competent to undertake obligations on behalf of their provinces.

M. SERRUYS (France) said that the same difficulty had arisen during the discussions on the International Convention for the Simplification of Customs Formalities. On that occasion a note had been inserted in the Protocol to the effect that the acceptance of certain articles by Canada involved only the responsibility of the Federal Government, which did not assume any responsibility as regarded measures taken by the provinces under the rights conferred on them by the constitution of Canada. He hoped that the same method would now be followed of meeting the difficulty. It would be better, in his opinion, to have a special note in the Protocol rather than to weaken the text of the Convention itself.

The PRESIDENT supported the view of M. Serruys.

Dr. RIDDELL (Canada) said that the solution proposed by M. Serruys was acceptable to the Canadian delegation and withdrew his amendment.

Sir Sydney CHAPMAN (Great Britain) said he understood that any other country in the same position as Canada would be covered by the proposed statement in the Protocol.

The PRESIDENT said that a country would only be covered if the statement referred to that country specifically.

*Article 2 was adopted.*

*Article 3.*

*The Conference adopted this article without discussion.*

*Article 4.*

The text before the Conference was the following :

"The following classes of prohibitions and restrictions are not prohibited by the provisions of the present Convention, on condition, however, that they are not applied in such a manner as to constitute a means of arbitrary discrimination between foreign countries where the same conditions prevail, or a concealed restriction on international trade :

" 1. Prohibitions or restrictions having in view public safety.

" 2. Prohibitions or restrictions regarding traffic in arms, munitions and implements of war, or applicable, in exceptional circumstances, to all other military supplies.

" 3. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites.

" 4. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historical or archæological value.

" 5. Prohibitions or restrictions applicable to gold and silver coins, currency notes or securities.

" 6. Prohibitions or restrictions designed to extend to foreign products the regime established within the country in respect of the production of, trade in, and transport and consumption of like national products.

" 7. Prohibitions or restrictions applied to products which, as regards production or trade, are or may in future be subject within the country to State monopoly or to monopolies exploited under State control. "

ABDUL RAHMAN FIKRY Bey (Egypt) moved that in paragraph 3 of Article 4 the words "or for moral and humanitarian reasons" should be inserted after the words "public health". The words which he proposed to insert had been included in the draft submitted by the Economic Committee.

The PRESIDENT said that he had received an identical amendment from the British delegation.

Mr. MACWHITE (Irish Free State) supported the amendment. In Ireland there were prohibitions against the import of obscene photographs, etc., and he would like to see cases of that kind specifically covered by the Convention.

M. SERRUYS (France) said he had no objection to the proposed amendment but wondered whether it would not be more appropriately inserted elsewhere. It seemed to him that it might more suitably be included under paragraph 1.

M. SCHÜLLER (Austria), Rapporteur, said that his Committee had desired to cover the point under discussion, but it considered that it was included within the terms of paragraph 6.

*The amendment was adopted, it being left to the Drafting Committee to insert it at the most appropriate place in the Convention.*

The PRESIDENT said he had received another amendment submitted by the delegation of the United States. The amendment was to the effect that in paragraph 6 the words "the regime established" should be replaced by the words "the same regime or a regime analogous to that established".

Mr. Hugh R. WILSON (United States) said that the object of the amendment was to provide against the case of there being formal differences between the laws and regulations of a country dealing with imports and the laws and regulations which applied to the manufacture or consumption of articles within the country. It was also designed to cover difficulties which might arise owing to the fact that certain articles might be prohibited articles of commerce as between the various States.

Sir Sydney CHAPMAN (Great Britain) supported the amendment. He did not think it was contrary to the intentions of the Conference or that it would open the door to any evasions. Internally the Government might have several methods of control, whereas in regard to imports there was only one method at its disposal: namely, the method of prohibitions. The methods adopted by a country in dealing with certain articles within its territories might not be identical with measures taken in dealing with imported articles. There was, of course, no idea that the internal control should be less severe.

M. DE NICKL (Hungary) opposed the amendment. The amendment was extremely dangerous and might open the door to discrimination between domestic and imported goods. In any case, it would be necessary to find a form of words which would preclude any possibility of a discrimination of that kind.

M. SERRUYS (France) entirely agreed with M. de Nickl. There was a serious risk that by means of the proposed amendment a dangerous breach might be made in the whole structure of the Convention at the last moment. The guarantee contained in paragraph 6 of Article 4 resided in a strict application of the principle that there should be similarity of treatment between foreign and imported goods. The assimilation of the obligations of a State in regard to specific products produced at home and imported from abroad was essential. That clause represented three of the original clauses submitted by the Economic Committee, and should not be weakened in any respect. To enlarge its interpretation was extremely dangerous and might open the way to serious abuses.

In order to meet the difficulties of States which had a federal constitution or which might have different methods of control for domestic and imported goods would have to be met in another way. Any method taken to deal with the difficulty must not open the way for any possibility of discrimination against foreign goods, and great care would have to be exercised in the drafting of any clause dealing with the matter.

His country, for example, would certainly not admit that French wine might be excluded on the grounds that there was a system of dealing with native wines which might be regarded as merely analogous to the system applied to imported wines.

M. BRUNET (Belgium) said that, as a member of the Committee which had drafted Article 4, he could assure the United States delegation that the word "regime" used in item 6 of the article was not to be interpreted in the strict sense attributed to it by Mr. Wilson. The use of the word "regime" necessarily implied a system of identical regulations, but a similar system of restriction or prohibition affecting foreign and domestic goods to the same extent. It was obvious that a regulation applied to imported goods, and that enforced in the interior of the country could not be exactly identical. The regulations on imports, on the one hand, and domestic production, commerce and transport, on the other, inevitably involved very different questions. The only important point was that their effect should be the same.

He therefore felt that the word "regime" thus used was calculated to give entire satisfaction to the American and the British delegations.

Mr. Hugh R. WILSON (United States) said that the explanation of M. Brunet reassured him to a great extent, and he entirely agreed with M. Serruys that there should be no opening of the door to any evasion of paragraph 6. He was willing to leave the matter in the hands of the Drafting Committee, which might determine whether the point which he had raised was adequately covered by the paragraph as it stood.

Sir Sydney CHAPMAN (Great Britain) associated himself with the observations of Mr. Wilson. He thought that the Drafting Committee should examine the paragraph in the light of what had been said. He had not wished in any way to relax the principle embodied in paragraph 6. There might, however, be differences between the system applied in a country to domestic products and the system applied to imports. Thus in Great Britain measures taken within the country might consist of civil action or an injunction.

The PRESIDENT said that the Drafting Committee could not be authorised at that stage in any way to alter the substance of the Convention on its own responsibility. If, however, the United States delegation would withdraw its amendment, he would ask the Drafting Committee to consider whether it would not be possible to deal with the points to which Mr. Wilson had drawn attention, without amending the text in the manner to which M. Serruys and M. de Nickl had objected.

M. SERRUYS (France) urged the United States and British delegations not to insist on an amendment of the text. He would suggest as an alternative that there should be inserted in the Protocol a declaration in the following terms :

“ The high contracting parties declare that if, owing to the constitution of certain States or to the different methods of internal control which they apply, a complete assimilation cannot be established between the regime in respect of national products and the regime in respect of imported products, such differential treatment shall not aim at or result in creating an unjust discrimination to the detriment of the latter. ”

Mr. Hugh R. WILSON (United States) withdrew his amendment.

The PRESIDENT said that the notes submitted by M. Serruys would be inserted in the Protocol.

M. CHI YUNG HSIAO (China) pointed out that the original text submitted by the Economic Committee had referred specifically to prohibitions and restrictions imposed in conformity with international conventions in order to deal with the traffic in opium. There was no such reference in the present draft. Might he assume that the point was covered by paragraph 3 of Article 4, which referred to the protection of public health, or by another paragraph ?

M. SCHÜLLER (Austria), Rapporteur, said that the point was covered both by paragraph 3 of Article 4 and by Article 11, which laid down that “ nothing in the present Convention shall prejudice the rights and obligations of the high contracting parties arising under international conventions in force to which they are parties ”.

The PRESIDENT said that the British delegation had handed in a statement in reference to paragraph 3 of Article 4 which they desired to include in the Protocol.

The statement was as follows :

“ The high contracting parties agree that paragraph (3) of Article 4 be deemed to exempt from the provisions of the Convention measures for regulating the trade in opium or other substances included now or hereafter within the scope of the International Opium Convention of Geneva of 1925. ”

M. SCHÜLLER (Austria), Rapporteur, pointed out once more that the point referred to in the British amendment was already covered by paragraph 3 of Article 4 and by Article 11, and said that he had no objection in substance to the proposed statement. He doubted, however, whether it would be possible to include the expression “ now or hereafter ”. The reference to conventions concluded hereafter raised an important question of principle.

M. BRUNET (Belgium) said that he had no objection to the British proposal as far as opium was concerned. The text as submitted, however, indirectly placed the Conference before an entirely new principle in treaty law. Article 11 of the Convention referred to international agreements which had been concluded before the signature of the new agreement. The British statement also proposed to cover agreements to be concluded in the future. M. Brunet must entirely reserve his opinion as to the question of principle thus raised by the British proposal.

M. CHI YUNG HSIAO (China) said that in view of the assurance of M. Schüller that prohibitions imposed to restrict the opium traffic were covered by paragraph 3 of Article 4 and by Article 11 it did not seem necessary to make any special reference to the matter in the Protocol. The British text, moreover, referred to the Convention of Geneva, and there were countries which were not parties to that Convention. He therefore did not think it advisable to refer to the matter in the Protocol.

Sir Sydney CHAPMAN (Great Britain) agreed that the point was covered by paragraph 3 of Article 4. The British delegation, however, attached so much importance to what was being done to restrict the traffic in opium that it wished a prominent statement to appear in the Convention to the effect that States retained a free hand to deal with the question of opium

or any other substances which might hereafter come under the scope of the Geneva Convention. The statement which he had submitted was being inserted by the British Government in other international instruments. He was aware that the statement made no material difference to the Convention, but its insertion had a political and social importance.

He thought it was essential to include the words "now or hereafter", as countries must be assured that they had a free hand to deal with all substances which might be added to the schedule of dangerous drugs attached to the Geneva Convention. He had mentioned that Convention explicitly owing to the fact that it contained a schedule of drugs specifically named.

Dr. RIDDELL (Canada) associated himself with the declaration of the British representative. He thought it was essential that a convention dealing with import and export prohibitions and restrictions should leave no doubt in the public mind in regard to the most important prohibition in existence and one regarding which all countries were agreed.

M. SERRUYS (France) begged Sir Sydney Chapman not to raise an essential question in relation to a small amendment. The amendment proposed by the British delegation drew immediate attention to the fact that in the Convention as it stood there had been a serious but a deliberate omission. In other international conventions the contracting parties had undertaken, as in the Convention on Customs Formalities, not to sign any new agreements which might not be in conformity with those conventions and to revise any existing agreements which were incompatible with those conventions. No such clause had been inserted in the proposed convention on prohibitions and restrictions. The omission was deliberate, the Conference taking the view that the present Convention should be sufficient in itself.

The statement proposed by the British delegation would, in the absence of a clause relating to conventions made in the future, amount to asking the contracting parties to sign a blank cheque on the future which might be presented in circumstances which would make it impossible of acceptance. A country might have objections to agreements concluded hereafter, but would be powerless to plead the validity of those objections in face of the passage which the British delegation proposed to insert in the protocol.

He would ask Sir Sydney Chapman to withdraw his proposal, and, if Sir Sydney Chapman was unable to do so, he would ask the Conference to vote against it.

M. BRUNET (Belgium) said that he had complete sympathy with the idea underlying the proposal of the British delegation. He did not wish any obstacle to be put in the way of the campaign against opium, of which he had always been a convinced supporter. There was, however, a real danger in the text of the British proposal which would create a precedent in treaty-making law, the consequences of which were difficult to calculate. M. Brunet was unable to support this proposal, at any rate in its present form. He felt that he would doubtless be possible to modify the form in a way which would remove the difficulties which at present caused him anxiety.

M. SCHÜLLER (Austria), Rapporteur, thought it might be possible to accept the statement providing the words "now or hereafter" were omitted.

Sir Sydney CHAPMAN (Great Britain) said that the statement would not be satisfactory to his delegation if the words "now or hereafter" were struck out. The British delegation desired to make it clear to the world that its hands would not be tied in dealing with any substances which might hereafter come under the Geneva Convention.

The PRESIDENT said it was necessary for the Conference to take a decision on the matter.

*A vote was taken and the result was as follows :*

*6 delegations voted in favour of the amendment.  
9 delegations voted against the amendment.  
12 delegations abstained.*

The PRESIDENT said the amendment was rejected and would therefore not be referred to the Drafting Committee. The British delegation, however, might submit its proposal again at the third reading.

ABDUL RAZAK ABOUL KHEIR Bey (Egypt) said that in his country the introduction of foreign lottery tickets was prohibited. Was this point covered by the article referring to public morals ?

M. SCHÜLLER (Austria) said that this question could not come up, as it had no connection with restrictions on imports and exports. Lottery tickets could not be considered as imported goods. The question was a matter for the police, and each State could forbid the entry of lottery tickets into its territory.

The PRESIDENT said that this point was covered by the third paragraph of Article 4 with the addition of the words "for moral or humanitarian reasons".

Article 5.

Dr. TRENDELENBURG (Germany) said that at the first reading the German delegation, in order to assure the complete abolition of prohibitions of an economic nature at present in force, had proposed the deletion of this article. There were two reasons why the German delegation was ready to accept it in its present form. In the first place, in its present form, this article was of a purely restrictive character and could only be considered as a "katastrophenklausel"—i.e. a clause covering catastrophic circumstances. Secondly, the question of what existing prohibitions not falling under Article 4 could be maintained was exclusively settled by Article 6, which concerned the special reservations to be submitted by the various countries. This meant that any country desiring to maintain a prohibition not falling under Article 4 must do so by way of a reservation to be handed in now or at a subsequent stage in the procedure. The German delegation desired this point, on which there had been no doubt in the discussions of the Committee, to be clearly brought out in the minutes of the meeting, and suggested that they should include the following passage :

" The Conference is of opinion that the question of what prohibitions on importation and exportation which are now in existence in the various countries and which do not fall under Article 4 can still be maintained after the coming into force of the present Convention is a matter which is exclusively governed by Article 6 and the procedure in connection with that article, and the Conference also considers that Article 5 cannot be quoted as justifying the maintenance of such prohibitions. "

*The Conference gave its approval to this declaration and decided that it should be inserted in the minutes. It then adopted Article 5.*

Article 6.

The text before the Conference was as follows :

" 1. The high contracting parties, recognising that there are situations of fact or of law in the case of some of their number which prevent the latter from immediately undertaking, as regards certain specified products, the engagements entered into under the previous articles, have deemed it equitable to authorise these high contracting parties to make a reservation in regard to certain temporary exceptions, which they undertake to renounce as soon as the circumstances from which they arise no longer exist.

" 2. Moreover, the high contracting parties, also recognising that in certain countries there are import or export prohibitions or restrictions which it would be difficult for the countries in question to abolish, and which, moreover, do not prejudicially affect the trade of other countries, have agreed that these countries may become contracting parties to the present Convention <sup>1</sup>.

" 3. The Annex to the present Convention sets forth the exceptions coming under the two previous paragraphs, which have been granted on this day's date in favour of the high contracting parties which have signed the Convention on that date. Requests for exceptional treatment which the high contracting parties may desire to submit subsequent to this date shall be made in accordance with the procedure laid down in the Protocol to the present Convention. "

M. ERICH (Finland) said that the present wording of paragraph 3 of Article 6 gave full satisfaction to the point raised by the Finnish delegation in its letter reproduced in the list of reservations, as well as its remarks referring to States which signed the Convention after the end of the present Conference but before February 1st, 1928.

M. CURCIN (Kingdom of the Serbs, Croats and Slovenes) said that he did not wish to pass over the new paragraph without criticism. He had no desire to aggravate the delicate situation of the British delegation, but there were certain points which it was desirable to clear up.

It was established that Great Britain, though a convinced supporter of the League, had, by its insistence on the prohibition regarding dyestuffs, prejudiced a Convention which would abolish post-war prohibitions and restrictions. Though every country must have means for economic protection if it was not to defend itself by political action, there existed some means for regulating commerce and others for upsetting it. Prohibitions tended to upset commerce, and it was therefore endeavoured to reduce them to a necessary minimum, in which had been included the question of national defence. There were, however, other means than prohibitions

---

<sup>1</sup> The Legal Section has pointed out that the words " have agreed that these countries may become contracting parties to the present Convention " appear irreconcilable with the Constitution of the British Empire. It is of opinion that this disadvantage could be removed by repeating the formula used in the last part of paragraph 1. In this case paragraph 2 would run as follows: " Moreover, the high contracting parties, recognising that it would be difficult to abolish certain import or export prohibitions or restrictions applied by some of them, and which, moreover, do not prejudicially affect the trade of other countries, have also deemed it right to authorise these high contracting parties to make a reservation in regard to these exceptions. "

for regulating commerce, and M. Curcin felt that in order to create a new industry prohibitions should not be instituted, even though the industry might be necessary for the defence of the country.

The British delegation had mentioned interior difficulties as a justification. If these difficulties did not consist in certain privileges to branches of industry or to commercial companies they could only consist in laws, but in view of the high level of the Parliamentary regime of Great Britain M. Curcin could not understand the existence of internal difficulties which could not be overcome, but would like to know whether the British Government considered these alleged difficulties as temporary or not.

The Serb-Croat-Slovene delegation, in its desire to assist the League to carry out the conclusions of the Economic Conference, would not put forward a special reservation but was compelled to make the following reservation to be inserted in the annex :

“ The Serb-Croat-Slovene delegation reserves the right to formulate any other reservations which may be rendered necessary by similar declarations which may be made by other States at the time of common signature or at a later date. ”

M. Ito (Japan) suggested that paragraph 3 of Article 6 might be divided into two parts, and the sentence beginning with the word “ Requests ” should be headed 4.

The PRESIDENT proposed that M. Ito's amendment be referred to the Drafting Committee, together with the footnote at the bottom of page 4.

*This proposal was adopted.*

#### *Articles 7 and 8.*

*The Conference adopted these articles without discussion.*

#### *Article 9.*

The text before the Conference was the following :

“ Any one of the high contracting parties may, either upon ratifying the present Convention or thereafter, declare that it undertakes to extend to any other high contracting party accepting the same obligation the application of the provisions of paragraph 3 of Article 8 above to any dispute which may arise in connection with the interpretation or application of any or all of the provisions of the present Convention, whether or not the dispute is of a legal nature. ”

M. Brunet (Belgium) had proposed the following text as being more exact and complete :

“ Any one of the high contracting parties may, either upon ratifying the present Convention or thereafter, declare that it undertakes to extend to any other high contracting party accepting the same obligation the application of the provisions of paragraph 3 of Article 8 above to any dispute which may arise in connection with the interpretation or application of the provisions of the present Convention, including all or part of Articles 4, 5 and 6 and whether or not the dispute is of a legal nature.

“ As far as concerns the provisions which would not be included in the undertaking referred to in the foregoing paragraph, the provisions of paragraphs 1 and 2 of Article 8 will remain applicable. ”

M. BRUNET (Belgium) explained that this new article had been to some extent produced during the discussions arising out of Article 8 in Committee C. He had then been led by the wish to give satisfaction to those who, like himself, would have liked the idea of arbitration to have had a more important place in the Convention. The original text of the new provisions had therefore been to some extent improvised, and the Conference would not be surprised if as the author of this text M. Brunet proposed slight alterations to it in order to make it more precise.

He proposed that the second paragraph of the article should be drafted as follows :

“ As far as concerns the provisions of Articles 4, 5 and 6, which would not be included in the undertaking referred to in the foregoing paragraph, the stipulations of paragraphs 1 and 2 of Article 8 will be applicable. ”

M. SERRUYS (France) remarked that two ideas had disappeared from M. Brunet's original amendment. The first was that engagements thus taken would only bind parties in relation to other States which adopted the same engagements. In the second place, he referred to the words “ whether or not the dispute is of a legal nature ” and asked whether this distinction could or could not be made.

M. BRUNET (Belgium) noted that the idea expressed by the words "to extend to any other high contracting party accepting the same obligation" was the fundamental idea in his proposal. These words established the reciprocity on which his proposal was based. The obligation of Article 9 was of a purely optional nature, and it would be accepted by those States which were ready to give mutual undertakings in the sense indicated by the article in question.

It was, of course, understood that Article 9 would be deprived of practical value if the undertakings which it involved were only accepted by States which had adhered to Article 26 of the Statute of the Supreme Court of International Justice. It might, however, be hoped that the number of these States would be increased by others which had not accepted this general undertaking.

As regards the words "whether or not the dispute is of a legal nature", their meaning was that the distinction made in this connection in Article 8 would not exist as far as concerned the undertakings to be accepted by the application of Article 9.

M. SERRUYS (France) said that this reply had not quite met his point. He wished to ask whether the reciprocity provided in the article was general or specific. If a country accepted reference to the Permanent Court of International Justice of matters concerning paragraphs 1 and 2 of Article 4 and did not accept such reference for paragraph 3, would it have to answer a summons of a Power which had adhered to the whole of Article 4?

M. BRUNET (Belgium) replied that this was not the case. Reciprocity would be absolute and would take effect within the same limits. This meant that the extent of the undertaking as regards the application of arbitration to Articles 4, 5 and 6 would be fixed by common agreement between those States which were prepared to bind themselves as to the whole or as to a part of the provisions of this article.

M. SERRUYS (France) asked whether a Power which accepted obligatory reference to the court for legal disputes only would be obliged also to accept reference in disputes of a non-legal nature.

M. BRUNET (Belgium) replied that here also the mutual obligations would be equal in scope and extent.

His idea was that an exchange of views would take place between the States which were ready to bind themselves on the basis of Article 9 in order to reach agreement as to the limits within which the provisions of Articles 4, 5 and 6 would be included in the undertaking to be subscribed to by them in applying Article 9.

Sir Sydney CHAPMAN (Great Britain) suggested that M. Brunet's introduction of the last part of his proposal appeared to conflict with or cast doubts upon paragraph 1 of Article 8. This article provided that Articles 4, 5 and 6 should be outside its scope, but the addition suggested by M. Brunet appeared to imply that these articles were nevertheless partly within the scope of Article 8. He proposed that this possible misreading of the amendment should be removed in drafting.

M. BRUNET (Belgium) replied that the amendment which consisted in replacing the words "will remain applicable" by the words "shall be applicable" would doubtless remove the objections of Sir Sydney Chapman. These objections had been fully justified by the former text, which was as a matter of fact the result of a misunderstanding.

*The Conference adopted M. Brunet's amendment.*

*Articles 10, 11, 12 and 13.*

*The Conference adopted these articles without discussion.*

*Article 14.*

Sir Basanta MULLICK (India) suggested that the date of February 1st, 1928, might be postponed in order to give more time to distant countries if this did not inconvenience the provision with regard to the future conference.

The PRESIDENT said that this date had been reached after considerable discussion in the Committee, and he hoped that the Indian delegation would not press the point.

Sir Basanta MULLICK (India) said that he would not insist on his proposal.

*The Conference adopted Article 14.*

*Article 15.*

*The Conference adopted this article without discussion.*

*Article 16<sup>1</sup>.*

M. ITO (Japan) recalled that it had been decided that the next conference would examine reservations and objections submitted after the signature of the Convention. Paragraph (a)<sup>2</sup>

<sup>1</sup> Article 17 in the final text.

<sup>2</sup> This paragraph reads as follows :

" (a) The reservations which each of the high contracting parties may, with the consent of the others, make at the time of ratification, in conformity with Article 6 and the procedure referred to in paragraph 3 of that Article. "

of this article, however, provided that all reservations, including those now submitted, would be examined by the next conference. He would like to know the reasons for this change in the substance of the article.

M. SERRUYS (France) welcomed an opportunity to explain how this system had been reached.

There was no substantial change in the article. It had been always understood that reservations made after signature would be examined by a conference to be held at a given date. Suggested reservations could then only be formulated at the time of ratification if they had received the approval of that conference.

In international law no reservation was valid unless accepted by all the contracting parties, whose acceptance of a reservation after signature would have to be unanimous.

As such a procedure would have had the effect of excluding a large number of reservations, the Committee had proposed to provide an opportunity for their discussion and acceptance by States led to ratify the Convention. There was, however, a departure from this rule of unanimity, for the next conference might accept reservations in spite of their being opposed by certain States. These States might either withdraw from the Convention or continue to apply it to themselves. In order to make their position easier, it was provided in Article 17 that each high contracting party could denounce the Convention five years after it had come into force. This was in order to cover the case where certain States noted that reservations which they had accepted in spite of their original opposition caused too great a prejudice to their economic life. This departure from the general rule of unanimity was in no way a change from what had been agreed in the Co-ordination Commission.

M. ITO (Japan) said that M. Serruys' explanation was extremely clear but that the text of the article was very obscure. He proposed that the matter should be referred to the Drafting Committee and would submit a new text for their consideration.

The PRESIDENT explained that M. Ito was afraid that paragraph (a) only dealt with reservations handed in after signature and before February 1st.

M. SERRUYS (France) wondered whether M. Ito would be satisfied by the insertion of the words " maintained at time of ratification " in paragraph (a).

M. BRUNET (Belgium) felt that the Conference would agree that the only reservations referred to were those envisaged by the fourth paragraph of Article 6. He proposed to add the words " in Article 6 " and that the end of the sentence should be accordingly altered.

*The Conference decided that these proposals should be referred to the Drafting Committee. It then adopted Article 16.*

#### *Article 17<sup>1</sup>.*

The PRESIDENT pointed out there was a note in the text to the effect that from this point onwards the text had not been revised without reference to the phraseology necessitated by the special position of the British Empire. There would be no need to discuss points in that connection.

*The Conference then adopted Article 17.*

#### *Article 18<sup>2</sup>.*

*The Conference adopted Article 18 without discussion*

### **18. Protocol to the Convention.**

#### *Section I.*

*Amendment proposed by the Indian Delegation.*

Sir Basanta MULLICK (India) said that his delegation had some apprehension lest clause (b) of this section should refer to certain foreign possessions in India which for historical reasons had remained embodied within the geographical ambit of the British Empire but were administratively entirely separate entities. The Indian Government had no concern with their internal arrangements and no control even over their own nationals living within those territories. It frequently happened that British nationals took materials for manufacturing liquor from British territory, made the liquor in the foreign possession and smuggled it back into British territory. A similar practice existed with regard to salt, which was a State monopoly, and regarding saccharine, on which a high import duty had been put entirely to

<sup>1</sup> Article 18 in the final text.

<sup>2</sup> Article 19 in the final text.



protect the Customs revenue. This prohibition had no political or economic significance, and the question was whether it came under Article 1 of the Protocol of this Convention. The Indian delegation would suggest that an additional clause (c) should be inserted on the lines of the Barcelona Transit Convention drawn up in 1921 where this point had been raised in regard to the difficulty of guaranteeing transit to these foreign possessions. The relevant clause of that Convention altered to suit the present purpose would run as follows :

“ In view of the fact that within, or immediately adjacent to, the territory of some of the contracting States there are areas, or enclaves, small in extent and population in comparison with such territories, and that these areas or enclaves form detached portions, or settlements of other parent States, and that it is impracticable for reasons of an administrative order to apply to them the provisions of this Convention, it is agreed that these provisions shall not apply to them.

“ The States concerned, however, will apply in the cases referred to above a regime which will respect the principles of the present Convention and facilitate imports and exports as far as practicable. ”

The Indian Government would therefore give full play to the principles in the present Convention. This present objection only referred to prohibitions imposed for the protection of their Customs revenue and at present covering only four commodities.

M. SCHÜLLER (Austria) said that Article (b) in question did not in any way refer to these foreign possessions not included in the Indian Customs territory.

The PRESIDENT said that M. Schüller had presented an amendment suggesting the insertion of the following words : “ measures which are extended to guarantee the revenue and to facilitate the working of the Customs system do not constitute prohibitions or restrictions within the meaning of this Convention ”.

M. SCHÜLLER (Austria) said that it had already been decided to include this amendment in the Protocol but that it had been left out by a mistake.

M. DI NOLA (Italy) said that this amendment raised a serious question, as it was considerably wider than the case it was intended to cover.

The amendment was not necessary to cover the case raised by the Indian delegate, since the Convention only applied to the import of goods coming from abroad and did not affect zones within the territory of a State.

When a country protected its revenue, the prohibition of imports usually coincided with a prohibition of the manufacture of the goods in question within the country. This was the case as regards saccharine, on which Italy had limited consumption and trade in order to safeguard the revenue from the import of sugar. In this case the prohibition of import would be covered by Article 6. The British representative in the Economic Committee had also cited the case of coffee and other extracts, and had said that it was necessary to prohibit these commodities, in the first place to protect the revenue, and in the second place to facilitate their clearance through the Customs, as it was found difficult to analyse them. If these were the only difficulties to be met, M. Di Nola would prefer an explicit mention in the Final Protocol rather than the acceptance of a text which might give occasion for abuses.

M. SERRUYS (France) agreed that M. Schüller's text might lead to considerable abuses. Countries would very quickly make use of any gap which was left after the doors had been closed. For instance, if products submitted to an *ad valorem* duty came into a country which felt that the Customs did not get a sufficient revenue and that the prices were artificial, it might, in agreement with the present text, prohibit these products. Such a result might arrive from the adoption of M. Schüller's text, which M. Serruys could therefore not admit.

The proposal of the Indian delegate referred to a special situation which particularly concerned the French possessions in India. The similar provision in the Barcelona Convention had referred to the question of international transit. Without wishing to cast doubts on the good faith of the Indian delegate, M. Serruys felt that in drafting a text the Conference should look to the future and ensure that it should not leave the door open to any abuses.

M. Serruys could therefore not accept the general formula proposed by M. Schüller. As regarded products, such as caffeine, etc., he felt that the British fear was covered by Article 2. He would like to have time to consider the proposal of the Indian delegation, as it had a political as well as an economic character.

The PRESIDENT suggested that in view of the importance of these questions, the matter should be referred to a small Committee consisting of M. SCHÜLLER, Sir Basanta MULLICK, Sir Sydney CHAPMAN, M. DI NOLA and M. SERRUYS, which might meet to find a text which would be generally acceptable.

*The President's proposal was adopted.*

M. DENDRAMIS (Greece) desired to make the following declaration on Article 1 to be inserted in the minutes.

“ The Committee which has drafted this article has not provided for the case of certain ports in which areas have been granted by treaty for the purposes of international trade to the exclusive use of a State other than that having the territorial sovereignty. In order to avoid all misunderstanding I have to state that as regards my country nothing in the present Convention can prejudice the rights and obligations arising out of such a treaty. ”

M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes) associated himself with the declaration of the Greek delegate, adding that he understood that this referred to the special case of the free zone in the port of Salonika.

### *Section II<sup>1</sup>.*

The PRESIDENT said that at the end of this section the German delegation proposed to add the following words : “ The high contracting parties declare that they have in view only monopolies each one of which covers only a certain number of specific products ”.

The British delegation proposed to add the following words at the end of the sentence : “ and that they do not regard this exception as applicable in any case in which monopoly is the rule and not the exception ”.

Dr. TRENDELENBURG (Germany) said that the purpose of both amendments was the same, the difference being that the British proposal expressed the matter in a negative form, indicating which monopolies the text did not include, and the German delegation expressed it in a more positive way by indicating the monopolies which it felt should be considered. He preferred the proposal of the German delegation in order that the Conference might not give the impression of having concerned itself with the conditions of a country which was not represented at the Conference.

Sir Sydney CHAPMAN (Great Britain) said that he was inclined to prefer the German amendment, but suggested that the matter be referred to the Drafting Committee.

M. SERRUYS (France) said that the matter could be expressed explicitly according to the British amendment or implicitly according to the German amendment. The Co-ordination Committee had agreed that the implicit wording was preferable. He therefore supported the draft of the German delegation but proposed a slight amendment. He proposed the following words : “ monopolies which cover only one or several specific products ”.

The PRESIDENT proposed that the matter be referred to the Drafting Committee.

*The Conference adopted this proposal.*

### *Section III<sup>2</sup>.*

M. SERRUYS (France) said that the word “ *impliquant* ” had been included in the second paragraph after the words “ *engagement de leur part* ” in order to bring the translation nearer to the English text. As, however, the French text was the original, he hoped that the English could be altered to meet it.

*The Conference adopted this proposal.*

### *Sections IV<sup>3</sup> and V<sup>4</sup>.*

*These sections were adopted without discussion.*

## **19. Final Act to the Conference.**

M. STOPPANI (Secretary) explained that in the Convention the term “ high contracting parties ” was used, but as the Final Act was signed by all delegates use had been made of the words “ the members of the Conference ”.

M. IBL (Czechoslovakia) said that his delegation proposed to add the following words to paragraph 1<sup>5</sup> of the Final Act : “ especially in cases where the latter are applicable to articles manufactured from the raw material for which free exportation should be established ”.

<sup>1</sup> Section III in the final text.

<sup>2</sup> Section IV (a), (b) and (d) in the final text.

<sup>3</sup> Section VI in the final text.

<sup>4</sup> Section VII in the final text.

<sup>5</sup> Paragraph 5 in the final text.

The difficulty in abolishing certain export prohibitions on raw materials arose from the fact that they were exposed to an ultimate increase of Customs duties on products manufactured from these raw materials. In the case of hides, for example, a country which allowed free export of the raw material would lose doubly when a country which bought raw hides from it also rendered difficult import of leather and leather products by increasing its import duties on worked goods. Czechoslovakia had considered that this was an important element in preventing it from removing the prohibition on the export of hides.

M. SCHÜLLER (Austria) and M. SERRUYS (France) supported the amendment proposed by the Czechoslovak delegation.

*This amendment was adopted.*

M. SERRUYS (France) pointed out that as regards paragraph 2<sup>1</sup> of the Final Act the text before the Conference was not that which had been drafted by the Sub-Committee. It was necessary to eliminate the word "which" after the word "epiphyties" in the first line of the third paragraph. It was also necessary to substitute the words "and should in no case be imposed" instead of "are in too many cases imposed".

The PRESIDENT said that he had three other amendments on similar lines and proposed that the matter be referred to the Drafting Committee.

*This proposal was adopted.*

M. CURCIN (Kingdom of the Serbs, Croats and Slovenes) desired to say a few words of explanation of an amendment proposed by his delegation. There were certain countries which had a large export trade and an agriculture which did not meet their needs, but which was being developed. In these countries the agricultural element desired that any possibility of the cattle becoming infected should be avoided. This suggestion had been met in the Final Act. The other desire of the agricultural element in these countries was to render difficult the entry of foreign cattle by means of import prohibitions which would affect even healthy animals. This was an illegitimate desire which the other cattle-producing countries wished to dispute. Account had been taken of M. Curcin's suggestion in the Final Act, but only in the Preamble. However, the text proposed the meeting of one or more conferences of technical experts who would only deal with the campaign against animal and plant diseases.

M. Curcin felt that these experts could not take into account the economic effect of their action, and he therefore called for a wider provision and suggested that mention should be made of technical experts "who have specialised in all questions connected with disease, veterinary measures and their effects". By these means they would be able also to include the economic aspect of the problem.

The PRESIDENT proposed that the matter should be referred to the Drafting Committee.

*The Conference agreed to this proposal.*

*The Conference then adopted the Final Act.*

## 20. Declaration annexed to the Convention.

M. SERRUYS (France) said that he did not think that this declaration should be made by the Conference as it only concerned certain States. He reserved the right to examine later in what shape and at what place this declaration should be made.

Dr. TRENDELENBURG (Germany) said that the reason why the German delegation did not subscribe to this declaration was not because they thought that wine was detrimental to the health but because the question came into Article 4, paragraph 6, and it was therefore of a domestic nature.

M. SERRUYS (France) thought that the statement of Dr. Trendelenburg showed the moderate nature of the annexed declaration.

## 21. Examination of Reservations under the Additional Article (Article 6)<sup>2</sup>.

The PRESIDENT said the Conference would now discuss the list of reservations proposed under Article 6. The reservations to be included in the Annex to Article 6 could only be made by countries which intended to sign the Convention immediately.

The Conference would observe that the reservations fell into two groups. Paragraph 1 dealt with reservations in regard to certain temporary exceptions which the countries undertook to renounce as soon as the circumstances justifying them no longer existed. Paragraph 2 dealt with reservations with a view to prohibitions which did not prejudicially affect the trade of other countries.

He suggested that the Conference should first deal with the groups of reservations coming under paragraph 1 of Article 6.

<sup>1</sup> Paragraph 1 of the final text.

Mr. HENNINGS (Sweden) made the following declaration :

The PRESIDENT has just said that only those countries which are ready to sign the Convention immediately are authorised to make reservations to be inserted in the Annex to Article 6. My Government desires before signing the Convention to submit the final text as determined by the present discussions to a more thorough examination. I am therefore not authorised to sign the Convention at once, and I am not thus in a position to make a reservation to be embodied in the Annex. As, however, I see that many countries have made reservations concerning a certain product (scrap iron) which is of great importance to Sweden, I feel it necessary to put on record in the minutes that the Swedish Government desires to reserve the right, when signing the Convention, to submit a reservation relating to the maintenance of the prohibition in the export of scrap iron at present imposed in Sweden until free exchange in that product is restored.

I have made this declaration, aware that it will not be put into the Annex and solely with the desire that it should be inserted in the minutes of the present meeting.

Sir Granville RYRIE (Australia) said he wished to inform the Conference that the Government of Australia had removed the prohibition on the export of metal and metal alloys.

The PRESIDENT asked whether there was any objection to the group of prohibitions to be maintained under paragraph 1 of Article 6.

He would ask M. Serruys to give a short explanation of what was meant by the statement that the French prohibition on import of coal was conditional.

M. SERRUYS (France) spoke as follows :

As I have not yet received final instructions from my Government, I have thought it only prudent, having decided to sign the Convention, to make reservation in regard to three prohibitions. One of them relates to wheat. That reservation I abandon. The reservation in regard to coal is described as conditional, because that prohibition is rendered necessary, like the prohibition with regard to scrap iron, owing to the existence of the German prohibition on coal. I would point out, however, that the question at issue is only the possible maintenance of the prohibition at present existing, and that we intend to abolish it in the event of Germany putting an end to exceptions in regard to which France and Germany have agreed.

There will accordingly be no further prohibition on wheat, and no further prohibition on coal, unless the conditions of trade established as between France and Germany should come to an end owing to Germany herself taking a decision to that effect. There remains for France, therefore, only the prohibition on scrap iron. This prohibition is a consequence of the German prohibition on coal and the general prohibition on scrap iron.

I would state, in response to the desire of a certain number of consumer States, and particularly Italy, that the prohibition on scrap iron will itself be removed as soon as the German prohibition on coal and the prohibition on scrap iron of the principal producing countries are removed.

The PRESIDENT noted that, in accordance with the statement of the French delegate, the prohibition on wheat and bread cereals could be struck out.

*The first group was accordingly adopted.*

The PRESIDENT observed that in the second group there were two mistakes in the English text. In the Egyptian reservation the expression "organic fertilisers" should be substituted for the word "fats", and the expression "slaughter-house offal" should be substituted for the expression "slaughter-house refuse and dried blood".

In the Roumanian reservation there was a reference to "used machinery for industrial installations". He believed the delegate for Roumania desired to bring that product under paragraph 1 of Article 6, and not under paragraph 2.

M. GHEORGHIU (Roumania) made the following statement :

The Roumanian delegation stated yesterday that, in the event of other delegations making reservations in regard to the export of scrap iron or waste metal and alloys, or on the export of bones, the Roumanian delegation would on its side be obliged to maintain the prohibition on the export of those articles.

The PRESIDENT noted the above declaration and pointed out that under paragraph 1 scrap iron and used machinery for industrial installations would be included.

The second group contained also the reservations of Egypt and Italy in regard to "corn and iron ores". He would ask whether there were any objections to these reservations.

*The second group of reservations was adopted.*

The PRESIDENT said there remained certain prohibitions on which the Conference would have to take a decision. He would take first the case of Roumania. Roumania desired to bring export prohibitions on crude oil and ores under paragraph 2 of Article 6—a proposal which meant that Roumania considered those prohibitions to be permanent and of so little

importance that they had no effect on the trade of other countries. The Conference would have to decide whether those prohibitions could rightly be included under the second paragraph of Article 6.

M. CHI YUNG HSIAO (China) made the following declaration :

As regards the reservations to be annexed to the Convention, a distinction must be drawn between two groups of States, one group which will immediately sign the Convention, and another which will perhaps sign the Convention later.

For States which do not sign the Convention now, and which cannot, therefore, make any reservations immediately, it seems that it would be more just, in the event of their having observations to make in regard to the reservations under discussion, if they were to formulate those observations at the moment when they sign the Convention.

As regards the reservations of States signing the Convention, it does not seem to me just that all the members of the Conference should take a decision in regard to them, since some of them are not signing the Convention. Those who do not sign the Convention may reserve the right to submit their observations at the moment of signing.

The PRESIDENT pointed out that the observations of M. Chi Yung Hsiao showed the advantage of signing the Convention immediately.

M. CHI YUNG HSIAO (China) said that in presenting his observations he was not thinking only of his own delegation, which had not yet received instructions from its Government, but of other representatives who were in the same position.

M. POPESCU (Roumania) made the following declaration :

The Roumanian delegation, in accepting the present draft of Articles 4, 5 and 6, has asked the Conference to approve the insertion *ad* paragraph 2 of Article 6 of the following passage : " iron ores and other metals, crude oil ".

Committee C has met the wishes of the Roumanian delegation in respect of its proposal relating to iron ores and other metals—a proposal also made by the Italian delegation. The Roumanian delegation regrets, however, that Committee C did not accept its proposal in respect of crude oil.

The Roumanian delegation declares that the present prohibition on crude oil is for Roumania an important and special question, and it ventures to draw the attention of the Conference to the following facts :

The export of crude oil has not been prohibited for economic reasons. With reference to its character as a raw material, the Roumanian delegation would point out that Roumania, which is a country that produces and exports many raw materials (wool, raw hides, oilseeds, corn, timber, etc.) had adopted a free system of export for such raw materials. The prohibition on oil is not imposed by any decree, but by a constitutional law of general application, namely, the law relating to mines.

This law, voted in 1924, has only taken into account the vital and permanent interests of the country and not the exceptional economic circumstances prevailing after the war. The Roumanian State, in view of its geographical and political position, and in view of the limited supplies of crude oil and its special importance for national defence, having regard also to the special world organisation of the trade in oil, has prohibited its export in order to safeguard its vital interests. It must be added that the capacity of the Roumanian petroleum industry for refining the oil exceeds its production twice over.

In view of these circumstances, the Roumanian delegation considers it obvious that for Roumania the abolition of the prohibition on the export of oil raises a question of principle, which is at least difficult, and that the prohibition comes therefore under the second paragraph of Article 6.

Has this prohibition any prejudicial effects on the trade of other countries ?

The question is not to decide whether crude oil as such is an important article of international trade but only whether, within the spirit of Article 6, which relates to prohibitions existing in fact and in law, the existing prohibition on the export of Roumanian oil has injurious effects on the trade of other countries.

In replying to this question, it must be noted : (a) that the production of Roumanian oil represents 2 per cent (2.16 in 1926) of the world production ; (b) that there remains available for the commerce of other countries 30 per cent of the Roumanian production (or 0.6 per cent of the world's production) in view of the fact that 70 per cent of the Roumanian production is exported to other countries in the form of derivatives ; (c) that for more than fifteen years the export of Roumanian crude oil has been virtually prohibited and that the prohibition existed even prior to the adoption of the provision contained in the law concerning mines.

This position has elicited from M. Schüller, delegate of Austria, the observation that, in view of the traditional policy of Roumania in dealing with the question, no one can expect the export of Roumanian oil to be free. It seems evident to us, in view of the proposed draft of the two paragraphs of Article 6, that the prohibition on crude oil comes under paragraph 2, as well as the prohibition of iron ore and other metals.

The PRESIDENT said that it was perfectly true that Italy had included iron ore under paragraph 2 of Article 6, but the position for Roumania was not quite the same, since Italy had no ore, and the Italian prohibition, therefore, was of no importance to other countries. That could hardly be maintained in regard to the ore of Roumania.

The Committee had yesterday decided that it could not recommend the Conference to include the crude oil of Roumania under paragraph 2 of Article 6.

M. POPESCU (Roumania) said that, as regarded iron ore, the position was exactly the same for Roumania as for Italy. Italy only imported a third of her iron ore, whereas two-thirds were produced in the country. Roumania had to import more than one-half the quantity which she needed.

M. DE NICKL (Hungary) spoke as follows :

I am opposed to the insertion of that exception to paragraph 2 of Article 6 for two reasons. The first is a reason of principle, as it is said that exceptions inserted under paragraph 2 of Article 6 do not prejudicially affect the trade of other countries.

Such is not the case in regard to Roumanian crude oil. Before the war Roumanian crude oil supplied the refineries of Hungary situated, for the most part, on the banks of the Danube. The crude oil was transported from Roumania along the Danube.

I would, moreover, refer to the following paragraph of the Protocol (b) ad No. 2 : " By allowing the exceptions contemplated in Article 6, paragraph 2, the high contracting parties do not intend to give perpetual recognition to their existence but merely to mark their opinion that the necessity of abolishing these exceptions is not so imperative in view of their small influence on international trade ".

I can only therefore accept the Roumanian reservation with reference to paragraph 1 of Article 6.

M. SERRUYS (France) spoke as follows :

A prohibition like that relating to crude oil is a prohibition which has, not only from the point of view of Roumania but from the point of view of the work we are accomplishing, a special significance.

It is hardly possible to admit that a country which commands a raw material should reserve for itself the transformation of that raw material.

The position as regards the crude oil of Roumania which is transformed in Roumania is the same as the position regarding wheat which certain countries do not wish to export as wheat but only as flour, and it is the same as the position of textiles which certain countries do not wish to export as textiles but only as yarn. It could not be admitted that a country should deprive other countries of the benefit arising from the transformation of its products, and of the benefit of the labour involved in their transformation, and, as in the present case, the benefit of the derivative products and derivative industries which make use of those derivatives. I consider that as a matter of principle it is extremely serious. Personally, I am not particularly concerned with the question of Roumanian oil but rather with the possibility of giving the Conference which is meeting in June next a false indication which may altogether vitiate the Convention. I feel bound to make this statement in spite of the friendship which I feel for the Roumanian delegation and for Roumania.

We have no right even in the interests of our friends to vitiate a principle and to compromise our work. We must therefore find a compromise. I would observe, so that the Roumanian delegation may not make any mistake, that in the Committee opinion was virtually unanimous in favour of rejecting the Roumanian proposal. Nevertheless, I cannot ignore that there is here a situation of fact and one which was previous to the war.

This question does not concern an industry which was created after the war and which a country desires to maintain by means of prohibitions. It concerns an old industry created at a time when certain States granted concessions to certain firms which were invited to establish an industry in those States. The States promised to give to those firms raw materials so that they would not have to stand against any international competition. They would be sure that no one would be able to purchase crude oil, and that therefore they would obtain cheap supplies and the States in question would have refineries in their territories. This was a system such as was common 20 years ago, such as had been introduced, for example, in Roumania, for the benefit of a foreign firm which was not in this case a French firm.

The system has been maintained, and, so to speak, has become part of the constitution of the country. At present we are confronted with a situation of fact which, as regards Roumania, goes further back than in any other country, and we are confronted with a situation in law which is better consolidated in Roumania than anywhere else.

Are we for that reason, however, to go outside the principle which we have laid down and compromise our work ? I do not think we can. Where, then, are we to find a compromise ?

We must affirm the principle and lay down that if this prohibition is admitted it can only be admitted under paragraph 1 of Article 6. We may say that this is a situation which must be removed. Moreover, we must in good faith realise that there is no way of bringing such a state of affairs to an end in the course of the next three years.

Certain countries here represented have easier legal methods than those at the disposal of Roumania. Nevertheless, they have not wished to undertake similar engagements. There are also countries which have a more powerful economic system than Roumania and in which a

special industry plays a less important part than the oil industry of Roumania, which is mainly an industrial effort but which has, so to speak, very few strings to its bow.

We are obliged to take this fact into account. I therefore ask if an issue may not be found. It is an issue, however, which Roumania can only take into consideration if she signs the Convention, for I am bound to point out that in discussing these prohibitions we are asking ourselves whether we are considering a doctrine which we are being asked to admit or whether we are considering a fact which we are asked to accept in order to obtain an immediate signature. If we are considering a doctrine which we are asked to admit, the position is extremely dangerous. If, on the contrary, we are considering a fact which we are asked to accept which has the temporary character of a compromise, the position is different. I would therefore ask if we cannot say, for example—and I make this proposal to the Roumanian delegation asking it to consider it carefully—that the prohibition respecting crude oil requested by Roumania, although established under paragraph 1 of Article 6—there is no way of bringing it under another paragraph—shall not give rise to the denunciation which may be resorted to after a lapse of three years under paragraph 2 of Article 17. In substance, what is the position? We have two methods of denunciation, one to be completed after a period of three years and the other after a period of five years. We may say that the present question is one that comes under paragraph 1 of Article 6. As, however, the period of three years is perhaps on the short side, paragraph 2 of Article 17 shall not apply.

In that case there remains another possibility: namely, denunciation. If certain States consider that the position has become intolerable, means of pressure might be brought to bear such as will become available after a period of five years. That seems to me a way out of the difficulty. I know that it may create an overlapping between two ideas, but I would speak to Roumania in all sincerity. Her undertaking may perhaps be for her an excellent stroke of business, because after all Roumania is a great agricultural country, which can only benefit from the provisions of the present Convention if she is included within it, and which is, moreover, a country which since the war has had many prohibitions and can accord advantages to others. Let us therefore endeavour to find a compromise. Roumania will gain from such a compromise, and so shall we. We shall perhaps be departing from the sphere of logic, but we shall have found a just solution.

That accordingly is what I propose. Perhaps I have to some extent hurt the feelings of certain of my colleagues, but it is necessary to have the courage of our convictions, above all when we are dealing with a country which we desire to carry with us.

M. DE NICKL (Hungary) spoke as follows:

I am very grateful to the representative of France for the formula which he proposes, and which I believe is extremely logical.

This formula does not completely meet our views, and I accept it only because since the beginning of our discussions I have allowed myself to be guided by the desire to avoid difficulties. I therefore, so far as I am concerned, in view of the present position, accept the proposal.

The PRESIDENT asked the Roumanian delegation whether it had any observations to make in regard to the proposal of M. Serruys.

M. GHEORGHIU (Roumania) spoke as follows:

I appeal to the decision of the Conference, but I would like to thank M. Serruys, who has endeavoured to find a solution. At the same time, I must observe that we have asked that the prohibition on the export of crude oil shall be admitted in order to ensure the existence of an industry which exists since many years. The production of our country does not correspond to our capacity to refine, the size of which is twice as great as our production. We have considered the future, and we believe that henceforth the organisation of production will require that it should be maintained by the resources of the country. M. Serruys has observed that it is impossible to deprive the world of the opportunity to work upon the raw materials held by a country. That is true as regards present organisation, but in my view in future it may be a source of dispute. My idea is that the organisation which we should give to the economic world should take account of the fact that in future each country will produce raw materials according to its resources and will set up its industries according to the products which are within its control. Under the present organisation, production provided for labour which drew its resources from the raw materials of the world. In future, however, it would be necessary to change the whole of the present basis of production.

The PRESIDENT said the Conference would wish to consider the question which had been raised. Personally, he thought it was dangerous to deviate from the logical scheme laid down. He suggested that the discussion should be resumed on the following day.

## ELEVENTH PLENARY MEETING

*Held on Friday, November 4th, 1927, at 10 a.m.*

### 22. Examination of the Reservation (*continued*).

#### *Roumanian Reservation : Crude Oil and Ores.*

M. POSTHUMA (Netherlands) regretted that he felt it necessary to oppose the insertion of the Roumanian reservation regarding oil among the reservations coming under paragraph 2 of Article 6. That paragraph referred only to prohibitions or restrictions whose abolition would be difficult and which did not prejudicially affect the trade of other countries.

He understood that the abolition of the prohibition on the export of oil entailed difficulties for Roumania. Nevertheless, that prohibition should not be included among the reservations coming under paragraph 2 of Article 6, because it could not be maintained that it could not prejudicially affect the trade of other countries. The admission of such a reservation would involve a breach in the system of the Convention and would be a precedent which might have deplorable consequences.

The reply of the Roumanian delegate to the proposed compromise of the French delegation confirmed him in the belief that the desire expressed by the Roumanian delegation was contrary to the Convention.

The PRESIDENT observed that unanimity was indispensable, and that, if other delegations also opposed the reservation, it would be necessary to make a choice between reservations which were acceptable and those which were not.

M. SERRUYS (France) entirely agreed with M. Posthuma. Could not Roumania agree that the Conference should accept the prohibition on condition that Roumania endeavoured to abolish it as soon as possible and took into consideration the interests of the adjacent States as long as the reserve was maintained ?

M. POPESCU (Roumania), in a spirit of conciliation, submitted the following text to be inserted in the Protocol :

“ The Conference declares that though, in view of her exceptional position in fact and in law, it accepts for Roumania the reservation concerning crude oil under paragraph 2 of Article 6, it does not adhere to the measures of prohibition and restriction taken in regard to that product, which it regards as of extreme importance for the international market. The Conference is confident that Roumania herself, as soon as circumstances permit, will abolish this prohibition in the spirit of paragraph 2 of Article 6 of the Protocol of the Convention, and that she will take account of the interests of the contracting countries adjacent. ”

The PRESIDENT observed that there was a contradiction between the passage in this text which referred to the importance of the product for the international market and the second paragraph of Article 6 to which it referred. That paragraph related to prohibitions which did not prejudicially affect the trade of other countries.

M. BRUNET (Belgium) observed that the first paragraph began with the words : “ The Conference declares . . . ”, and the second paragraph with the words : “ The Conference is confident ”. He supposed that in the minds of the Roumanian delegation the meaning of the latter sentence was really that Roumania subscribed to the undertaking contained in it. It would be much better to say so directly, and a similar formal alteration would doubtless serve to make the proposed solution more acceptable.

M. SERRUYS (France) thanked the Roumanian delegation for having understood that it was necessary to give certain guarantees to the adjacent States.

He did not quite agree with the President, as he saw no real contradiction. It was said that the product in question was of great importance for world commerce. It was, on the other hand, considered that the present situation of Roumania was not of great importance so far as the international market was concerned, but only for adjacent countries, which should receive certain guarantees. He did not think that those guarantees were adequate, as the present text provided that Roumania would only take account of the interests of the countries adjacent so far as circumstances enabled her to do so. The idea which the Roumanian delegation desired to express was that, when circumstances permitted, she would abolish that prohibition, and that, meanwhile, she would take account of the interests of adjacent countries. Subject to that necessary adjustment of the text, he was prepared to accept it. It would suffice to insert before the words “ she will take account of ” the words “ in the meantime ”.

M. POPESCU (Roumania) accepted the interpretation of M. Serruys.

M. BRUNET (Belgium) explained his suggestion. It consisted in a statement that the Roumanian delegation itself declared that “ as soon as circumstances permitted, Roumania would abolish . . . ”.



M. POPESCU (Roumania) said that, in spite of his good will in the matter, he could not accept that formula, having no instructions to that effect. When the Roumanian delegation had presented its text it had understood that, in signing the Convention, it would undertake the engagement in question, but it must await the instructions of its Government before formally adhering.

The PRESIDENT said that the position was as follows : On one side the Conference wished the Roumanian delegation to declare that it would abolish the restrictions as soon as circumstances permitted. On the other side the Roumanian delegation put forward a text to the effect that the Conference was convinced that Roumania, as soon as circumstances permitted, would abolish, etc. These two ideas were different.

M. BRUNET (Belgium) said that his suggestion had mainly arisen from a desire to keep in conformity with what was usual. It was usual for a declaration of the kind which the Roumanian delegation wished to be inserted in the resolutions of the Conference to be made in the name of the country in question rather than in the name of the Conference itself.

Dr. TRENDELENBURG (Germany) said he had thought he would have been able to support the Roumanian reservation, but it was impossible for him to do so after the observations which he had just heard, according to which the Conference would express its confidence in the Roumanian Government taking certain measures. Perhaps the solution would be to indicate that the reservations of Roumania were accepted on condition that the Roumanian Government, at the moment of ratification, declared that it took on its own behalf the undertaking contained in the second portion of the text.

In agreeing to such exceptions, there was always a risk that they might be regarded as a precedent for other countries. In the present matter, however, he hoped that the case of Roumania would not serve as a precedent.

M. POPESCU (Roumania) accepted the insertion at the end of the text of the following sentence : " The Roumanian delegation associates itself completely with this declaration ".

Mr. Hugh R. WILSON (United States) referred to the two classes of reservations established by the Drafting Committee and wondered whether it would not be simpler to place these reservations under paragraph 1 of Article 6, as M. Serruys had proposed at a previous meeting.

The PRESIDENT pointed out that this would involve the necessity of entirely redrafting the declaration.

M. POPESCU (Roumania) maintained his declaration. He felt that this reservation should come under paragraph 2 of Article 6.

The PRESIDENT stated that the full text was therefore as follows :

" The Conference is confident that Roumania herself, as soon as circumstances allow her to do so, will abolish this prohibition in the spirit of paragraph 2 of Article 6 of the Protocol of the Convention, and that in the meantime she will take account of the interests of the contracting countries adjacent. The Roumanian delegation fully associates itself with this declaration of the Conference. "

M. DI NOLA (Italy) said that he could accept this text on condition that the word " adjacent " was replaced by the word " consuming ". He desired this amendment because Italy also possessed refineries which might draw their supply on better terms from Roumania.

After a brief exchange of views between Sir Sydney CHAPMAN (Great Britain), who claimed that the word " consuming " meant " those countries which might have need of these supplies ", and M. SERRUYS (France), who felt that it meant those who habitually used those supplies, M. POPESCU (Roumania) said that the Italian amendment made a radical alteration in the meaning of his text and that he could not accept it.

M. SCHÜLLER (Austria) proposed that instead of the word " *limitrophes* ", which would be translated by " adjacent ", the word " *voisins* " should be used. This would be equivalent to the word " neighbouring " in the English text and be taken to mean " countries situated in the neighbourhood ".

M. POPESCU (Roumania) and M. DI NOLA (Italy) accepted the word " *voisins* ".

M. POSTHUMA (Netherlands) accepted the latter drafting.

Dr. RIDDELL (Canada) felt that this draft was reasonable and that the Roumanian delegation had made considerable concessions. He would accept the text.

The PRESIDENT put this text to the vote, and the following delegations voted in favour of it : Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Finland, France, Germany, Great Britain, Greece, Hungary, India, Italy, Japan, Luxemburg, Netherlands, Poland, Portugal, Roumania and the Kingdom of the Serbs, Croats and Slovenes.

M. DE NICKL (Hungary) explained that he had voted in favour of the text so that Roumania and Hungary might sign the Convention.

*The United States of America voted against the proposal.*

Mr. Hugh R. WILSON (United States) said he was compelled to vote against the proposal because his Government attached great importance to the limitation of the classes of exceptions.

The following delegations abstained from voting : China, Denmark, Egypt, Irish Free State, Siam, Sweden, Switzerland and Turkey.

*The text was adopted by 18 votes in favour to one against ; there were nine abstentions.*

*Reservation by the American Delegation : Helium gas.*

M. SERRUYS (France) asked whether the United States intended a permanent or provisional prohibition.

Mr. Hugh R. WILSON (United States) replied that this prohibition was laid down by a law which did not fix any time-limit.

*The Conference adopted the reservation.*

*Reservations submitted by the Japanese Delegation :  
Rice, Dyestuffs and Synthetic Products.*

M. Iro (Japan) said that he had been surprised in reading the document drawn up by the General Drafting Committee to find that, by classing the different reservations in four categories, it had already delivered an intermediate judgment.

He had already explained to that Committee that the three Japanese reservations concerned : first, dyestuffs ; secondly, synthetic nitrogenous products ; and, thirdly, rice. He had intended to ask that the two first should be placed under paragraph 1 of Article 6 and the third under the second paragraph of the article. In view of the objections which had been raised, he had asked his Government for authorisation to introduce also the reservation on rice under paragraph 1 of Article 6. Having received as yet no reply, he requested the Conference to consider whether the Japanese reservations were admissible and where they could be inserted in the Convention.

Dr. TRENDELENBURG (Germany) said that his delegation was in an embarrassing situation. For the moment it could only consent to the proposal that the acceptance of the reservations granted to Great Britain in respect of dyestuffs should be extended to Japan pending the examination on February 1st of the prohibitions and restrictions which were at present in force and which the Japanese Government desired to maintain.

M. STUCKI (Switzerland) associated himself with Dr. Trendelenburg's declaration.

Mr. H. A. F. LINDSAY (India) observed that Japan imported for her own consumption more rice than she exported. Consequently, he fully understood her desire to preserve her own rice supply. He consented accordingly to the insertion of the reservation in Article 6, paragraph 2.

M. SERRUYS (France) agreed with Dr. Trendelenburg and M. Stucki in the matter of synthetic nitrogenous products, and with Mr. Lindsay as regarded rice.

He wished to refer to dyestuffs. He hoped that the result would not be to sanction a general prohibition classified according to products without taking account of the special circumstances of each country. In the case of Great Britain, the law and the circumstances under which the prohibition worked were well known. It was a prohibition of a general nature without any question of preferential treatment. That, however, was not the case for Japan, for it was not even certain that the object in her case was to afford complete protection to a national industry. The dyestuffs industry in Japan had originated in a combination of efforts at home and abroad, and a prohibition relating to it must not result in an industrial combination whereby the profits would be secured exclusively by certain interests. Therefore he could only give his consent provided that he received a guarantee that any exceptions which might be allowed would not apply only to the products of a given country, but be equitably applied as between all States able to supply such products.

The PRESIDENT asked the Conference to decide first on the question of the prohibition relating to rice.

M. POSTHUMA (Netherlands) was unable to accept the insertion of that prohibition under Article 6, paragraph 2.

M. ITO (Japan) said that, if his Government accepted the suggestion which he had telegraphed to it, the objection made by the Netherlands delegation would no longer apply. In that case he would ask for the insertion of the reservation in paragraph 1, both in respect of exports and in respect of imports.

The PRESIDENT thought that in that case it was not necessary to consult the Conference, which was prepared to accept the insertion in paragraph 1.

M. DI NOLA (Italy) hoped that the point of view of certain delegations which had come to the Conference with the intention of signing a convention completely abolishing all import and export prohibitions would not be overlooked.

Certain prohibitions had already been accepted, British dyestuffs, German coal, French scrap iron, which might be economically important. These had been accepted for quite special reasons, but no other exceptions could be added to them.

All that could be asked of the Conference was that it should admit the prohibition for dyestuffs if Japan found herself in a position similar to that of Great Britain, but it was impossible to admit the addition of other products which played an important part in the economic and industrial life of the world.

He might point out that in Italy, for instance, the nitrogenous products industry had been developed without any import prohibition and with a quite insignificant Customs duty.

Were the prohibition in favour of Japanese nitrogenous products to be admitted, that industry, which was quite new in many countries, would be placed in a very difficult position and would be penalised owing to the failure to foresee import prohibitions on certain essential products. The result of the Conference should not be such that Italy, on leaving it, would find her interests had been injured because she had hoped to be able to develop certain new industries under a regime of freedom.

M. STUCKI (Switzerland) reminded the Conference of the particular interest which Switzerland took in the question of dyestuffs ; he fully agreed with M. Serruys. It was time to draw attention to Chapter V of the Additional Protocol, which read as follows :

“ As regards the allocation of quotas, if quotas are permitted, the high contracting parties, without pronouncing upon the method to be adopted, consider that an equitable allocation of such quotas is one of the essential conditions for the equitable treatment of commerce as between States. ”

M. Stucki presumed that if Japan accepted the Convention she naturally accepted this provision as well.

M. ITO (Japan), in reply to M. Serruys, said that the system of prohibitions in the strict sense of the term did not exist in Japan. There was a system of restrictions which had been instituted by a ministerial ordinance in 1924 and which restricted imports of certain dyestuffs and intermediate products. This system was therefore entirely stable. Obviously in Japan as elsewhere it protected a national industry ; but, once again, it was in no way a hard-and-fast system of prohibition, since it made allowance for the issue of certain licences.

The French and Swiss delegates were prepared to accept the Japanese reservations to the extent to which they did not differ from the British reservations. In order to meet this condition, M. Ito was willing to accept the British formula for dyestuffs and the insertion of his reservation in paragraph 1 of Article 6. As to synthetic nitrogenous products, M. Ito felt bound to state that his position was no less embarrassing than that of Dr. Trendelenburg. However, he did not wish the work of the Conference to be hampered by obstinacy on the part of the Japanese delegation. In these circumstances, if the Conference would permit his reservations concerning dyestuffs in the shape in which they had been forwarded by the British delegation under paragraph 1 of Article 6 to be introduced in the Convention, M. Ito, on his side, would recommend his Government not to raise at the present moment the reservation regarding synthetic nitrogenous products, because all Governments retained the right to uphold, if they thought it necessary, their point of view at a later date.

M. SERRUYS (France) admitted that the reservation concerned only a restriction in regard to dyestuffs. That restriction, however, had hitherto resulted in benefiting almost exclusively the importers of certain countries which were collaborating with the Japanese dye industry. If he agreed to accept the Japanese proposal as it had just been defined, he did so subject to the reservation that, if Japan allowed exceptions, she must conform with the doctrine laid down in the last paragraph of Article V of the Protocol of Signature relating to the allocation of quotas, as it was impossible to admit that prohibitions should be established, not to safeguard a national industry but to reserve the national market for certain firms with which it had connections.

Dr. TRENDELENBURG (Germany) observed that the placing in the minutes of a declaration concerning the reservation would involve the disadvantage of implying that, for all reservations not accompanied by such an explicit declaration, the last paragraph of Article V of the Protocol did not apply. For that reason, a general form should be given to the declaration.

M. SERRUYS (France) replied that, as French delegate, he would merely state that he adhered to the Japanese proposal only because the guarantee which he had described had been placed on the minutes.

Sir Sydney CHAPMAN (Great Britain) drew attention to a consideration which had not been given all the attention it deserved : namely, the very special geographical position of Japan. He thought that the Conference should attach quite a special importance to that position. It was a consideration which induced him to examine in a particularly liberal spirit any reasonable proposal coming from Japan.

M. STUCKI (Switzerland) said that he could accept the declaration of M. Ito, but the additional explanation of M. Serruys complicated the position. Switzerland had not raised

objections to many other reservations accepted by the Conference precisely because she considered, along with other delegations, that she had a guarantee in the additional article of the Protocol of Signature. If that guarantee were quoted in this particular case, it would not be understood why it was not quoted in every other case. He would accordingly ask M. Serruys to agree that it should be indicated in the minutes that the States participating in the Conference, in accepting certain reservations, did so relying on the guarantee given by the last paragraph of Article V of the Protocol of Signature.

M. SERRUYS (France) agreed that the guarantee should be thus generalised. He would nevertheless observe that there were cases in which that guarantee should not apparently apply, and that there were other cases in which experience showed that a special reference should be made to it.

The PRESIDENT said that personally he thought that any guarantee was superfluous, as it already existed in the last paragraph of Article V of the Protocol. He had no objection, however, to mentioning the guarantee if the Conference agreed.

He thanked the Japanese delegation for its spirit of conciliation.

M. ITO (Japan) remarked that the Japanese delegation had made the proposal in question on its own responsibility. He would explain the position to his Government and hoped to obtain a favourable reply.

*The Japanese proposal in its amended form was adopted.*

#### *Reservations made by Czechoslovakia.*

The PRESIDENT opened the discussion on these reservations, which were as follows :

“ 1. The Czechoslovak delegation desires to associate itself with the reservation made by the German delegation with reference to coal, coke, etc., and with the reservation made by several delegations with reference to scrap iron and waste of other metals and alloys.

“ 2. The Czechoslovak delegation is obliged to make the reservation that the following prohibitions and restrictions will be maintained :

“ On exports : sugar beet (*ex* No. 43 of the Czechoslovak Customs tariff), hop slips (*ex* No. 56), raw hides and skins (*ex* No. 83), round wood (*ex* No. 134), quartzite (*ex* No. 142) ;

“ On imports : wine and sparkling wine (No. 109 and 110), motor cars (*ex* No. 553), salicylic acid and its derivatives (*ex* No. 604), matches (*ex* No. 640), and nitrates (*ex* No. 599 and *ex* No. 600).

“ 3. The Czechoslovak delegation considers that certain existing prohibitions are covered by the provisions of Articles 2 and 4 of the Convention, and desires that this circumstance be set down in the records of the Conference. The prohibitions in question are as follows :

“ On imports : seeds of pink clover and lucerne, seeds of conifers and of sugar beet, shoots of forest trees, and wireless materials (*ex* No. 540) ;

“ On exports : seeds of pink clover, live game, and ‘ Jablonec goods ’ . ”

He did not think there would be any difficulty about accepting paragraph 1, which contained the reservations already formulated by other countries and accepted by the Conference.

*Paragraph 1 was adopted.*

The PRESIDENT introduced paragraph 2. It seemed to him that the greater part, if not the whole, of the reservations under paragraph 2 lay entirely outside the principles laid down in the various articles of the Convention. He therefore asked the delegate of Czechoslovakia to say clearly whether he thought that these reservations should be included under the article.

M. IBL (Czechoslovakia) said that he would abstain from making observations on the general position of a small country which had no access to the sea, which was surrounded by countries where a system of prohibitions had been strongly developed, and where it still partially subsisted, and which was endeavouring to consolidate its economic life.

The reservations of paragraph 2 were based on Article 6. Czechoslovakia, for certain of her products, was in a position in fact or law which did not permit her immediately to subscribe to the undertaking contemplated in the Convention and particularly as laid down in paragraph 1 of Article 6. Since reservations important for international commerce and vital as regards certain industries of various countries had been admitted, the Czechoslovak Government could not refrain from bringing out certain legitimate interests of vital importance for Czechoslovakia. Certain of the Czechoslovak reservations came under paragraph 2 of Article 6, since they concerned restrictions which did not prejudicially affect the trade of other countries and which admitted certain dispensations.

M. Ibl then explained the reasons for the various reservations which he had made.

The first related to sugar beet. It did not prejudice the trade of other countries, since it was a commodity which could not be transported any long distance. This restriction, therefore, only applied to certain frontier traffic which was regulated by bilateral treaties.

The second reservation related to hop slips. That restriction was due to Czechoslovak legislation, in which there was a law protecting the indication of origin of the slips.

The third reservation related to raw hides. M. Ibl stated that he was quite ready to withdraw this reservation if the Conference could accept the just principle that had already been formulated in the general Drafting Committee that in the event of the withdrawal of the export prohibition Czechoslovakia would be able to introduce it again in respect of countries which increased the existing duties on leather and leather goods. That principle was completely in accord with the recommendations of the Economic Conference, which had definitely condemned the increase of Customs duties.

Similar considerations arose as regards round wood. The Czechoslovak delegation would be ready to abolish this prohibition if certain countries would agree to grant Czechoslovakia an equitable adjustment of their duties applicable to sawn wood. At the present moment, Czechoslovakia could not export sawn wood owing to the duties to which this product was subjected in certain countries.

The fifth reservation concerned quartzite. The justification for this was an insufficiency of that raw material which had been notified by the Geological Institute of the country. Nevertheless, Czechoslovakia had, in bilateral treaties, allowed a considerable quota of this raw material to certain countries.

As to export prohibitions in general, M. Ibl desired to emphasise that in his country there did not exist, save in one case, export duties, and that Czechoslovakia desired so far as possible to avoid the introduction of such duties in the future. She had therefore been led to make certain reservations as regards export prohibitions and restrictions.

The reservation in regard to wine and sparkling wine was a vital question to certain provinces in the east of Czechoslovakia.

The automobile industry was of quite special importance. M. Ibl did not feel called upon to enlarge upon the reasons for this reservation, as it would be readily understood that a country like Czechoslovakia could not completely give up this industry. If, however, it allowed the free import of automobiles, it would allow certain large mass-producing countries to inundate the Czechoslovak market and to destroy its young industry. This reservation had accordingly been based on considerations similar to those which had justified the English reservation on dyestuffs, and it was a consideration, also valid, for salicylic acid and its derivatives as well as for nitrates.

Finally, the reservations on matches related to a product which in the majority of countries was subject to a State monopoly. In Czechoslovakia there was a partial State monopoly, as the Government was partially interested in the sale.

The PRESIDENT said that his first impression on hearing the statement of the Czechoslovak delegate was that the Conference had ceased to discuss a convention for the abolition of prohibitions and restrictions and was now discussing a convention for the imposing of prohibitions and restrictions.

M. SCHÜLLER (Austria) recognised that Czechoslovakia was a young country which had to create, from beginning to end, its economic position. The same was true of Austria.

The exceptions enumerated covered for the most part products which were of the highest importance to Austria.

Some of the exceptions might be adopted under paragraph 2, and that would settle the difficulty. As to sugar beet, it was clear that, if Czechoslovakia maintained her reservation, Austria would be obliged to submit the same reservations, since the question at issue was the provisioning of the factories situated on either side of the frontier. He would not comment on the subject of hop slips, since Austria had accepted that prohibition in a bilateral treaty. He must, however, ask M. Ibl to withdraw the reservation relating to raw hides, otherwise the arrangement which was being negotiated would be rendered absolutely impossible. Similarly, although Austria, like many other countries, had complaints to make in regard to round wood, he did not think that prohibition of the export of round wood could be justified at the present Conference.

Finally, the situation of Austria was absolutely identical with that of Czechoslovakia as regarded the automobile industry.

The Conference could not fail to vote against the majority of these prohibitions and reservations. It accordingly seemed preferable for the Czechoslovak Government to examine later what reserves it desired to maintain, without insisting for the moment on those which it was now presenting.

The PRESIDENT thought it was necessary to ask M. Ibl if he was in a position finally to declare on the evening of the following day whether he was ready or not to sign the Convention, since the procedure relating to exceptions stipulated that only those exceptions submitted by Governments prepared to sign the Convention could be inserted in it. It was therefore desirable to avoid spending hours on the discussion of certain exceptions to find at the end that all the exceptions which had been admitted must be eliminated from the text of the Convention.

M. IBL (Czechoslovakia) said that he was not in a position to promise that he could give a reply by the following day. He was awaiting instructions from his Government. He would add, however, that the result of the present discussion might influence the decision of his Government.

The PRESIDENT said that in that case the debate should be continued.

M. STUCKI (Switzerland) pointed out that the question of signature arose not only for those States which had submitted reservations but also for all those whose decisions would depend on the attitude of the Conference towards reservations submitted by the other delegations. Thus, if a reservation were accepted like that on raw hides proposed by the Czechoslovak delegation, M. Stucki could not for one moment consider the possibility of signing the Convention. For three years he had made every effort to secure the abolition of prohibitions and restrictions on the export of raw hides, and Germany, Austria, and Czechoslovakia were placing upon each other the responsibility for the refusal which they were compelled to make.

There existed in Switzerland no prohibition on the export of raw hides, though the tanning industry had for several years loudly called for such prohibition. If the Swiss Government had most energetically opposed such an export prohibition, it was because of the hopes which it had entertained of the Conference. If, however, the Conference accepted such reservations, the Swiss Government would be compelled to act as its interest demanded.

He might make the same observation on several other reservations. Switzerland also was a country in the middle of Europe, and was also deprived of free access to the sea. She had also had to abandon the idea of establishing a motor-car industry. Switzerland had always refused to establish export prohibitions on French, Italian and Spanish wines, in spite of the pressure from her vine-growers. But if such prohibition were accepted for other countries, what would be the consequences for Switzerland ?

M. SERRUYS (France) regretted that M. Ibl had not taken an earlier opportunity to make the new proposals which were now being put forward. It had been formally agreed to suppress prohibitions and restrictions, and they had been restricted to a number of exceptions, which came under Article 4 and Article 5, recognising on the other side certain situations of fact or of law. The introduction of such an extensive list at the last minute endangered the very principles on which the work of the Conference was based.

In Europe, particularly, there existed prohibitions of an entirely artificial character, which had been imposed as a speculation on the rise or fall of prices. The Conference was now faced with prohibitions of a somewhat special nature. Most of them affected products which immediately interested countries with which Czechoslovakia had to conclude final treaties. Others were real prohibitions for the purpose of bargaining. A prohibition on an unimportant commodity like quartzite seemed to be quite insignificant, but Hungarian industry, for example, undoubtedly placed great value on the abolition of that prohibition.

In short, the nature of the Czechoslovak list was such that it contained prohibitions imposed with a view to negotiations to be held with certain States and as compensation for excessive duties which existed on other products. It was absolutely impossible to accept such a list. What would M. Trendelenburg say if M. Serruys asked for the right to prohibit the import of German beer because the breweries of Lorraine needed support ?

He did not wish to multiply examples ; he would merely remark that, if the Czechoslovak list were accepted, it would result not only in a system of general prohibitions but in submitting certain States to pressure by the action of the rest.

After the general statements which had been made, he would ask the Conference to take each particular case and to decide in a spirit of friendliness towards Czechoslovakia whether it should be retained or not. The Conference must avoid consolidating the bad commercial habits which had hitherto existed, and must work for the purification of international commercial morality.

M. DI NOLA (Italy) said he represented a country so situated that he could discuss with complete impartiality the Czechoslovak proposal. The commercial relations between Czechoslovakia and Italy had been regulated to the satisfaction of the two countries by a commercial treaty which allowed for certain exceptions. The admission of the exceptions requested by Czechoslovakia would considerably prejudice the general situation of Europe and even the situation of countries which had already concluded bilateral agreements. It could not be hoped that all countries would sign the Convention immediately and that all countries would subscribe to it. If the Conference legitimised certain prohibitions, States which retained freedom of action would be encouraged to continue their prohibitions or perhaps to impose further ones.

Certain delegations had declared that they would maintain their export prohibition on raw hides in so far as other countries did not abolish that prohibition. The Czechoslovak delegation, however, went further and declared that it would maintain that prohibition even if other States abolished it and that it would renew these prohibitions if other States increased their duties on raw hides.

The admission of such reservations would have an enormous influence on the future of commercial negotiations. It had already been shown that such reservations were inadmissible in so far as they were economic prohibitions. He would emphasise that they were in flagrant contradiction with the articles which had been approved on the previous day, for they were almost all economic prohibitions. If Czechoslovakia appealed to Article 6, alleging that there existed in that country special circumstances of law and fact, all the other countries might act

in the same way, and the Convention would merely consolidate the prohibitions which were current.

It was necessary to take account of the position of those who had come to conclude a convention for the complete abolition of all import and export prohibitions. It was impossible for him to inform the Government of Rome of exceptions of such importance and of so wide a scope.

The PRESIDENT proposed that the Conference should refuse to insert in the Convention the reservations mentioned in paragraph 2. He was sufficiently acquainted with the general opinion of the Conference to be aware that it would be impossible to obtain many signatures for the Convention if those reservations were inserted. That was why he submitted his proposal.

M. SERRUYS (France) observed that, if the Czechoslovak delegate desired to discuss each point of his document, it was impossible to dispute his right to that procedure. It was to the interest of all the members of the Conference to obtain as many signatures as possible for the Convention. They must precisely, on that account, do their utmost to obtain the adherence of all the interested States. He would therefore abstain.

The PRESIDENT thought that M. Serruys was somewhat hasty in submitting that observation. If the Czechoslovak delegation intended to submit such a request, there was nothing to prevent it from doing so.

M. IBL (Czechoslovakia) left it to the President to decide whether it was advisable to discuss the Czechoslovak text point by point or to take it as a whole.

Dr. RIDDELL (Canada) regretted that he could not accept the proposal to vote the paragraph as a whole. He had been impressed by the fact that the first list of reservations had already been adopted, several of which were infinitely more important than the Czechoslovak reservations. He thought it was important for the Conference to play the game in the fairest and most liberal spirit. Everyone knew that the reservations which had been accepted in regard to dyestuffs and coal were much more important for international trade than the majority of the reservations under consideration.

The PRESIDENT replied that those last reservations were of a different character and were presented in accordance with a different procedure. As the Czechoslovak delegate left it to him to decide the question, he would submit each article separately to the vote.

He would first put to the vote the reservation in regard to beet sugar (under paragraph 2 of Article 6).

*There voted in favour of its insertion : Austria and Hungary, on condition of reciprocity.*

*There voted against its insertion : Bulgaria, Denmark, Finland, Great Britain, India, the Netherlands, Sweden, and the United States.*

*There abstained : Belgium, Canada, Egypt, France, Greece, Irish Free State, Italy, Japan, Latvia, Luxemburg, Poland, Portugal, Roumania, Switzerland and Turkey.*

M. BRUNET (Belgium) said he abstained because in his opinion the question might more usefully be discussed next July.

*The reservation was rejected, eight delegations voting against the reservation and two voting in favour of it, on condition of reciprocity. There were 15 abstentions.*

M. SERRUYS (France) asked whether the acceptance of the reservations should be unanimous. The Roumanian reservation had been accepted by a majority of votes, only one State voting against it.

The PRESIDENT replied that the Convention itself laid down the unanimity rule. The text contained the expression "all the signatory States". All the States, therefore, which were going to sign the Convention must adhere. No other solution was possible. In regard to Roumania, the delegate of the United States had declared to him that his negative vote should not be taken to mean that he would refuse to sign the Convention if the Roumanian proposal were accepted.

M. SERRUYS (France) said that he was anxious about the question because he particularly desired that the minutes should contain a statement of the position taken up by each delegation regarding each reservation. Such a record would constitute a documentation of the utmost importance for the future. Each party would have to assume his own responsibility and the situation must be absolutely clear.

The PRESIDENT recognised that it was possible to calculate exactly how many votes should be counted. Although there was no official declaration as to the intentions of each delegation regarding signature, the Conference already knew more or less which delegations would sign. If a single State declared that its signature depended on the acceptance of a particular reservation, it would be enough to ruin the whole scheme. He was convinced that the majority of the votes which had been given had been given by delegations which intended to sign the Convention on the following day. If, however, the Conference wished to make the point clear, the only procedure would be to ask each delegation if it intended to sign.

M. SERRUYS (France) thought that would involve asking an indiscreet question which it would be impossible to answer. His own reply depended on the results of the discussion.

It was in order to ensure that each signature should be clear and well founded that he had asked that the vote of each delegation should be recorded, so that the effect of the votes could be corrected by reference to the list of signatory States.

The PRESIDENT said he had realised that such a question would be unwise and for that reason he had not asked it. As it was desirable to proceed methodically, and as the Czechoslovak list was a long one, he proposed that further discussion should be adjourned to a later meeting.

M. IBL (Czechoslovakia) ventured to amend the proposal of the President in the sense that the Conference admitted that in ceasing to discuss the reservation under paragraph 2 that day it left the Czechoslovak Government free to submit its reservations later.

M. SCHÜLLER (Austria) asked M. Ibl to withdraw the requests contained in the third paragraph of his proposal, as it was impossible to make a general declaration in the matter.

M. IBL (Czechoslovakia) replied that he was unable to withdraw those requests. He proposed, however, that the same procedure should be adopted regarding that paragraph as for paragraph 2.

The PRESIDENT recalled that the first paragraph had been adopted. Consequently, even if the reservations in the two following paragraphs were not inserted, M. Ibl would still be able to sign the Convention.

He proposed to take a decision on the second paragraph according to the proposal made by M. Schüller at the beginning of the debate. M. Schüller had said that it appeared preferable for the Czechoslovak Government to examine later on what reservations it desired to maintain and not to insist for the moment on those submitted to-day.

*The proposal was adopted.*

**23. Proposal by the Swiss Delegation** (to be embodied in the Final Act or given as an annexed Declaration).

This proposal was as follows :

“ According to Article 8, the provisions of Articles 4, 5 and 6 are not to be submitted to any conciliation procedure or arbitral or judicial procedure.

“ The Conference considers that if any contracting party has undertaken, in virtue of other international conventions or treaties, to submit to such procedure disputes which may arise between it and another contracting party, the latter party cannot plead a violation of Articles 4, 5 and 6 ; it is understood, however, that rights derived from previous treaties regulating the subjects dealt with by Articles 4, 5 and 6 remain reserved. ”

M. STUCKI (Switzerland) said that he had just received a communication from a delegation which made it impossible for him to take a decision for the moment. He would get into immediate touch with his Government at Berne and hoped to be able to amend his proposal at the next meeting.

*The examination of the proposal was postponed until the next meeting.*

**24. Declaration by the Swiss Delegation regarding Certain Commodities** (Electrical Power, Monopoly on Imported Wheat).

M. STUCKI (Switzerland) pointed out that the declaration did not refer to two restrictions but to certain measures connected with electric current and the supply of wheat for Switzerland. The Swiss delegation considered that these two measures were covered by Article 4, paragraphs 6 and 7, and that it was not necessary to make any addition.

The PRESIDENT noted that there was no objection to M. Stucki's point of view.

---

TWELFTH PLENARY MEETING

*Held on Friday, November 4th, 1927, at 4 p.m.*

---

**25. Report of the Credentials Committee.**

M. BRUNET (Belgium) (Rapporteur of the Credentials Committee) said that since October 18th, when he had reported on the credentials submitted by the delegates to the Conference, the delegations of the following countries had communicated to the Secretariat full powers



from the heads of their State to sign the Convention : Austria, Cuba, Czechoslovakia, Germany, Great Britain, Greece, Italy.

Full powers to the same effect had been despatched to the Japanese delegation and were expected shortly to arrive.

As regards Hungary and Turkey, the delegates of those countries had received full power to sign the Convention from the Prime Minister or the Minister for Foreign Affairs.

The delegates of the following countries had not yet produced express powers to sign the Convention : Abyssinia, Australia, Canada, Chile, China, Colombia, India, Irish Free State, Latvia, Kingdom of the Serbs, Croats and Slovenes, United States of America.

As had already been stated, the delegates of Sweden and Switzerland had full powers from the heads of their States, but their powers did not explicitly cover the signature of the agreement.

It might also be stated that M. Suvich, delegate of Italy, who had received full powers to sign the Convention at the beginning of the Conference, had left Geneva. M. Di Nola had since received the necessary power to sign in his absence.

M. SERRUYS (France) said that the powers which had been given him to sign the Convention by the Prime Minister had been confirmed by the head of the French State.

M. ITO (Japan) said that the full powers of the Japanese delegation had arrived.

M. STUCKI (Switzerland) said he had full powers to sign the Convention.

MEHMED KEMAL Bey (Turkey) said that, in view of the numerous and important amendments which had been made in every article of the Convention, he was no longer authorised to sign it before submitting the final text to the consideration of his Government.

## 26. Proposal by the Swiss Delegation.

M. STUCKI (Switzerland) spoke as follows :

I had the honour during one of the earlier meetings of our Conference to explain the Swiss point of view, in regard to the problem submitted to us. I drew your attention to the fact that our general attitude had been more or less defined at a committee meeting by the delegate of Denmark, who had said that it was particularly the countries which had no prohibitions and restrictions which were being asked to make concessions at the Conference.

I must draw your attention particularly to two or three points. First, there is the great difficulty felt by a country like Switzerland in agreeing to exceptions, such as those in regard to dyes, demanded by Great Britain. Secondly, there are our views concerning arbitration.

In regard to the first point, we have now to note that Switzerland has been obliged to accept very important and very harmful reservations. Above all, Switzerland has accepted the Anglo-Japanese exceptions without having received any such compensation as has been accorded to other delegations representing countries which also export dyes. We are accordingly not very well satisfied with the results of the Convention.

In regard to arbitration, we are ready to submit to arbitration all legal questions which may arise under the provisions of the Convention, including Articles 4, 5 and 6. It has, however, been felt, wrongly or rightly, that it is not possible to go so far, and the Conference has stopped considerably short of what Switzerland would have wished.

The Swiss point of view concerning arbitration in regard to matters of substance covered by Articles 4 and 5 was therefore not a negative point of view. We explained, however, along with other delegations, that the subjects covered by Articles 4, 5 and 6, in view of their character, were not suitable for arbitration, and that arbitration on questions of appreciation would necessarily exist only on paper.

Article 8 has been accepted as a compromise by the Drafting Committee and by the plenary Conference. What is now the position ? I have already drawn the attention of the Committee which dealt with the former Article 7—now Article 8—to certain difficulties and to possible inconsistencies. The Conference, in determining the provisions of Articles 4 and 5 on the one hand, and Article 8 on the other, rightly considered that the subjects of Articles 4 and 5 were not suitable for arbitration when the dispute concerned not a question of law but one of appreciation. What is now the position of countries which before the present Convention have previously adhered to Article 36 of the Statute of the Permanent Court at The Hague or have concluded arbitration treaties ? Is there not some doubt as to the interpretation of our Convention and the possibilities which might arise ? Is it not conceivable that a State which has adhered to the Statute of the Permanent Court at The Hague or which has signed a treaty of arbitration with us may appeal to Article 4 of the Convention of November 1927 and a previous Convention, and to collate the various provisions of various conventions in order to attack us before a court of arbitration upon a question of appreciation dealing with a point which our Conference had deliberately wished to exclude from arbitration ?

It was asked what difficulties were contemplated. It was said that the position was absolutely clear. It was argued that the Convention formed a whole, and that it was impossible—it was even said that it would be inadmissible—to arrive indirectly at a result which the

Conference had rightly desired to avoid. I asked the delegates who took that view, if such was their opinion, to put it officially upon record, as my Government desired the position to be clear. These delegates, however, thought that it was very difficult to take a decision. They urged that the question at issue was not the interpretation of our Convention but the interpretation of previous conventions ; that their legal advisers were absent ; and that a question of international law was involved. Our intention, which was to elucidate this essential point in the Convention itself, was met by such arguments as those. We accordingly modified our proposal. We realise that for the representatives of distant countries who have no legal advisers at their disposal, and for representatives who had no instructions from their Governments, it would perhaps be difficult to take a decision on a question which is admittedly fairly delicate. We accordingly asked you not for an official interpretation of the high contracting parties but for an interpretation of the representatives of the high contracting parties—in other words, for an interpretation by the members of the Conference.

Is this such an extraordinary proposal ? I would ask you to refer to the draft Convention which you have before you. You will realise that a very clear distinction is drawn between the Protocol and the Final Act.

You will realise that in the Protocol reference is made to the high contracting parties, whereas in the Final Act that expression is avoided. The Final Act refers not to the Conference but to the members of the Conference. The provisions of the Final Act, therefore, do not involve any responsibility on the part of the high contracting parties but only the responsibility of the members of the Conference.

That is the sense of the proposal which we submitted. In submitting it, I had the honour to address to the President of our Conference, acting on the instructions of my Government, a letter which I will venture to read to you. The letter is short, and it clearly expresses the views of the Swiss Government :

“ The draft Convention explicitly provides in Article 8 that the interpretation or application of Articles 4, 5 and 6 cannot be made the subject of an arbitral or judicial procedure, as the Conference rightly considers that, in view of their character, these articles cannot be appropriately dealt with in accordance with such procedure.

“ The provisions of Article 8 raise the question which my Government considers extremely important : namely, whether Articles 4, 5 and 6 can, by virtue of agreements previous to the present Convention, be made the subject of an arbitral or judicial procedure. This point specially interests States which have adhered to the Statute of the Permanent Court of International Justice or which have concluded treaties of arbitration.

“ Switzerland is convinced that it is not the intention of the Conference to admit that a State should plead a provision of the Convention under Articles 4, 5 and 6 with a view to an arbitral or judicial procedure which another provision of the same Convention (Article 8) explicitly disallows.

“ Various opinions have been already expressed on this subject, and it accordingly seems necessary for the Conference to state its views on the question.

“ I accordingly venture to submit for the approval of the Conference the following declaration, to be embodied in the Final Act of the Convention :

“ ‘ According to Article 8, the provisions of Articles 4, 5 and 6 are not to be submitted to any conciliation procedure or arbitral or judicial procedure.

“ ‘ The Members of the Conference consider, therefore, that, if any contracting party has undertaken, in virtue of other international conventions or treaties, to submit to such procedure disputes which may arise between it and another contracting party, the latter party cannot plead a violation of Articles 4, 5 and 6 ; it is understood, however, that rights derived from previous treaties regulating the subjects dealt with by Articles 4, 5 and 6 remain reserved.’ ”

We were convinced that you were in a position to meet our views, not as contracting States but as members of the Conference.

Nevertheless, we were again informed this morning that even our last formula was unacceptable to certain delegates. Certain countries have instructed the members representing them not to give any undertaking, even as members of the Conference.

As I had the honour to say this morning, I should personally be disappointed, and my Government still more so, if as the result of this difference of opinion any delegation felt itself obliged to refrain from signing the Convention. For that reason I am making a last effort and I am submitting to you a new proposal, slightly modified in appearance but not altered as to its effects.

I propose, in place of the declaration which I have submitted, another declaration containing the words “ the Swiss delegation ” for the words “ the members of the Conference ”.

I perfectly well realise, being a lawyer, that such a declaration does not give us the absolute security we should have liked to have. If, within the limits of the reservations admitted later, in the month of June 1928, the Conference or the Convention shows clear progress towards the object which we all have at heart, Switzerland may feel that her sacrifice in accepting this

uncertainty was perhaps useful and necessary, since it will imply as compensation advantages for herself and for other countries. For that reason I modify my proposal, presenting it on behalf of my delegation and not on behalf of the Conference.

The PRESIDENT enquired whether M. Stucki desired his declaration to be recorded in the minutes of the meeting.

M. STUCKI (Switzerland) replied in the affirmative.

M. SCHÜLLER (Austria) thought it was quite clear that if a Government had no right to submit matters arising under Articles 4, 5 and 6 of the present Convention to arbitration by virtue of previous agreements it certainly did not acquire any such right under the present Convention, which explicitly excluded those questions from arbitration.

M. BRUNET (Belgium) said he was one of those who had some hesitation in subscribing to a declaration made on behalf of the Conference or the members of the Conference. Such a declaration would have committed the Governments themselves on a question of international law of great importance. The members of the Conference were not present in their personal capacity and could only express an opinion as the delegates of their respective States.

He would express his most cordial thanks for the efforts made by his Swiss colleague to submit a solution which took account of the delicate situation in which a certain number of delegates to the Conference were placed. He had no objection to the declaration of M. Stucki being inserted in the minutes of the meeting.

M. DI NOLA (Italy) said that the declaration which the Swiss delegate had asked the Conference to place on the minutes of the present session was justified by the desire for clearness and the good faith of the Swiss delegation.

The question had long been discussed, and many members of the Conference thought that the declaration was not necessary. The last paragraph of Article 8 of the draft Convention appeared sufficiently explicit.

Certain of his colleagues rightly thought that it was not for the Conference to give an interpretation, not only of the Convention which they were about to sign but of the relations between that Convention and previous bilateral conventions. There was also a material difficulty : namely, the impossibility of consulting the legal experts of the various countries.

In view of those circumstances it had been thought necessary to ask the Swiss delegate to substitute for the declaration which he was asking the Conference to make a declaration which the Swiss delegation might make itself.

M. Stucki had yielded in view of the doubts felt by the members of the Conference, and he did not think the Conference would feel any difficulty in agreeing that the Swiss declaration should be placed upon the minutes. He would again thank his colleague for the good will which he had shown in overcoming the difficulty which might have become serious.

M. SERRUYS (France) associated himself with the observations of his colleagues. He also had felt some difficulty in admitting the original Swiss proposal. That difficulty did not so much arise from the substance of the proposal as from the somewhat unusual character of the Convention which had just been framed. That Convention was in a sense the first plurilateral commercial treaty aimed at the adjustment of very varying interests. It was certain that a convention which constituted so great an innovation must introduce innovations in certain forms of law. It was quite unusual in international law for a conference to give powers to another Conference, though it did not determine the procedure and methods of that Conference but merely its instructions.

There were other points of the document which had just been established which would be a fruitful theme for the discussions of the lawyers who had the necessary leisure. But the present Conference desired above all to achieve a step forward, and that step was decisive. The way was now opened to plurilateral agreements. That step was a difficult one to take and to explain. It had therefore seemed to certain Governments that it was somewhat rash, perhaps, not only to accept a new framework for the Convention itself but at the same time to make an attempt to determine the relations of that difficult Convention with other agreements, such as arbitration treaties.

Such was the origin of the hesitation which had been felt. He would declare with emphasis that this hesitation was not due to any doubts which could be felt in regard to the intentions either of the Swiss Government or of M. Stucki. The Conference well knew the high traditions of justice of the Swiss Confederation, and during those discussions it had had an opportunity of appreciating the spirit of clearness and good faith which animated the Swiss delegate. He felt it necessary to say as much, and he desired to thank the Swiss delegation.

There remained a small point on which he would like to say a word : namely, the interpretation given by his Swiss colleague to the expression " the members of the Conference ". That expression, which was used in the Final Act, was, in his opinion, somewhat unfortunate. The Final Act should embody only unanimous decisions taken by the Conference and not the opinions of the various delegates to the Conference.

The Conference was not an advisory but a diplomatic Conference. As M. Brunet had said, the Conference did not consist of members but of the States representing them. The expression " members of the Conference " was, in his opinion, devoid of meaning unless it had that signification. He feared that the interpretation of M. Stucki would to some extent weaken the

force of the Final Act, which, nevertheless, contained very important matters both from the point of view of interpretation and from that of the new steps which the League of Nations was being asked to take. There were, for example, the provisions relating to agricultural questions which the Conference had adopted after long discussions and which could not be described as the views of the members of the Conference. They must be regarded as a recommendation very respectfully put forward which the States represented at the Conference would transmit to the Council. He would accordingly like the drafting Committee to be asked to consider the expression under consideration, and would himself prefer that the term "conference" should be employed so that it would be clear beyond any possibility of doubt that it was the Conference, realising its full responsibility, which had adopted the Final Act as it had adopted the other part of the Convention.

The PRESIDENT said that the question raised by M. Serruys would be referred to the Drafting Committee.

He noted that no one had any objection to the Swiss declaration in its final form. He would like to thank M. Stucki on behalf of all the delegations which had not expressed their views for the spirit of concession which he had shown.

*The Conference took note of the declaration of M. Stucki and decided that it should be inserted in the minutes of the meeting.*

---

### THIRTEENTH PLENARY MEETING

*Held on Monday, November 7th, 1927, at 2.30 p.m.*

---

#### 27. Adoption of the Final Text of the Convention.

The PRESIDENT proposed that each article should be discussed and voted upon separately. He would then put the Convention as a whole to the vote.

*The proposal was adopted.*

#### *Article 1.*

The text of Article 1 was amended as follows on the proposal of the President and M. BRUNET :

"The provisions of the present Convention shall apply to prohibitions and restrictions imposed on the importation into territories of any high contracting party of goods the produce or manufacture of the territories", etc.

*This article thus amended was unanimously adopted.*

#### *Article 2.*

*The article was unanimously adopted.*

#### *Article 3.*

*The article was unanimously adopted.*

#### *Article 4.*

Mr. MACWHITE (Irish Free State) asked what was the meaning of the following words in the first paragraph : "between foreign countries where the same conditions prevail".

Sir Sydney CHAPMAN (Great Britain) replied that the expression did not mean that the conditions in the two countries were absolutely identical.

Mr. MACWHITE (Irish Free State) asked whether in that case the word "similar" would not be preferable.

M. SERRUYS (France) replied that the word "similar" would involve complications and asked Mr. MacWhite to accept the text as it stood.

M. BRUNET (Belgium) added that the scope of the word was defined by the context. It meant that the conditions would be of such a character as to justify the same measures.

Mr. MACWHITE (Irish Free State) withdrew his suggestion.

*The article was unanimously adopted.*

*Article 5.*

*The article was unanimously adopted.*

*Article 6.*

M. ITO (Japan) asked whether the third paragraph would not be made more clear by adding after the words " high contracting parties " the word " respectively ".

M. SERRUYS (France) admitted that there would be high contracting parties which had signed the Convention and to whom the exceptions given under paragraph 3 would not apply. The point raised by M. Ito would be met by drafting the end of the paragraph as follows : " au profit des hautes parties contractantes qui sont nommément désignées dans cette annexe et qui ont signé la Convention dès cette date ".

M. ITO (Japan) agreed.

The PRESIDENT noted that the amendment was adopted and that the English text would be put into accordance with it.

*The article thus amended was unanimously adopted.*

*Article 7.*

*The article was unanimously adopted.*

*Article 8.*

The PRESIDENT proposed that the article should begin as follows :

" Si un différend surgit entre deux ou plusieurs hautes parties contractantes au sujet de l'interprétation ou de l'application des dispositions de la présente Convention, à l'exception des dispositions des articles 4, 5 et 6, et de celles du Protocole relatives à ces articles. "

M. SERRUYS (France) agreed. He proposed that the text should read as follows :

" . . . des dispositions de la présente Convention, à l'exception des articles 4, 5 et 6, ainsi que des dispositions du Protocole relatives auxdits articles . . . "

The PRESIDENT accepted the text of M. Serruys and pointed out that it would also be necessary to insert it in the third paragraph and to put the English text into conformity.

M. DI NOLA (Italy) asked that the dashes which enclosed the following phrase in the French text of the second paragraph should be removed : " including reference to the Permanent Court of International Justice ". The parenthesis gave the impression that these words referred to the preceding text, whereas they related on the contrary to the following expression.

*The amendment was adopted.*

*The article thus amended was unanimously adopted.*

*Article 9.*

M. BRUNET (Belgium) proposed to alter the text of this article by following the lines of the amendment which had just been made to the previous article and to say in the last line of the first paragraph : " . . . Articles 4, 5 and 6 and of the provisions of the Protocol relating to these articles . . . "

M. ITO (Japan) thought that it would be more logical to repeat in the second paragraph the idea expressed in the first paragraph.

M. SERRUYS (France) replied that the second paragraph was imperative in character, whereas the first was optional. The logical amendment would be to make one paragraph of the article.

M. BRUNET (Belgium) agreed. The text of the second paragraph might then read as follows :

" For the provisions of Articles 4, 5 and 6 and for the provisions of the Protocol relating to these articles not included in the undertakings herein contemplated, the provisions of paragraphs 1 and 2 of Article 8 shall apply. "

M. SERRUYS (France) observed that such a text would be incorrect. The article was meant to provide that, if for Articles 4, 5 and 6 the high contracting parties renounced the

option of referring disputes to the Court of Justice, they might at least resort to the friendly procedure provided by Article 8. The text proposed by M. Brunet would appear to indicate that in such a case they would be obliged to accept the provisions of Article 8.

He proposed a new draft which, after being slightly amended by M. Brunet and M. Stoppani, read as follows :

“ Any high contracting parties who do not give the undertaking referred to in paragraph 1 as regards Articles 4, 5 and 6 or certain parts of these articles and as regards the provisions of the Protocol relating thereto may make the provisions of paragraphs 1 and 2 of Article 8 applicable to these matters as between themselves. ”

*The article thus amended was unanimously adopted.*

#### Article 10.

M. ITO (Japan) said that the formula “ under suzerainty or mandate ” did not cover the case of certain territories in which Japan was interested. He proposed that the text adopted should be the same as that of the Convention on the Simplification of Customs Formalities, namely : “ territories under its sovereignty or authority ”.

M. SERRUYS (France) said he quite understood the misgivings of M. Ito, which arose from the special position of the territory of Kwantung. Formerly, there had been adopted a text which provided for two kinds of responsibility. Experience, however, had shown that the word “ authority ” was too vague and enabled certain States to claim an authority which had not been internationally recognised over territories where they had only a *de facto* rule. For that reason, the formula “ under suzerainty or mandate ” had been used in recent conventions.

In these circumstances, he would ask M. Ito to be satisfied with the insertion of a declaration in the Protocol in the following terms : “ The high contracting parties agree that Japan may, in respect of certain territories placed under its authority, make use of the procedure provided by Article 10 ”.

M. CHI YUNG HSIAO (China) said he could not accept the substitution of the word “ authority ” for the word “ mandate ”. The expression “ suzerainty or mandate ” was quite clear.

M. ITO (Japan) withdrew his suggestion and said it would be sufficient if the declaration proposed by M. Serruys were inserted in the minutes of the meeting.

*The article was unanimously adopted.*

#### Article 11.

*The article was unanimously adopted.*

#### Article 12.

*The article was unanimously adopted.*

#### Article 13.

Mr. Hugh R. WILSON (United States) proposed to amend the English text as follows in order to make it agree exactly with the French text : “ The high contracting parties shall, within twelve months after the coming into force of the present Convention in their territories, communicate to one another through the Secretary-General of the League of Nations . . . . ”

*The amendment was adopted.*

*The article with the English text thus amended was unanimously adopted.*

#### Article 14.

*The article was unanimously adopted.*

#### Article 15.

*The article was unanimously adopted.*

#### Article 16.

*The article was unanimously adopted.*

#### Article 17.

*The article was unanimously adopted.*

*Article 18.*

The PRESIDENT proposed the following amendments :

In the third paragraph, third line, the text should read : " from the date of the present Convention, if after that period . . . . . "

He proposed the same amendment in the following paragraph.

Finally, there should be introduced into the English text in the penultimate paragraph the following passage, omitted owing to a misprint :

" Any denunciation made in accordance with the foregoing provisions shall be notified immediately by the Secretary-General of the League of Nations to all the other high contracting parties. "

*All these amendments were adopted.*

M. ITO (Japan) made the following declaration :

The Japanese delegation proposed to strike out the words " at the meeting provided for in Article 17 " in the last line of paragraph 4. That amendment has not been adopted, and the Japanese delegation accordingly desires to point out the consequences of retaining that expression.

1. The Convention, according to the reservations made at the moment of the common signature of the Convention, may be denounced three years afterwards if these reservations are made under Article 6, paragraph 1, and five years afterwards if they are made under Article 6, paragraph 2.

2. During the meeting provided for in Article 17, the reservations may be accepted either under paragraph 1 or under paragraph 2 of Article 6. In the two cases the high contracting parties will only be able to denounce the Convention five years after the date of common signature.

There is accordingly a difference in the period of denunciation in connection with reservations formulated under Article 6, paragraph 1.

I should be very glad to know whether my interpretation corresponds with the spirit of the article.

M. SERRUYS (France) replied that the interpretation of M. Ito was correct from the point of view of the text, but it did not take account of the possibility of the Conference which would meet in June only admitting exceptions for a definite time.

M. ITO (Japan) said he was satisfied with that reply.

*The article with the amendments proposed by the Chairman was unanimously adopted.*

*Article 19.*

The PRESIDENT proposed to draft the second paragraph as follows : " If the revision has taken place before the end of the fifth year from the date of the coming into force of the present Convention, any Member of the League of Nations . . . . . ". The remainder of the paragraph would remain unchanged.

He proposed that the last paragraph should read as follows : " If the revision has taken place before the end of the fifth year from the date of the coming into force of the present Convention, the period of denunciation referred to in paragraph 4 of Article 18 will be prolonged by one year ".

M. SERRUYS (France) said that Article 19 covered the case of a denunciation made before the period within which the right of revision coincided with the right of denunciation. If an amendment to the third paragraph covering that period were introduced, it was essential that there should not be a different point of departure. The amendment was mistaken, as the period which it was necessary to prolong was not the period mentioned in paragraph 4 of Article 18 but the period mentioned in paragraph 1 of that article.

The proposal was as follows : the Convention might be denounced at the end of five years, but at that date there might also be a revision of the Convention. Such revision must be made before the end of the fifth year. The period of denunciation began at the end of that same year. There was, moreover, an obligation for contracting States to participate in the revision at the request of one-third of them. In order to avoid the possibility of their refusing to participate by making use of the right of denunciation and pleading the overlapping of the process of revision and denunciation, it had been laid down that, in the event of revision being requested during the fifth year, the periods for denunciation should be prolonged by one year.

He was under the impression that the two dates might be reckoned from different starting points, since one of them coincided with the end of the fifth year and the other with the beginning of the sixth year. In other words, one started from the period of signature and the other from the putting into force of the Convention.

For that reason the third amendment would result in a hybrid and dangerous system. He would therefore ask that the present text should be maintained, in which paragraph 1 of Article 18 would be mentioned instead of paragraph 4.

The text would then read as follows :

*Second paragraph :*

“ If the revision has taken place before the end of the fifth year from the date of the coming into force of the present Convention, any member of the League of Nations ”, etc.

The remainder of the paragraph would be unchanged.

*Third paragraph :*

“ If the revision has taken place in the course of the fifth year from the date of the coming into force of the present Convention, the period of denunciation referred to in paragraph 1 of Article 18 will be prolonged by one year. ”

*The article thus amended was unanimously adopted.*

*Preamble.*

*The Preamble was unanimously adopted.*

*Annex to Article 6.*

M. SERRUYS (France) said that the French Government, after having considered the matter, had decided to abandon one of the two prohibitions which it had requested the right to maintain : the prohibition on coal, coke, peat, lignite and briquettes.

M. DI NOLA (Italy) feared that the text of the introductory paragraph to the Annex might give rise to a misunderstanding. It might leave the impression that all the States which signed the Convention on that day would have the right to take advantage of the exceptions contained in the Annex. It would be preferable to say : “ Par application du paragraphe 3 de l'article 6, les exceptions énumérées ci-après ne sont consenties qu'au profit des pays ci-dessous et ayant signé la Convention à la date de ce jour ”.

The PRESIDENT thought that it might be possible to combine the text and the note at the foot of the page as follows :

“ In accordance with Article 6, paragraph 3, and with Section IV (*d*) of the Protocol, the exceptions hereafter enumerated are only admitted in favour of those countries mentioned below, which have signed the Convention on this day's date and solely to the extent that the prohibitions and restrictions in question exist on this day's date. ”

The note at the foot of the page would in that case disappear.

M. SERRUYS (France) agreed. The list contained in the Annex, however, was unfortunately drafted in a way which completely altered the idea which had been formed regarding the exceptions. These exceptions did not really bear upon different products but were admitted for the benefit of certain countries. An exception was made on behalf of Germany regarding coal, and on behalf of Italy regarding iron ores, because all these countries had notified their requirements in that connection. It was therefore advisable to amend the form of the list in order to avoid any misunderstanding. He therefore proposed that the introductory phrase should be drafted as follows :

“ Each of the exceptions requested by the countries mentioned hereafter is only admitted under the terms of the present Convention if the country concerned appends its signature thereto on this day's date, and if, on that same date, the prohibition or restriction which it seeks to maintain is already in force. ”

The above text clearly indicated that there was no question of introducing further prohibitions or of reviving previous prohibitions which had ceased to exist.

M. BRUNET (Belgium) supported the proposal as a whole but feared that, if reference were made to “ each of the exceptions *requested* by the countries mentioned ”, there would be an impression that it had merely sufficed to make a request for an exception in order to obtain it. That impression would put the delegations which, like the Belgian delegation, had been very discreet in their requests for exceptions in a difficult position. He therefore proposed that the text should refer to each of the exceptions “ *admitted* ”.

M. SERRUYS (France) observed that such an amendment involved a recognition that the Conference had the right to admit reservations, whereas it had merely admitted situations of fact or law. Nevertheless, as M. Brunet insisted on his amendment, he would propose the following text :

“ Each of the exceptions maintained in favour of the countries mentioned below is only admitted under the terms of the present Convention if the country concerned appends its signature thereto on this day's date, and if on that same date the prohibition or restriction which it seeks to maintain is already being applied. ”



M. BRUNET (Belgium) said that he was satisfied.

SADIK HENEIN Pasha (Egypt) said he had already had occasion to state that the restriction on the export of eggs from Egypt was only imposed in certain years and for two or three months at a time. As that prohibition, however, was intermittent, it might therefore be regarded as being actually in force since its application coincided with specific periods. It must be understood that the terms of the paragraph under discussion adequately covered that restriction. If the Convention were interpreted according to the terms of the paragraph and not according to its intention, a misunderstanding might arise.

M. SERRUYS (France) thought that the point raised by the Egyptian delegate would be met if it were mentioned in the minutes, in response to his request, that as the prohibition on eggs was intermittent it might be regarded as being actually applied since the application coincided with specific periods.

SADIK HENEIN Pasha (Egypt) said that he was entirely satisfied.

M. DI NOLA (Italy) observed that, in his last text, M. SERRUYS had replaced the words "in force" by the words "being applied". The idea, however, which had guided the Drafting Committee had been to allow exceptions when they referred only to prohibitions which at present were legally in force. A prohibition might not be applied, but that was not a reason for refusing a country the right to keep it in force with a view to its application later on. He did not think that the proposed amendment should prejudice the application to be given to the Protocol regarding future exceptions which might be admitted by the Conference. The words "in force" corresponded better with the intention of those who drafted the paragraph.

M. SERRUYS (France) said that he had been anxious to facilitate the suppression of prohibitions for countries which had for a long time maintained prohibitions which were purely formal and in practice obsolete. He did not wish the present possible exceptions to confer upon those countries later on any admitted right. As, however, the Convention aimed at the restriction of all prohibitions, such a doctrine might within a few weeks be affirmed. Subject to that observation, he would accept the amendment of M. Di Nola to substitute the words "in force" in place of "being applied".

Following a brief exchange of views between M. SERRUYS (France), Sir Sydney CHAPMAN (Great Britain) and M. STOPPANI, the following text was proposed as an introduction to the Annex :

"In accordance with Article 6, paragraph 3, and with Section IV (*d*) of the Protocol, each of the exceptions maintained in favour of the countries mentioned below is only admitted under the terms of the present Convention if the country concerned appends its signature thereto on this day's date, and if, on that same date, the prohibition or restriction which it seeks to maintain is still in force."

*The above text was adopted.*

It was understood that the Annex would be modified in accordance with the proposals of M. SERRUYS ; the countries would be placed in alphabetical order, and opposite the names of the countries would be placed the reservations accepted by the Conference.

France would be removed from the countries which had submitted exceptions for coal, coke, peat, lignite and briquettes. The expression "colours or colouring matter" would be added at the end of the list referring to synthetic organic dyestuffs, and Roumania would be added to the list of countries accorded exceptions in respect of scrap iron and scrap of other metals and alloys.

*The Annex thus amended was unanimously adopted.*

## 28. Adoption of the Final Text of the Protocol to the Convention.

### *Introduction.*

*The introduction was unanimously adopted.*

### *Section I.*

*The section was unanimously adopted.*

### *Section II.*

Dr. RIDDELL (Canada) said that, in order to take into account the special position of a federal State, it would be necessary to add after the word "importation" in the last line the words "and exportation".

*The section thus amended was unanimously adopted.*

### *Section III.*

*The section was unanimously adopted.*

Sir Sydney CHAPMAN (Great Britain), replying to the request for an explanation from Mr. Hugh R. Wilson, said that paragraph (c), *ad.* No. 7, had been inserted to cover certain methods of safeguarding the revenue in use in Great Britain. The scope of the new paragraph was narrower than that of the text previously proposed.

#### *Section IV.*

M. SERRUYS (France) said that, at the beginning of the meeting, the reference to a common signature had been deleted. It was necessary to make the same amendment in respect of paragraph (d), *ad.* No. 4, which would then read: "As regards paragraph 4, it is understood that any claims for exceptions which may be put forward after the date of the present Convention shall refer only to prohibitions or restrictions in force on that same date".

The new draft made it clear that if the Convention was signed on the following day it would not be possible to put forward requests for prohibitions other than those which would exist on that date.

M. ITO (Japan) drew attention to a delicate legal problem raised by the paragraph. The situation was clear for States which were signing the Convention at once. Legally, however, was it possible to prohibit States which signed the Convention later on to put forward in the interval requests for exceptions?

If the paragraph referred only to prohibitions and restrictions which would be in force on the date of signature, the States which would sign the Convention later would have their hands tied. He thought it was necessary to indicate that States might, at the moment of signing the Convention, submit requests for exceptions, irrespective of prohibitions and restrictions existing at the moment of their adherence.

M. SERRUYS (France) took the case of a country whose legislation might be somewhat disingenuous and which might only consent to sign the Convention within three months. According to M. Ito's proposal, that State would have the right to say that since November 8th, 1927, the date of signature, it had put into force some fifty or sixty prohibitions, and that it was content to request the maintenance of some twenty of them. The proposed amendment would be placing a premium on speculation, and he would ask M. Ito to withdraw it.

M. STUCKI (Switzerland) also opposed the proposal of M. Ito. On a question of substance so important it was not possible to ask delegations to accept the amendment of a text which had already been submitted to their Governments.

M. Ito (Japan) did not insist on his suggestion.

*The section thus amended was unanimously adopted.*

#### *Section V.*

*The section was unanimously adopted.*

#### *Section VI.*

*The section was unanimously adopted.*

#### *Section VII.*

*The section was unanimously adopted.*

#### *Vote on the Convention, the Annex and the Protocol.*

The PRESIDENT put to the vote the Convention with the Annex and the Protocol as a whole.

*The three texts were unanimously adopted.*

#### **29. Adoption of the Final Text of the Final Act of the Conference.**

The PRESIDENT suggested that in conformity with precedent the Final Act should be voted as a whole.

Mr. Hugh R. WILSON (United States) spoke as follows:

In view of the President's ruling that this entire section should be discussed as a whole, I venture to present the views which I have to make upon it *en bloc*.

I have to make a brief explanation of my reasons for offering objections to paragraph 1 and to the second sub-paragraph of § 5. In the first place, the United States lies at some thousands of miles distance, and although we now have from the United States telephone connection with London, such connection has unfortunately not been extended to Geneva.

In view of this circumstance we are compelled to do our best to furnish our Government with as adequate a picture as possible of events by the somewhat clumsy means of the cable, and for this reason there are certain matters on which my Government has not yet been able to pass judgment and on which it has not been able to give me instructions until this last minute in view of the rapidity with which negotiations have been carried out and the drafting accomplished within the past week or so. This explains also the fact that my Government has not yet been able to determine its final position.

With regard to paragraph 1, it was clear from the definite and numerous reservations which exempted all sanitary measures from the scope of arbitration that a number of the contracting parties were unwilling to submit such matters to other judgment than that of their own properly constituted authorities. While we did not put in an amendment in this sense in order not to make unnecessary objections and hinder the work of the Conference, we have to some extent the same opinion as those nations which indicated their point of view by their amendments. We do not feel that such matters can helpfully be submitted to the judgment of any but the State, which must preserve its own public health and the health of its animals and plants. It is needless for me to elaborate on the tremendous loss which can occur to a country through failure to take the utmost precautions against epidemics among animals and plants. This has been adequately covered in the many declarations on this subject.

Furthermore, there are certain States non-Members of the League of Nations, among them the United States of America, which are participating in this Conference. These States may naturally feel that they are not at liberty to join in a request to the Council of the League of Nations to consider this matter.

As regards sub-paragraph 2 of § 5, which reads as follows :

“ It declares that a return to freedom of trade in the case of a particular product entails on producing and consuming countries correlative obligations, which should take the form of an equitable regime in regard both to export and import duties, especially in cases where the latter are applicable to articles manufactured from the raw material for which free exportation is to be re-established under the Convention ”.

I learn from the Minutes that this paragraph was inserted at the meeting of the General Drafting Committee which took place only just before the second reading, and, although it was circulated shortly in advance of the meeting, there was not adequate time for its complete consideration. My Government has now given me instructions regarding this paragraph, and I therefore ask your indulgence to discuss it at this time.

From the beginning of this Conference my Government has desired that some express declaration should be made exempting import duties and the manner of applying them from the scope of this Convention, and on this point we felt content with the interpretative statement which appears in the record of the General Drafting Committee. We had originally submitted to the President the possibility of an interpretative clause being affixed with our signature in the event of our signing this document to the effect that we did not consider that the scope of this Convention covered matters relating to import tariffs or action by States which might be taken to counteract dumping, bounties, subsidies, unfair competition and discrimination. I had the honour to add, in the letter to the President, that of course my original text was tentative and that my Government, which had not been apprised thereof, might see fit to revise it. Subsequently, my Government informed me that I should have included the word “ under-valuation ” in order to cover the entire list of practices against which our tariff laws provide remedies.

When the first sub-paragraph of § 5 was adopted it seemed to cover the needs of the United States. It was our clear conception, in attending this Conference, that all reference to Customs duties was eliminated from the scope thereof, as it was eliminated from the original draft of the Economic Committee, and it was merely for the sake of clarity and to prevent uninformed opinion from taking a contrary view that we welcomed the first sub-paragraph of this paragraph. However, reference to Customs duties, like the ghost in Hamlet, continues to appear when least expected. No sooner is the troubled spirit laid than it appears again in another scene. As we read this paragraph, we might conceive of a case somewhat as follows: State A, let us say, abolishes its export prohibitions on certain raw materials which are shipped to the United States. Having done this act under the Convention beneficial to the United States, State A would then be in a position to say to us : “ We have taken action favourable to you under this Convention ; in the spirit of sub-paragraph 2 of § 5 of the Final Act you are under a moral obligation to respond to our action by more favourable import duties on our manufactured goods ”. But this would put us in a position to which we should be totally unable to respond under our system of tariff policy.

As I have had the honour to explain before, our policy does not foresee the granting of reductions in duties as compensation for favours given. We extend equality of treatment to

all nations and endeavour to persuade them to do likewise. There would be no method under our tariff by which responsive action to such a demand on the part of State A could be made.

We therefore find ourselves in a position where we must declare that in our opinion not only does the second sub-paragraph have no proper place in this Convention but that furthermore it would imply an undertaking on our part which we could not fulfil. In view of the attitude of my Government on these matters, I have the honour to move the elimination from the Final Act of paragraph 1 and also the elimination of the second sub-paragraph of paragraph 5.

I should prefer to have the opportunity of voting on these paragraphs separately in order to register a negative vote for the United States delegation on these articles. I would ask the Chair whether the ruling given is essential and must be followed.

The PRESIDENT said that the procedure followed was always subject to the decision of the Conference. Mr. Wilson was therefore free to propose that on the present occasion the possibility should be examined of discussing separately the various paragraphs of the Final Act and that a special vote should be taken on each of them.

Mr. Wilson could then submit his amendment for the suppression of paragraph 1 and the second sub-paragraph of paragraph 5 or he might ask for a vote on each of the paragraphs separately. In the latter case, however, his point would not be entirely met, as to meet it it would be necessary to examine separately sub-paragraphs 1 and 2 of § 5.

M. SERRUYS (France) observed that from the point of view of substance there was an extremely important consideration at issue. The Final Act was of an extremely complicated nature. Paragraph 5, for example, was interpretative and embodied the intention of the Conference and its interpretation of the obligations to which it was subscribed. Paragraph 1, on the other hand, was sufficient in itself and referred to a new task to be entrusted to the League of Nations.

Accordingly, if paragraph 5 was up to a certain point morally bound up with the Convention and the Protocol, the same was not true of paragraph 1, which, on the contrary, was supplementary to the undertaking assumed under the Convention and the guarantees which it entailed.

As the Final Act, therefore, contained provisions which had a different significance, it seemed to him quite reasonable that they should be examined in a different manner.

If the discussion was now open as regarded the first point, it might perhaps be possible to consider means whereby the considerations put forward by the United States might be met. As regards the second point, account must be taken of the considerations put forward by other Governments. He therefore thought it was essential not to include in one and the same discussion on the Final Act questions which were so different in their substance.

Sir Sydney CHAPMAN (Great Britain) said he would have preferred to vote upon the Final Act as a whole. He had anticipated that such would be the procedure, and he was not prepared to vote upon each section separately. The Final Act represented the whole of the recommendations which, after an examination of the various questions at issue, the Conference had thought it well to submit. He would much prefer to vote upon the document as a whole.

M. SERRUYS (France) said he was endeavouring to meet the views of Mr. Wilson. Those views, however, might be quite as easily met if the document were discussed as a whole.

He would emphasise that the United States had at the outset completely ignored the League of Nations. There had followed a second period in which they had sent observers to League meetings. They were now a participating State represented by their Minister at Berne. That was a fact which the Conference must not forget, and it must endeavour to give the utmost measure of consideration possible to the requests of the American delegation.

Sir Sydney CHAPMAN (Great Britain) said he did not insist on his point. He would, however, be obliged to abstain from voting on certain of the recommendations in the absence of instructions from his Government.

M. SERRUYS (France) observed that the paragraphs might be discussed separately but voted as a whole. Those delegates who were not satisfied on certain points might at that moment either vote against the Final Act or abstain from voting.

The PRESIDENT replied that such an arrangement would not satisfy Mr. Wilson, who desired an opportunity to record his vote against paragraph 1 and the second sub-paragraph of paragraph 5.

He noted that there was no objection to the procedure proposed by the delegation of the United States. The conference might now discuss the various paragraphs.

#### *Paragraph 1.*

M. SERRUYS said that paragraph 1 dealt with the proposal submitted by the French delegation on behalf of all the agricultural countries. Poland, Serbia, Roumania, Hungary, etc., had stated very clearly that in their opinion the Conference was of small moment to them unless it gave them guarantees in regard to the export of their agricultural products. It was in order to give these States some compensation for the sacrifices which they were being asked to make that there had been embodied in paragraph 1 the guarantee that the League of Nations should

later on undertake work which might subsequently result in increased export facilities, or at least in more favourable export regimes. Refusal to admit this recommendation would cause deep disappointment.

Here, however, arose the question of the exact significance of a Final Act. A final act might embody an obligation binding the States or be a clause interpreting their obligations. In the present case, however, the idea had been definitely abandoned of giving to the Final Act the character of a contractual obligation. Consequently, if Mr. Wilson could not sign the Convention on the following day, he would not, when he signed the Convention later, be called upon to sign the Final Act, which was nothing more than a record of the meetings of the Conference and did not present the character of a contract.

Mr. Wilson found it difficult to commit himself to a portion of the Final Act because, in regard to the matters with which it dealt, the United States desired to preserve a completely autonomous policy and because they found it difficult to associate themselves with a request that the League of Nations should undertake certain work. Such a commitment, however, was not at all necessary, as the United States would not be asked to sign the Final Act.

The provision under discussion was not an interpretative clause but a decision of the Conference, which asked the League of Nations to deal with certain problems concerning agriculture. The United States might quite well sign the Convention without being bound by paragraph 1 of the Final Act. In regard to paragraph 5, he would be obliged to take up a different position, as paragraph 5 was a clause which interpreted certain clauses of the Convention, and, if there should arise a difference of opinion between the contracting States and the United States of America, it would at any rate be necessary to look into the matter.

In conclusion, he thought that it was entirely unnecessary for Mr. Wilson to vote against the article. He would ask him to abstain in order to avoid a demonstration in regard to a text which could not be binding.

Mr. Hugh R. WILSON (United States) said that in view of the sympathetic manner in which M. Serruys had referred to the participation of the United States, he would do his utmost to meet his wishes. He must, however, state that his instructions were formal. If he could succeed in obtaining a vote on that paragraph of the Protocol, he was obliged to record his vote in the negative.

M. Serruys had drawn a distinction between the character of paragraph 1 and that of the other paragraphs of the Final Act and had pointed out that the latter were interpretative clauses. Since paragraph 1 had not the same validity as the others, might it not perhaps be placed in a document annexed to the Convention instead of being retained in the Final Act as an interpretation of the Convention?

Sir Sydney CHAPMAN (Great Britain) agreed that there was a difference between paragraph 1 and paragraph 5 of the Final Act. At the same time he drew attention to the fact that there was an important difference between the Final Act and the Convention with the Protocol to it. Delegates had full powers to sign the Convention and the Protocol subject to the possible ratification of their signatures by their Governments. The Governments, however, did not ratify the signatures of their delegates to the Final Act, which merely expressed the views of the Conference.

The PRESIDENT put to the vote the amendment of the United States delegation for the suppression of paragraph 1 of the Final Act.

M. SERRUYS (France) pointed out that Mr. Wilson, after having proposed the suppression of the paragraph, had suggested that it should be embodied in a document annexed to the Convention but not included in the Final Act.

Mr. Hugh R. WILSON (United States) said that it would be for the States concerned to decide whether the paragraph, if eliminated from the Final Act, should be annexed to the Convention. He had put that forward merely as a suggestion, and it did not alter his amendment.

The PRESIDENT noted that in these circumstances the only amendment on which a vote was to be taken was the proposal for the suppression of paragraph 1 of the Final Act. He would take a vote by roll-call on that proposal.

*There voted for the amendment* : the Irish Free State, the United States of America.

*There voted against the amendment* : Belgium, Czechoslovakia, Denmark, Finland, France, Hungary, Italy, Luxemburg, the Netherlands, Poland, Portugal, Roumania, and the Kingdom of the Serbs, Croats and Slovenes.

*Abstentions* : British Empire, Bulgaria, Canada, China, Egypt, Germany, India, Japan, Siam, Sweden, Switzerland, Turkey.

*The amendment was rejected by 13 votes to 2 with 12 abstentions, and paragraph 1 was adopted.*

#### *Paragraph 2.*

*The paragraph was unanimously adopted.*

#### *Paragraph 3.*

*The paragraph was unanimously adopted.*

*Paragraph 4.*

*The paragraph was unanimously adopted.*

*Paragraph 5.*

Mr. Hugh R. WILSON (United States) asked that the second sub-paragraph of paragraph 5 should be struck out.

M. DI NOLA (Italy) said that the representative of the United States had very frankly intimated that he had received formal instructions from his Government. He had not, therefore, any great hope of inducing him to change his attitude. He believed, however, that the Conference would be failing in its duty if it did not do its utmost to secure the adherence of the United States to the Convention.

He quite agreed with M. Serruys, who had observed that the Final Act had an entirely different significance from that of the Convention and the Protocol. The Final Act merely recorded facts which had appeared during the Conference and the views which had been expressed. It did not embody obligations by which the contracting parties would be bound. The clearest proof of that fact was that a country might become a contracting party to the Convention without signing the Final Act. It seemed to him that this legal aspect of the question was of quite special importance and that the representative of the United States should take it into account.

Secondly, he would observe that the declarations contained in paragraph 5 represented a compromise within essential limits between two opposite points of view.

When the discussion of a convention for the abolition of import and export prohibitions and restrictions had started, an objection had been raised. First it was asked whether it would be of any use merely providing for the abolition of such prohibitions and restrictions if at the same time no attempt was made to establish equitable Customs duties. The fear had even been expressed that countries which were obliged to abolish import and export prohibitions would be led to reinforce their Customs protection.

Certainly it would have been an excellent thing to settle at the same time the question of prohibitions and the question of Customs duties. Everyone had, however, been obliged to recognise that it was impossible at the present moment to achieve that ideal. In these circumstances the Economic Committee had decided unanimously to eliminate the Customs question, and the present Conference had done the same.

The elimination of the Customs question did not mean that those who were anxious to prevent the abolition of prohibitions and restrictions leading to a reinforcement of Customs protection were prohibited from declaring that it was not the intention of the Conference, in approving a convention for the abolition of prohibitions, to authorise States to increase their Customs duties. Such was the object of paragraph 5.

He was surprised to see the representative of the United States adhering to the first sub-paragraph of § 5 and objecting to the second sub-paragraph.

The first sub-paragraph raised the principle itself, and the second merely stated its consequences by declaring that if a country abolished an export prohibition on certain raw material it was not thereby authorised to establish an export duty. That was a consequence which quite naturally followed from the principle contained in the first sub-paragraph.

He would ask, in these circumstances, without making any formal proposal on the subject, whether the Conference could not confine itself to the proposal contained in the first sub-paragraph of paragraph 5 in order to meet the views of the representative of the United States. The Italian delegation would, so far as it was concerned, accept the elimination of the second sub-paragraph.

M. GHEORGHIU (Roumania) also thought that paragraph 5 contained two distinct parts. At the beginning of the work of the Conference, the Roumanian delegation had made a general declaration expressing a reservation as to the second part of the paragraph because it related to Customs tariff policy. That reservation had been repeated in the amendments submitted by the Roumanian delegation, which now felt obliged to put it forward again at the moment of signing the Convention.

He would therefore make the following declaration, and ask that it should be inserted in the Minutes :

“ The present Convention, by its very intention, excludes the question of Customs duties.

“ The Roumanian delegation, however, records its opinion that the present Convention does not cover import and export duties and that Roumania has the right to establish Customs tariffs in conformity with the necessities of her national economy. ”

He felt that it was not necessary to indicate the stages through which the Customs policy of Roumania had passed. He would quote a single example. Imports into Roumania had risen from four milliards in 1919 to more than thirty milliards in 1925. The increase in imports could hardly mean that any barrier had been erected.

M. IBL (Czechoslovakia) said he was partly in agreement with M. Di Nola, but he could not consent to the elimination of the second sub-paragraph of paragraph 5. The elimination of that

sub-paragraph would leave untouched the question of the abolition of certain export prohibitions imposed on raw materials. Interested circles alleged that there was a danger of other countries increasing their Customs duties on the products manufactured with these raw materials. Experience had shown that if such fears did not exist it was possible to proceed much more rapidly and completely to the suppression of export prohibitions on raw materials, as, for example, in the case of hides. All the members of the Conference who had closely followed the question were of opinion that the greatest obstacle to progress was a misgiving as to the following point : what would be the position in regard to import duties on leather and leather goods following the suppression of the export prohibition on leather ? In certain countries there was a tendency considerably to increase these Customs duties. In view of the above misgivings the Czechoslovak delegation had proposed an amendment on the point, to be inserted in the Final Act, since it could not obtain its insertion in the Convention or in the Protocol. The Czechoslovak delegation thought that the insertion of that amendment would to a large extent facilitate the suppression of existing prohibitions on raw materials, and particularly the suppression of the prohibitions which would have to be discussed under paragraph 3 of the Final Act.

He would remind the Conference that at the last plenary meeting the point of view of his Government had been supported by M. Serruys and M. Schüller.

For that reason he asked the Conference not to eliminate sub-paragraph 2 of paragraph 5. He would add that his Government had discussed the text which had been voted upon during the last meeting, as he had not been able to foresee that there would be a change of substance in the final text at the third reading. For that reason again he would ask the Conference to retain sub-paragraph 2 of paragraph 5.

M. WIBAUT (Netherlands) said that the Netherlands delegation had, at the beginning of the Conference, expressed the wish that it would not rest content with repudiating the system of import and export prohibitions and restrictions but that it would go a little further and express the desire that exaggerated import duties, which were sometimes equivalent to import prohibitions and restrictions, should be decreased. The Conference had found a formula whereby a recommendation might be introduced into the acts of the Conference in connection with a recommendation already made by the Economic Committee to the effect that the question should be studied. He understood that the Economic Committee had felt that the present Conference could not take any decision on the subject of tariffs. He must bow to that decision, since the delegate of a small country must needs be docile. In paragraph 5 there still remained something of what had been desired, since that paragraph expressed the conviction that no duty would be imposed which might be equivalent to a prohibition or regarded as a substitute for a prohibition. Obviously that was not very much, but it was at any rate something.

He agreed with M. Di Nola that the second part of paragraph 5 was only the consequence of the first. He would ask the Conference, and particularly Mr. Wilson, to leave in paragraph 5 the assurance which it gave to those who hoped that it might be possible a few years hence to go a little further in the direction of establishing a system which would render commerce more easy and more regular.

M. CLAN (Denmark) reminded the Conference that, when paragraph 5 had been discussed in Committee, there had always been references to export duties. He would not have asked to speak if he had not thought it necessary to state that he was not able to accept the declaration of Mr. Wilson that the interpretation of that paragraph could not give rise to any contradiction. The paragraph could not be interpreted to mean that, in the event of country A abolishing an export prohibition on leather, country B, which perhaps did not import leather for the manufacture of boots or which had no commercial relation with country A, would be prevented from increasing its duties on boots because country A had abolished the prohibition. He entirely agreed with M. Di Nola. He was prepared to accept a just interpretation, but did not consider that the Conference could pass over in silence the narrow interpretation which Mr. Wilson had laid down.

M. SERRUYS (France) ventured to observe that Mr. Wilson had interpreted the text in the light of considerations which were perhaps rather too national. Mr. Wilson seemed to think that the text was intended to recognise a policy which the United States repudiated. Mr. Wilson apparently believed that the Conference, by stating that there should be correlative obligations for producing and consuming countries, might make it possible for certain countries to bring pressure to bear upon him at some future time. He imagined it would be possible for one country to say to another country : " You give us your cotton and your phosphates without subjecting them to an export duty ; you are going to have very low duties on the cotton-stuffs which we manufacture with your cotton and on the superphosphates which we make with your raw phosphates ". There was no question, however, of such bargaining. The paragraph merely asked for a certain degree of moderation in tariff matters following the restoration of the freedom of commerce. The considerations underlying the paragraph related to Europe rather than to America, and it must be admitted that during the last few years the restoration of freedom of commerce had sometimes been dearly purchased. Prohibitions had been removed which had allowed a certain amount of goods to pass the frontier, but they had been replaced by prohibitive duties which did not allow anything at all to pass.

It was the intention of the Conference to show that there was a certain connection between these two systems, and that there was also a certain connection between export and import

duties. The paragraph in question did not go further than that. The Conference could very easily indicate as much by showing that it repudiated the interpretation given by Mr. Wilson. It was not the object of the Conference to give to certain States means of bringing pressure to bear on other States. In these circumstances he wondered whether the adoption by the Conference of a declaration embodying the views which he had just put forward might not be the best way of meeting the wishes of Mr. Wilson. Mr. Wilson's object had been to preserve complete autonomy in tariff matters, and to ensure that America should be free to establish her tariffs at the level which she considered to be the most appropriate. America might sometimes consider that level from rather a different point of view from those who had to surmount the barrier thus created, which was sometimes a little intimidating. But America undertook to give equal treatment to the whole world, and maintained that such equality should suffice. Mr. Wilson did not imagine that the Conference could vote a text declaring that such should be the policy of years to come. The Conference, however, had no idea of voting a text declaring that the policy of years to come was the policy of tariff bargaining. America was not being asked to approve a policy different from her own, nor was there any question of the Conference approving her policy. Quite a different question was at issue, which should be regulated by considerations of equity. That exactly was what it was proposed to say, and it was necessary to say it.

He would next ask M. Ibl to allow him to make a slight observation. As long as paragraph 5 merely affirmed the principle which he had just described—a principle to which the United States might perfectly well subscribe—the Conference was not dealing with a tariff question. Mr. Wilson entirely agreed on that point. The point which troubled Mr. Wilson would be found in the last portion of the phrase. Mr. Wilson might perhaps be able to adhere to a declaration relating to a specific product, stating that the resumption of freedom of commerce involved not correlative "obligations" but correlative "duties"; that the duties were incurred not by a producing country towards other countries but between producing and consuming countries; and that they should take the form of an equitable regime both for import and export.

He wondered whether M. Ibl could admit that reservation and if he would agree that the end of the sentence should be somewhat different; that it should not express a direct principle but should contemplate the precise application of the principle.

Moreover, if M. Ibl wished to lay down a doctrine, the doctrine perhaps went a little far and should perhaps be inserted in another portion of the document.

The solution would perhaps be to cover the particular cases of which M. Ibl was thinking. M. Ibl, for example, did not wish, by making the import of round wood or of leather free, to be confronted with excessive tariffs upon sawn wood or boots. Such a system, however, was in conformity with the previous system of prohibitions; it was a policy of bargaining and of contract, which had very little to do with commercial freedom. He would ask whether the question could not be better dealt with by the Conference, not by means of a declaration of principle in the Final Act but by means of an insertion in the Minutes of the present meeting, with the approval of the Conference.

Dr. Trendelenburg had suggested to him a short while ago that a reference might be added, in a paragraph of the Protocol, to the products which the Conference desired to study with a view to the removal of prohibitions relating to them. For that purpose it might be possible to make use of the second sentence of paragraph 5, adding a reference to round wood, hides and bones—an arrangement which would give Czechoslovakia a specific guarantee and would not involve asking the United States to subscribe to a policy which they were not disposed to recognise, any more than the opposite party was disposed to recognise the policy of the United States. In paragraph 3, a reference to round wood, etc., would be added after the words: " . . . concerning, in particular, skins, hides and bones", and after sub-paragraph (b) of the same paragraph the following passage might be added: "and that means should be sought of finding solutions applicable to products manufactured from raw material in regard to which the Convention has required the restoration of free import". That passage would, for specific cases, constitute not an affirmation of principle but an undertaking to investigate the matter.

He considered that such an amendment might meet the views of Mr. Wilson and the views of M. Ibl and make it possible for them to abandon their opposition.

The PRESIDENT reminded the Conference that it had already voted upon paragraph 3, and, if an amendment to that paragraph such as was proposed were desired, it would be necessary to reopen the discussion upon it.

M. SERRUYS (France) said that, after having consulted M. Ibl, he realised that the conciliation proposal which he had just outlined was useless.

M. IBL (Czechoslovakia) said he would like to refute the contention of M. Serruys that the amendment which the Czechoslovak delegation was now discussing contemplated a policy of bargaining. Czechoslovakia did not—any more than countries which were in the same position—desire to impede the reduction of Customs duties imposed by manufacturing products; what it desired was to prevent a possible increase of duties on manufactured products. It therefore regarded itself as entirely in agreement with the spirit and intentions of the International Economic Conference. It was true that the Conference was now discussing the suppression of import and export prohibitions and restrictions as the result of one of the resolutions of the International Economic Conference; the latter Conference, however, had also contemplated measures to prevent the increase of Customs duties.



In view of the great importance which his Government attached to the question he would ask the President to put to the vote the proposal to suppress the second sub-paragraph in conformity with the amendment of the United States delegation. If the American proposal were adopted, he would venture to return to the proposal of M. Serruys.

The PRESIDENT put to the vote, by roll-call, the American amendment to the effect that the second sub-paragraph of paragraph 5 should be eliminated.

*There voted for the suppression :* United States of America, Roumania.

*There voted against the suppression :* Belgium, Bulgaria, Czechoslovakia, Finland, France, Hungary, Luxemburg, Netherlands, Poland, Kingdom of the Serbs, Croats and Slovenes, Switzerland.

*The following delegations abstained :* Canada, China, Denmark, Egypt, Germany, Great Britain, India, Irish Free State, Italy, Japan, Portugal, Siam, Sweden, Turkey.

*The amendment was therefore rejected by 11 votes to 2, with 14 abstentions.*

*Paragraph 5 was adopted in its present form.*

*The Final Act was put to the vote as a whole and adopted.*

### 30. **Statements regarding Signature of the Convention.**

The PRESIDENT said he would like to know at once what countries which had made the reservations referred to in the Annex to Article 6 intended to sign the Convention on the following day. He pointed out that the countries which did not sign the Convention could not have reservations inserted in the Convention.

Dr. TRENDLENBURG (Germany) said that the German delegation would sign the Convention on the following day.

M. IBL (Czechoslovakia) said that before replying he desired, on behalf of his Government, to make the following declaration :

“ Czechoslovakia is prepared to participate in the international agreement on the abolition of prohibitions which it is the object of the Convention framed by the present Conference to establish, provided :

“ (1) That the States whose adherence to the Convention is important for the commerce of Czechoslovakia and the States with whom she has concluded treaties of commerce based on the most-favoured-nation clause, and particularly the Succession States, also become contracting parties to the Convention ;

“ (2) That, as regards the veterinary questions, the Conference of Experts contemplated in Section I of the Final Act gives the necessary guarantees with a view to the freedom of commerce ;

“ (3) That the result of the examination of the reservation formulated by the Czechoslovakia Government, which will take place at the meeting referred to in Article 17 of the Convention, does not prejudice the vital economic interests of my country. ”

He would add that, if certain States whose adherence to the Convention was important for his country signed the Convention, he also would sign it.

M. SERRUYS (France) made the following declaration :

I shall have the honour to sign the Convention to-morrow on behalf of my country. I should not have explained the reasons for this decision if I did not feel that they are perhaps of a nature to influence some of the States which may still be hesitating. The reasons which are valid for us are valid, I would venture to say, for the whole world.

The first reason for signing the Convention is that the Conference has just achieved a step forward which should not be underestimated, and it is necessary to realise that this progress will involve further steps in the same direction.

I should not like this Conference to be unjust towards itself. This is one of the most liberal and generous of the Conferences which I have had the honour to attend during my long career as a negotiator. The work which we have just accomplished marks progress not only in relation to the existing position in Europe but also in relation to the position which the Economic Committee contemplated when it drafted the programme on the basis of which we have conducted our discussions. I consider this progress to be decisive. It has established a much more liberal regime than that which the Economic Committee ventured to contemplate. My attention is drawn to the reservations of Article 6. Do you not, however, feel that, if we had maintained paragraph 1 of Article 4 as drafted by the Economic Committee, and if we had maintained the draft of Article 5 as also presented to you by that Committee, the reservations which you have been spared would be appreciably stronger, more dangerous and prejudicial, than those which we have passed as the result of common discussion ?

Considerable progress has been achieved, progress which indicates that since 1925 conditions in Europe have changed, and that the tendencies of the European nations have also changed.

We have no reason to be proud of the progress which we have realised. That progress has been imposed upon us by the will of those whom we represent. What are the final results ? A collaboration or co-operation has been established. There will be no further prohibitions without the assent of all the Powers represented here. Is not this an achievement which to-morrow will appear as sufficiently revolutionary to States which have had before them the

cautious text of the Economic Committee? Do you not feel that it is of the highest significance to see, for example, England willing to discuss the question of dyestuffs, and Germany the question of coal, and France the question of scrap iron? Such questions as we formerly kept jealously to ourselves as matters for our own consideration we now confess to be matters which the whole world should be authorised to consider.

Such is the new fact, and such is the result which we have achieved, a result which is much more liberal and extensive than that which was contemplated. We have now an undertaking entered into with a view to permanent co-operation. Such are the facts which have determined the adherence of my Government in spite of the regret which it feels. That regret is considerable. It relates to Article 8. Though it is clear that this Conference has been animated with a spirit of liberalism and co-operation, it is nevertheless true that we shall perhaps have to wait for another Conference, and for a revision of the Treaty in order to realise, so far as arbitration is concerned, what some of us consider to be a guarantee for the European countries.

The progress made appears to my country to be an important achievement which justifies certain hopes. It is because the treaty before us embodies these hopes that I have instructions to sign it, and I am bound to say that, in spite of the regrets of those who may wish to go faster and of those who will have to make sacrifices, the day on which it enters into force will seem to the French nation a harbinger of more peaceful and fruitful relations between the peoples.

The PRESIDENT informed the Conference that the delegate of Austria, though personally absent, had announced his intention to sign the Convention on the following day.

M. BRUNET (Belgium) said he would have the honour to sign the Convention on behalf of his country.

M. DE NICKL (Hungary) said he would also sign the Convention.

M. DI NOLA (Italy) said that the Italian delegation had received authority to sign the Convention.

M. GHEORGHIU (Roumania) said that he would convey the decision of his Government to the Conference as soon as he had deciphered a telegram which he had just received.

The PRESIDENT noted the declaration of M. Gheorghiu; it was understood that, if the Roumanian delegation did not sign the Convention, its reservations would not be retained.

M. CALMES (Luxemburg) said he would sign the Convention.

Sir Sydney CHAPMAN (Great Britain) said he would sign the Convention for Great Britain and Northern Ireland.

M. ITO (Japan) said he had not yet received the instructions of his Government owing to the distance of his country. He asked whether, in the event of these instructions arriving after the following day, he might sign the Convention within two or three days, and he enquired what, in that case, would be the position in regard to the reservations. Perhaps it would be possible to leave a blank place in which Japan would be able to affix her signature.

The PRESIDENT replied that in spite of his wish to be agreeable to all the delegations, it was impossible to make a special exception in favour of a particular country. The delegate of Japan must understand that from the definite moment at which the signatures were made it was impossible to change the document in any way.

Mr. WILSON (United States) said he had not received instructions from his Government regarding the signature of the Convention.

SADIK HENËIN Pasha (Egypt) stated he would have the honour to sign the Convention on behalf of his country.

The PRESIDENT asked the delegations which had not formulated reservations whether they intended or did not intend to sign the Convention on the following day.

M. DANAÏLOW (Bulgaria) said he would sign the Convention on behalf of his Government.

Dr. RIDDELL (Canada) said he had not received instructions from his Government.

M. CHI YUNG HSIAO (China) said that the Chinese delegation had not received any instructions concerning the signature of the Convention.

The delegates of Chile, Colombia and Cuba were absent.

M. CLAN (Denmark) said that the Danish delegation would have the honour to sign the Convention.

The PRESIDENT informed the Conference that he had received a letter from M. Erich, delegate of Finland, stating that he had decided to participate in the common signature.

Sir Basanta KUMAR MULLICK (India) said that he had received instructions to state that his Government sympathised fully with the first draft Convention, which completely coincided with the tendency of its legislation during the last fifteen years. The present text, however, differed appreciably from that in regard to which he had received instructions. It was therefore necessary for the Government of India to study the present draft before it could decide whether to adhere to the Convention or not.

The **PRESIDENT** said that the delegate of Latvia had informed him that he could not sign the Convention at that moment.

**Mr. MACWHITE** (Irish Free State) said that, in view of the fact that the delegation of the Irish Free State did not intend, at least for the moment, to sign the Convention, he would like to explain his attitude in a few words.

It was hardly necessary for him to remind the members of the Conference that the political independence and economic existence of the Irish Free State went back approximately to the end of 1922. The comparatively short period which had elapsed since that moment had not enabled the Irish Free State to determine its economic policy.

He was therefore obliged to reserve his decision in regard to the present Convention until his Government had been able to study fully its terms, and until it was aware of the attitude adopted by other countries towards the Convention.

**M. POSTHUMA** (Netherlands) said that the Netherlands delegation had not yet received the official instructions of its Government. It expected them to arrive that evening.

**M. DOLEZAL** (Poland) read the following declaration :

The Polish delegation came to the Conference resolved to sign the Convention immediately on condition that all import and export prohibitions, and to begin with the prohibitions relating to raw materials, were suppressed, and on condition that a more favourable regime was instituted for the circulation of agricultural products.

As a result of the amendments submitted by the Polish delegation and the delegations of other agricultural countries, and, finally, as a result of the French proposal, future progress in this field appears to be foreshadowed in the Final Act.

On the other hand, as regards the circulation of raw materials, and more particularly coal, in view of the fact that they are of considerable importance in the total exports and in the national economy of Poland, prohibitions have to be maintained for a certain time.

In view of this situation of fact, and also in view of certain differences between the draft Convention framed by the Economic Committee and the present text, it is impossible for the Polish delegation, in conformity with the last instructions of its Government, to sign the Convention at the present moment. The Polish delegation, however, highly appreciates the wise measure adopted by the Conference and embodied in the provisions of the Convention which enables Governments to take their decision in this matter up to February 1st and possibly to submit reservations.

My Government will not fail to profit from this delay in order to examine the Convention and bring its decision to the knowledge of the Secretary-General of the League of Nations.

The application of the present Convention would appear to the Polish delegation to be all the more effective if the two following conditions were in future realised.

It is, in the first place, important that the States which benefit from the prohibitions maintained in the present Convention should be prepared immediately to apply all proper measures for attenuating the prejudicial effect of these prohibitions on the trade of other countries during their maintenance. Moreover, the Polish delegation would be very happy if under the distinguished auspices of the League of Nations there might be as rapid a carrying into effect as possible of the recommendation embodied in the Final Act concerning the improvement of international trade in agricultural products.

I have the honour to ask the President to embody the present declaration in the Minutes of to-day's meeting.

**M. DE CALHEIROS Y MENEZES** (Portugal) said he hoped to be able to sign the Convention in a few days. He was awaiting instructions.

**M. FOTITCH** (Kingdom of the Serbs, Croats and Slovenes) said that the Serbian delegation had forwarded the text of the Convention to its Government, recommending its acceptance in the hope that the measures contemplated in the Final Act would meet their views. As, however, they had not yet received authorisation to sign, they were not in a position to do so. They had every reason to believe that authorisation would not be long delayed.

**Prince CHAROON** (Siam) said that he would sign the Convention.

**M. HENNINGS** (Sweden) said he had pointed out a few days ago that, in view of the large number of amendments made in the original draft, the Swedish Government desired to study the final text as it issued from the discussions of the Conference before appending its signature. All the members of the Conference, however, well knew the keen desire of the Swedish Government to collaborate in measures for the abolition of import and export prohibitions and restrictions. He would therefore express his firm conviction that the Swedish Government would, as soon as it had examined the final text, sign the document. His powers, however, did not enable him to do so at once.

**M. STUCKI** (Switzerland) said that his country would have the honour to sign the Convention on the following day.

**MEHMED KEMAL Bey** (Turkey) said he had not received authority to sign the Convention on the following day.

The PRESIDENT said that the following States had declared that they would sign the Convention on the following day : Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Great Britain and Northern Ireland, Hungary, Italy, Luxemburg, Siam and Switzerland.

It was possible that the following States would also sign : Japan, the Netherlands and Roumania.

### 31. Annexed Declaration of the Wine-Growing Countries<sup>1</sup>.

M. SERRUYS (France) made the following declaration :

Mr. President, I have purposely waited until now to ask you whether the countries interested in the cultivation of the vine may annex to the present Convention a declaration which alone concerns them. I say that the declaration alone concerns them, because I have been careful to draft it in such a way that none of the countries which have prohibitions relating to wine may regard themselves as particularly involved. For a long time I hesitated to ask the Conference to permit us to express our views—the views not of the Conference as a whole but only of certain of its members individually—in regard to a question which is, however, essential and vital for very many of us. The resolution which I propose has been drafted in such a way that a certain State, which we desire more perhaps than any other to come into the union which we have just constituted for the liberty of commerce, need not feel itself implicated in any way.

The drafting of the motion refers only to a prejudice which we regard as dangerous for our wine trade and our wine production, for the great branch of industry which represents milliards of investments and generations of effort. I am referring to the prejudice which represents that the wine trade and wine production are prejudicial to the public health.

As regards the regime established by States which prohibit, so far as they themselves are concerned, a trade which they also prohibit to others, these States have under the Convention received what we might call full absolution. I venture to believe that, under benefit of that observation, they will not raise any objection to annexing the present declaration to the Convention.

The PRESIDENT pointed out that the proposal of M. Serruys consisted in annexing a declaration to the Final Act. M. Serruys was asking for an annex which would be distinct from the Final Act.

Mr. Hugh R. WILSON (United States) said that the delegation of the United States considered that the laws of the United States covering the prohibition of intoxicating liquor were covered by the terms of the Convention.

M. SERRUYS (France) said that, if that were not the case, he would not have presented his motion. It was because that motion did not prejudice the rights of anyone under the Convention that he thought it might be accepted by all.

The PRESIDENT read the following text proposed by M. Serruys :

“ The delegations of France, Greece, Hungary, Italy, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Switzerland, present at the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, desire to place it on record that, though they have abstained, in the desire not to place any obstacle in the way of the success of the Conference and not to raise between the participating States a controversy on a question of principle which could lead to no definite conclusion, they are nevertheless fully convinced that the prohibition of viticultural products cannot be justified on the ground of the provisions of Article 4, No. 4, of the Convention of to-day's date. ”

He reminded the Conference that paragraph 4 of Article 4 was as follows :

“ All the prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects and harmful parasites. ”

No objection being raised, *it was decided that the declaration should be annexed to the Final Act after the signatures attached to it.*

---

## FOURTEENTH PLENARY MEETING

*Held on Tuesday, November 8th, 1927, at 3 p.m.*

---

### 32. The Signing of the Convention.

M. ITO (Japan) announced that the Japanese delegation had been authorised to sign the Convention.

M. DE GRAAFF (Netherlands) said that the Netherlands delegation would sign the Convention that day.

---

<sup>1</sup> See document C. 559. M. 201. 1927. 11, page 52.

M. GEORGHIU (Roumania) announced that the Roumanian delegation would sign the Convention that day.

The PRESIDENT said that the Convention, Protocol and Final Act would now be signed.

*The various States were invited to sign the Convention by roll-call.*

*The Convention and Protocol were signed by the following States : Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Great Britain and Northern Ireland, Hungary, Italy, Japan, Luxemburg, Netherlands, Roumania, Siam, Switzerland.*

The PRESIDENT announced that 18 States had now signed the Convention. He would remind the Conference that the Final Act was open for signature by anyone who had assisted at the Conference, and he invited members who had been present during the proceedings of the Conference to sign that document.

*The Final Act was then signed by the representatives of the following States, in addition to those enumerated above : Latvia, Portugal, Kingdom of the Serbs, Croats and Slovenes.*

It was also signed by the representative of the International Chamber of Commerce.

The annexed declaration was signed by the representatives of the following States : France, Greece, Hungary, Italy, Portugal, Kingdom of the Serbs, Croats and Slovenes, Switzerland.

Mr. Hugh R. Wilson (United States) spoke as follows :

I announced in yesterday's meeting that the delegation of the United States of America had not received authorisation to sign this Convention. The great distance that separates my country from Geneva, and the speed with which the Conference has ended its labours, especially during the last few days, has rendered it necessary, in my Government's opinion, that it should have a period of calm reflection and an opportunity to consult the other departments which might be interested in this Convention before reaching a final decision.

Mr. President, with your permission I should like to say a word or two of a personal nature, and I might have preferred to say it individually to the members of the Conference, but I fear most of us will be leaving after this meeting and I shall not have an opportunity to do so. The delegation of the United States of America is representing a country which is not a Member of the League of Nations. We have encountered, from the beginning to the end of this Conference, the utmost courtesy and consideration and the most generous measure of co-operation. Where differences as to our views have been expressed, they have been expressed with an outspoken loyalty and with a sincerity which leaves no doubt. There are certain members of the Conference to whom I have gone from time to time with problems who have given me most generously of their time and thought to reach a solution of these problems. In many cases they were problems which did not concern the gentlemen in question, and I shall not embarrass them by mentioning them by name, but I feel grateful to them for their assistance.

You, Mr. President, in view of your exalted position, are not immune from the embarrassment of outspoken compliments. I have come to you again and again and have told you of difficulties and I have asked your assistance. I have never failed to receive the most generous measure of your time and thought or to receive at your hands your helpful suggestions as to how my troubles might be solved. I want you to feel how deeply we are appreciative of this treatment.

M. Georges ROCHÉ (International Chamber of Commerce) spoke as follows :

Mr. President and Gentlemen.—The International Chamber of Commerce, invited by the Council of the League of Nations to participate in this Conference through its delegates in an advisory capacity, has been treated by you with so much consideration that I cannot refrain from first expressing to you its gratitude, both to the Council of the League of Nations and the Secretariat. As interested witnesses of the industry and conscientiousness with which you have wrestled with the important draft international convention submitted for your discussion, we believe that it is our duty to express to you the opinion which we have formed of your work, since we shall ourselves have to render an account to the members of the International Organisation which we represent.

Basing its hopes on the text submitted for your discussion by the Economic Committee, and on the commentary and documents accompanying that text and the data furnished by the enquiry conducted by our Chamber on the same subject, our delegation, at the opening of the Conference, declared its confidence in the decisions which it awaited. It anticipated that the Convention, as it would issue from the Conference, would be a decisive indication of the evolution towards liberation in economic conceptions which has taken place during recent years, and which was particularly evident in the solutions reached by the Economic Conference held at Geneva in May last, and at the congress of the International Chamber of Commerce held at Stockholm in June.

The work which you have just accomplished will become part and parcel of the business system of the world, and all those interested in the field of labour, from the unskilled workman to the highest industrial or commercial expert, who are, each in their degree, agents of production and distributors of wealth, will feel the influence which you have brought to bear. We are

quite sure that during your discussions you have had, like us, constantly before your eyes, beyond the limits of this Conference, all the workers interested in the solution of the serious problem which you were called upon to solve, whether they are occupied in the field, whether they are employed in a workshop or a laboratory or in a business house, whether they are traversing the world in order to ensure the distribution of goods, or whether they are directing the labour of others. Almost every country has during the last ten years believed that it could better assure all these peoples' means of existence by keeping them in leading-strings. Experience has shown that such a belief, except at tragic moments in the history of nations, is an error of principle, and economic events have shown us the consequences.

We agree with those who believe that legitimate private interests can always be satisfied within the limits of a general interest. Interests which go beyond those limits are not only dangerous for the human community but also sooner or later for the national communities where they are allowed the possibility of achieving their purposes.

We must not fail to recognise the great efforts which have been made by the Conference with a view to suppressing prohibitions and restrictions which impede international commerce, and with a view to preventing not only the introduction of new measures of this kind, but the persistence in present mistaken tendencies in the application of such measures, which, for reasons beyond our competence to estimate, must still continue to exist (Final Act, Declarations 1 and 2).

From these various points of view, the precise definition of normal and permanent exceptions (Article 4) to the general principles which you have laid down (Article 1); the restriction to cases of public catastrophe of the option for contracting States to impose exceptional but temporary prohibitions (Article 5); the strict limitation of other temporary exceptions which appear at present to be imposed owing to situations in fact or in law necessitating special arrangements (Article 6, paragraph 1); the determination of a short list of exceptions which correspond with legitimate circumstances but which have no importance for the general commerce of the world (Article 6, paragraph 2); finally, your decision that all other exceptions to the principle of freedom of import and export will only be admitted with the assent of all the States which are parties to the Convention (Article 6, paragraph 4; Protocol, Chapter IV, *ad* No. 4)—all these provisions create by their systematic regulations a logical whole which bears evidence of your profound desire to bring fresh air into the economic world.

The result of the provisions to which I have alluded, however, is that the mutual undertakings defined in them are for a period. As various exceptions, moreover, are stated to be mutually dependent, it seems that they cannot be eliminated without having been made the subject of further negotiations which are to be undertaken at a date which is still distant, and of which the results are uncertain.

Arbitration is regarded by the International Chamber of Commerce as a very important factor in the development of prosperity. The distinction which has been drawn in various respects, as regards arbitration, between questions of law and questions of appreciation and fact—the latter questions being withdrawn from the procedure of arbitration—involves a risk, in our view, of giving rise to unfortunate disputes. The International Chamber of Commerce firmly hopes that this distinction will disappear one day in order to give place to arbitration without any reservations.

Finally, in spite of the concessions made to temporary requirements, and in some cases owing to those concessions, a very large proportion of countries which have participated in the Conference have not felt it opportune to authorise their representatives, pending further instructions, to sign the Convention.

There is an American saying to the effect that an optimist should be chosen to do business, and a pessimist in order to estimate the results. If we apply that division of labour, we may say that the business world will consider that the Conference has rather encouraged than satisfied the hopes which were based upon it. The Convention will probably seem at first sight a codification of exceptions to the principle, embodied in the title of the Conference itself, of the abolition of import and export restrictions. In other words, we may expect that the Convention as it stands will certainly give rise among business people to a feeling of disappointment.

Having had the honour to be present, and even to participate in the Conference, the members of the delegation of the International Chamber of Commerce have been able to estimate exactly the extent and difficulty of the task in which you have been engaged under the guidance of your distinguished President, which has been as enlightened as it has been skilful in its conspicuous fairness to all. We cannot, therefore, fail to make an effort to explain to the circles represented by the International Chamber of Commerce the achievement represented by the results of the Conference, which, however much they may be subject to discussion, constitute, nevertheless, a positive asset to be placed to its credit.

For the first time the League of Nations has undertaken, in the direct form of an international draft convention discussed at a diplomatic conference, to deal with a question in which public and private interests, large and small, of various countries are openly brought face to face. The idea of the economic interdependence of the world underlies the drafting of what has here been called a multilateral commercial treaty.

According to the signatures which have to-day been appended to the Convention, an economic map may be drawn where, from the Oder and the Black Sea to the Atlantic, from the Baltic to the Sahara, a solid nucleus is shown of States which from henceforth, at the cost

of mutual concessions, have adopted a common policy in regard to a problem of profound interest to the business world. This nucleus which also includes Japan and Finland cannot fail to exercise a wholesome attraction on national communities whose conceptions still remain particularist in character.

We hope, moreover, that the moral influence of the Conference will immediately result in a more special attention being paid by Governments to the reasons given in support of any requests for prohibitions or restrictions which they may be called upon to consider. We would like to believe that the complementary Conference which is to meet in the middle of next year will, owing to that fact, have to examine only a very few reservations other than those which are embodied in the Convention, and that the coming into force of the Convention may be fixed at a near date.

So far as we are concerned, we would like to discount immediately the pessimism of those who judge only by immediate results and to associate ourselves with the optimism of the business man.

The work of the Conference can now be judged only in relation to the practical results which the Convention will achieve and which only the future can reveal. In this spirit we shall recommend the International Chamber of Commerce, first, to urge the Governments through its national committees to ratify the Convention, and, subsequently, to continue its action so that, on the basis of the factors recognised as a result of the present Conference, international opinion in economic circles may be sufficiently powerful to facilitate to a greater extent the task of the plenipotentiaries who will be instructed to give effect at a future Conference to the promises which we are placing upon record at the conclusion of your discussions.

M. WIBAUT (Netherlands) spoke as follows :

The Netherlands delegation has a declaration to make. It is not, however, a declaration of reservations, for which it would be rather late in the day. My delegation desires to express its profound satisfaction at the extremely happy results of this Conference, results which are particularly to be noted in a much stronger and more precise drafting of Article 5 regarding vital interests. This result is also to be shown in an improvement in the arbitration provisions.

The Netherlands delegation has a confession to make. We must admit that, at the beginning of the Conference, we were a little bit pessimistic. We had not grasped immediately the real spirit guiding certain persons who have greatly influenced our work. The Netherlands delegation did not understand at first the generous spirit which has guided M. Serruys in his attitude towards international economy. M. Serruys has greatly contributed to the very happy results of this Conference—results which I may describe by saying that the Conference is the first step on the long road which is to lead us to the international regulation of economic relations between the different countries. It is, in short, the first step on the long road to world economy.

I should like to mention the name of another person to whom the Conference should express its deep gratitude for the success it has obtained. I refer to Dr. Ernst Trendelenburg. All those who have followed the work of this Conference have noticed that Dr. Ernst Trendelenburg has been ever active in times of difficulty. Such activity, exercised by a person of the authority of Dr. Trendelenburg, was a guarantee of success.

I ask the Conference to express its thanks to Dr. Trendelenburg for what he has done for the success of our labours.

In conclusion, Mr. President, I wish to congratulate all the nations who meet in the world market and who are taking part in this Convention, and I congratulate mankind on the success obtained by the Conference, which, I repeat, is the first step on the long road towards the international regulation of the economic life of the world.

M. BRUNET (Belgium) spoke as follows :

I rise to speak perhaps less in my capacity as Belgian delegate than as Chairman of the Economic Committee of the League of Nations.

I should find it rather difficult as Belgian delegate to express unreserved admiration for the agreement which has just been reached. I have on two occasions stated that the Belgian delegation came here with the desire, if not with the hope, of seeing the work of the Conference result in a convention which would be more of a return to the pre-war situation. As Chairman of the Economic Committee, I am led to take, as a point of comparison in judging the new Convention, a more realistic basis : the draft Convention which was prepared by the Committee itself. From this point of view my judgment will be of a different character.

It is true that a merely superficial examination of the agreement might give a fairly bad impression. We see in it a list of exceptions allowed for varying periods and including commodities which the casual reader would be surprised to find in such a place. Moreover, exceptions are still authorised with the reservation that they may be later examined and disputed.

If, however, we go to the root of the matter and set up against these derogations the principles permanently admitted in the Convention, and particularly in the provisions of Article 5, we derive an entirely different impression. For the exceptions to which I have just referred constitute the most valuable and eloquent interpretative commentary on the Convention—a commentary whose authority cannot be doubted, as it has been established by the Conference itself.

When taking its decision on the exceptions which have been admitted, as well as those which have been refused, the Conference had an opportunity to state definitely, by furnishing typical examples, what could not be considered as coming within the scope of Article 5, the article which would have proved the stumbling-block of the whole Conference if it had been possible to give it too wide a practical application.

The exceptions contemplated, which some will doubtless be tempted to call the blemishes in the Convention, have shed unexpected light on Article 5, and we can to-day say that the meaning of the article is rendered so definite by the exceptions themselves that the fears which were held about it have been removed. Such was the new position which our distinguished German colleague described a few days ago, with the eloquence of which he is master, in monumental words which might almost be put in the forefront of our Convention. Dr. Trendelenburg said: "the question which of the import or export prohibitions at present in force in the various countries and not coming under Article 4 can be maintained, even after the entry into force of the Convention, is exclusively settled by Article 6 and the procedure therein, and Article 5 cannot be invoked to justify the maintenance of such prohibitions".

It gives me real satisfaction to recall these words, and I would ask my eminent colleague to excuse me if I use them to sum up the ideas which I have just put forward.

As regards the exceptions admitted under paragraphs 1 and 2 of Article 6, we find ourselves before a final list which cannot be extended. Is it to be feared that the requests which will be dealt with under the procedure of paragraph 4 of that article will, after examination and discussion, lead to a new list of exceptions of considerable extent? I do not think that such will be the case.

The procedure which we have laid down will perhaps result in our being faced with fairly numerous requests, but they will affect the same classes of goods in the various countries. We may also hope that all countries interested will come to recognise that it is to the interests of the community and of each individual State that all kinds of obstacles to the free export of goods which are raw materials for certain industries should be simultaneously dropped.

I even believe that the exchanges of opinions which will thus take place, and which will no longer concern the acceptance and insertion of general principles in a convention but the simultaneous examination of concrete cases by the States interested, will have the most happy results and will contribute to the further improvement of international commercial relations which, in their turn, will bring the nations closer together.

I should like to say a few words regarding Article 8, which concerns arbitration and conciliation procedure. This article has proved rather a disappointment, and I am afraid that it will not produce a very favourable impression among those who aim at extending this method of settling international disputes. But what I have just said about the more precise meaning of Article 5 will appreciably lessen my regret, and the risk of disagreement as to the interpretation of the convention appears to me to be considerably diminished.

I also hope that when the members of the Conference meet again next July it will be possible to encourage a fairly large number of States to subscribe to the Optional Clause which, on my proposal, the Conference included in the Convention and which will be found in Article 9. I venture to ask my colleagues to reflect upon the use which might be made of this article and particularly of the limits within which it might be applied as regards Articles 4 and 6, so that at our next meeting we may have a group of States ready to promise each other at the time of ratification to subscribe to the provisions of the Optional Clause within limits to be decided. On the latter point, I particularly hope that the members of the Conference will come to Geneva with their views already defined.

To sum up, in spite of a certain disappointment which I feel as Belgian delegate, I can regard the Convention which has just been signed as marking considerable progress. We owe this result above all to the ingenuity of our eminent President. Far from being discouraged by the considerable difficulties which appeared at the beginning of the Conference, the President has succeeded in finding a compromise which not only solved our difficulties but also greatly improved our work, and has put the Conference in a much more definite and satisfactory situation than that which would have arisen if we had chosen more attractive words leading certainly to less effective results.

To our admiration for the ability and untiring activity which has been shown by the former distinguished Chairman of the Commerce Committee of the International Economic Conference in May we must add a tribute of profound gratitude for the remarkable results which his unceasing effort has enabled us to obtain.

In the staff of the Economic Section of the Secretariat, and particularly in its distinguished director—M. Stoppani—M. Colijn has had wise and devoted assistance, which has not surprised



the members of the Economic Committee who have long known the remarkable working qualities of the distinguished members of the Economic Section.

It has been very rightly recalled during the meetings of the Conference that it was the Italian delegation at the Assembly which first proposed a study of the means for the abolition of import and export prohibitions and restrictions ; our results prove the value of this initiative and the extent to which it was inspired by the economic necessities of our time. I should like to associate with the expression of our gratitude to Italy the name of my distinguished Italian colleague M. Di Nola. He has not only played a remarkable part during this Conference but he has also had the honour of being one of the authors of the preliminary draft agreement on which the work of the Economic Committee was based. This is a fact which might be forgotten by the Conference and which I feel it my duty to recall.

When I rose to speak I said that my views were rather those of the Chairman of the Economic Committee than of the Belgian delegate, but I should like to add that my words of gratitude to those who have co-operated in the common work come more from the heart of the Belgian delegate than from the brain of the Chairman of the Geneva Committee.

### 33. Close of the Session.

The PRESIDENT spoke as follows :

Gentlemen.—Having now reached the end of our labours, you will doubtless expect me to say a few closing words.

I want, in the first place, to pay my tribute to the spirit of friendly co-operation which has formed our discussions and has done much to make my task a pleasant one. It has become a platitude at Geneva to say that what is commonly known as “ the Geneva spirit ” implies good will, desire to understand each others' positions, to compose difficult issues. And it is the fate of truths, as soon as they become crystallised in platitudes, to be forgotten. It cannot, however, be too often repeated that the mere fact that diplomatic and technical representatives of more than thirty countries have met together in one place and have discussed frankly their difficulties, and have laid on the table in the process of public discussions actions taken by their Governments involving the serious interests of each Government, as of the whole community, is in itself a great advance upon habits of international life as we knew them before the war.

It has been noteworthy in this Conference that in the process of discussion and negotiation real sacrifices have been made in the common interest, and our thanks are due to some who have worked hard to secure this result. And I am sure, after having heard M. Brunet, that I shall be voicing the opinion of every one of you if I express our thanks to the Secretariat of the Conference.

Now I should not be honest with you, or with the public, who have been following our deliberations with some interest, if I did not say at once and quite frankly that the Convention which we have reached, in the opinion of some of us, leaves something to be desired. The fact is that measures of reform which—on a large survey of the whole economic field—seem obviously desirable assume a very different complexion when the hard facts of the situation have to be faced, when it comes to putting them into practice.

As I said in my opening speech, it seemed to be “ the common opinion of the civilised world ” that the practices which we have been discussing should be abolished. Well, on a closer examination we have found that, for a time at least, some of these practices cannot be abolished ; but the hope and belief that those important restrictions which still remain can ultimately be abrogated has found expression in the Convention itself. Considering the great importance of certain of these exceptions I am certain that the States in whose favour they were admitted will do their utmost, if necessary by appropriate direct negotiations, to reduce to a minimum the effects of these reservations and, by all means possible, to remove them altogether.

That part of the Convention which is likely to be exposed to the most serious criticism relates to arbitration, a matter all the more important because it does not only affect the comparatively small corner of a technical field with which we have been dealing but has its bearing on high matters of policy affecting the whole sphere of action of the League of Nations.

There are those who would deplore that it has not been possible, even in a technical field, definitely to embody the principle of what is now known as “ all-in arbitration ”. But the indubitable fact has been pointed out that, while the field is technical, the abolition of prohibitions also involves political, humanitarian and sanitary questions, and that opinion in some countries is not ripe yet to accept arbitration on such matters. We have, however, inserted an optional clause enabling such States as are ready for it to embark upon “ all-in arbitration ”, and it may be hoped that, by the slow process of education and practical experience, policies which are rigid to-day may gradually relax.

In this matter of arbitration, as in others, it has, I think, been our aim to make the Convention elastic, that is to say, capable at this moment of meeting different needs and different stages of development, and at the same time capable of revision and improvement in the years to come. I think it must be the wish of all of us that such improvement may take place. The argument is commonly put forward that, if we only allow time enough, policies will slowly develop along international lines. There would be no harm in policies developing slowly if events did not move fast. And I cannot, therefore, refrain from expressing here the very earnest hope that this Convention, which we have signed to-day, marks the beginning and only the beginning of much more substantial measures of reform.

But if, as I have said, the agreement which we have reached leaves certainly something to be desired, there is all the same one outstanding fact which will be present to the minds of all of us and which it is important that public opinion should realise.

It is the striking fact that this Convention is the first multilateral treaty regulating commercial relations between States. This is a remarkable and, I suggest, a very hopeful new departure in international relations. The attempt to regulate by *general* agreement the commercial relations between States on a matter such as prohibitions of imports and exports, which affects very serious interests, is in itself a substantial advance on anything which has gone before. It is right and proper that this attempt should be made under the auspices of the League of Nations. For it is one which is in harmony with the fundamental conception of the League.

In this sense I think, and to this extent, the Convention which we have reached is also an illustration of one of the fundamental principles laid down by the recent Economic Conference—namely, the economic interdependence of modern States—and I think this Conference may fairly claim to have acted in the spirit of the Economic Conference's resolutions and of the declarations subsequently made at the Council and Assembly. Not all the States represented at our Conference signed this Convention to-day, but there will be further opportunities of doing so, and I feel confident that many signatures will be added before the meeting which is to be held between June 15th and July 15th next year. That meeting will deal with the provisions contemplated in Article 6 of the Convention, and I am not without hope that that meeting will show that the necessity of abolishing existing prohibitions will be even more strongly felt than it is now, and that opinion will move in the right direction during the interval we have provided.

Finally I would draw particular attention to a passage occurring in paragraph 3 of the Final Act of the Conference, where it is stated that "in order to prevent the submission of any reservations under Article 6 of the Convention in the case of certain prohibitions the Conference recommends that the countries in which they are applied should immediately confer together with a view to ascertaining whether they could not simultaneously renounce all reservations in this connection". The least that we can do, each one of us, during the next seven or eight months is to make every effort to reduce the reserves which may still have to be made to the lowest possible number. I hope that as a result of this process the reserves which we shall have to consider (at the next meeting) will be very few, and in expressing my confidence that that will be the case I declare our present Conference closed.

Sir Sydney CHAPMAN (Great Britain) spoke as follows :

Mr. President.—All of us are eager to be the first to express to you our gratitude and our admiration for your conduct of our affairs, and I may say, after hearing your closing speech, our thanks to you for your sage advice and your stirring words. I can only regret that my colleagues should have suggested that I should be the first to catch your eye, and that somebody who is better endowed by nature to express what is in our hearts should not have been chosen for this task.

May I begin by suggesting to you—because it is connected with the feeling of gratitude that we have towards you—the great importance of the Conference over which you have presided. You have succeeded in securing, at one of the most important conferences of recent times, 18 signatures to a convention which I believe marks a turning-point in European—I might say "world"—economic policy and international influence upon it, and in this connection I associate myself entirely with what was said by my colleague M. Serruys in his speech yesterday.

There has been circulated to us this afternoon a note by the Latvian delegation, and you yourself have struck the same note. It is said in the circulated note : "The framework of the Convention has greatly changed and has indeed become an attempt at a plurilateral commercial treaty—in itself an advance, and constituting, as it were, a new chapter in the collaboration of the nations under the auspices of the League".

It is a great achievement—and we all feel it—that under your auspices we have achieved this new departure in world effort.

There is one other thing I should like to say, which also occurs in your speech—I think that in your speech you have anticipated everything—and that is the extraordinarily perfect psychological atmosphere in which we have carried on these difficult international negotiations. There were the divergent policies of our Governments to reconcile. We have surmounted the difficulties. We met as negotiators, we separate as friends, and after this can we doubt—we members of this Conference—our capacity to discuss together in the future delicate relations without lack of confidence? I say this about the Conference, Mr. President, to bring to your mind, though I am sure you realise it, the great importance and significance of the Conference over which you have presided.

Now let me touch a more personal note. It is said in one of the plays of our national poet Shakespeare—I might almost say an international poet :

“ When beggars die there are no comets seen :  
The heavens themselves blaze forth the death of princes. ”

Now I thought, after this Conference had started and the miraculous Geneva weather began, quite unsuitable to this time of year, that the heavens themselves were indicating the coming achievement of some prince. In less metaphorical words, we do, Sir, wholeheartedly realise how very much we all owe to you personally, to your patience, to your wisdom, to your knowledge of the world and men, to your sage council and to your long-suffering—if I may add it, the long-suffering of a man who has long had to deal with men in great affairs—how much we owe to you for our success ; and your action has filled us with admiration and with warm affection. We shall look forward to seeing you again assisting us in our international affairs. From the bottom of our heart, Sir, I am sure I may say for every member of this Conference, we do sincerely thank you.

The PRESIDENT thanked Sir Sydney Chapman for his kind words. He would return home from that Conference with a deep impression in his heart of the sincerity with which everyone had worked for the common interests of the world.

---

**THIRD PART.**

---

**SUMMARY OF THE WORK OF THE COMMITTEES.**

---

**CONTENTS.**

---

	<b>Page</b>
1. Report of Committee A (Articles 1, 6, 9 and 10 of the Preliminary Draft Agreement drawn up by the Economic Committee) . . . . .	161
2. Report of Committee B (Articles 2, 3 and 11 of the Preliminary Draft Agreement drawn up by the Economic Committee) . . . . .	166
3. Minutes of Committee C (Articles 4, 5 and 7 of the Preliminary Draft Agreement drawn up by the Economic Committee) . . . . .	169
4. Minutes of the General Drafting Committee . . . . .	191

---

1. REPORT OF COMMITTEE A ON ARTICLES 1, 6, 9 AND 10 OF THE PRELIMINARY DRAFT AGREEMENT DRAWN UP BY THE ECONOMIC COMMITTEE.

---

The Committee was constituted as follows :

*Members :*

M. BRUNET.  
M. IBL.  
M. SCHÜLLER.  
M. STUCKI.

*Article 1.*

The members of Committee A first examined among themselves the considerable number of amendments submitted as regards Article 1. They prepared a fresh text of this article, taking into account as far as possible those proposals which concurred with the views of the Conference as expressed in the discussions which have hitherto taken place.

The text resulting from this initial work was subsequently examined at a meeting with the proposers of the amendments.

The changes made during this meeting were still insufficient to give us a text answering to certain of the requirements expressed.

Further alterations were therefore prepared by the members of the Committee sitting among themselves. Finally, at a fresh meeting of the Committee, the resulting texts were still further amended.

In adopting this somewhat complicated procedure, which necessarily involved much delay, we were guided by the desire to save the Conference as much time as possible. We have endeavoured to draw up a text which the Conference could adopt without lengthy discussion.

The text which was framed as a result of these successive exchanges of opinion runs as follows :

“ Subject to the exceptions provided for in the following articles, each of the high contracting parties undertakes, within a period of six months from the date on which the present Convention enters into force as far as it is concerned, to abolish all import and export prohibitions and restrictions, and not thereafter to impose any such prohibitions or restrictions ; during this period the high contracting parties shall adopt all practicable measures to reduce existing prohibitions and restrictions to a minimum, and shall refrain from imposing any fresh ones.

“ The high contracting parties further undertake to adopt all necessary measures to see that the provisions of the present Agreement are strictly observed by all central or local authorities and that no regulation is issued in contravention thereof.

“ The provisions of the present Convention apply to all prohibitions and restrictions on the importation into the Customs territory of any of the high contracting parties of goods produced or manufactured in the Customs territory of any other high contracting party, and to all prohibitions and restrictions on the exportation of goods from the Customs territory of the said parties to the Customs territory of any other high contracting party. ”

\* \* \*

It seems advisable to indicate briefly here the origin of and reasons for the chief alterations made by the above-mentioned text in the draft prepared by the Economic Committee.

Several of the proposed amendments were based on an idea which has already been discussed at considerable length at the Conference—the idea of giving the provisions of the Convention a character of reciprocity in order that its benefits should be reserved for the contracting States alone.

The amendment submitted by the British delegation furnished in this respect an explicit and precise text corresponding to the views of the Conference, but its detailed wording made it difficult to include it in the first paragraph of Article 1. Hence the idea of inserting in Article 1 the provision which forms the last paragraph of the text reproduced above.

This paragraph defines the sphere of application of the Convention as exactly as possible. It refers not only to the provisions of Article 1 but to the whole Agreement, and for that reason we should be inclined to suggest that it should be made a special article, to figure at the head of the Convention in such a way as to cover all its provisions.

We should further mention that, for purposes of clearness, the word "territory" has, on the proposal of the French delegation, been replaced by the term "Customs territory". It is understood that, as usual, the question of the territories to which the Convention will apply will be dealt with in special articles.

\* \* \*

The amendments to the provisions contained in Article 1 of the Economic Committee's draft and constituting the first two paragraphs of the article reproduced above are as follows :

An explanation has been introduced concerning the commencement of the period of six months laid down for the abolition of existing prohibitions and restrictions ; this period will be reckoned from the date of the coming into force of the Convention. It was felt that this method of calculation would meet the wish for an extension of this period expressed in an amendment by the Roumanian delegation on account of the delays which would occur first between the date of signature and the date of ratification and, secondly, between ratification and entry into force.

For the sake of greater clearness, the words "in the meantime", at the beginning of the second paragraph of the Economic Committee's draft text, have been replaced by the words "during this period", which remove all ambiguity.

In order to show that the reservation expressed at the beginning of the article covers the provisions of both the first and second paragraphs in the original text, these two paragraphs have been combined.

The British delegation proposed that the word "necessary" should be replaced by "possible", which it thought better adapted to the special conditions of certain Governments, chiefly federal Governments. It was pointed out that the word "necessary" was the only one which expressed the notion of obligation underlying the provision in question. This proposal, moreover, as the British delegation pointed out, is among the questions which will be submitted for the examination of the jurists.

The other modifications of the original text are purely formal, and there is no need to mention them here ; some are based upon proposals contained in the amendments submitted, others were introduced by the members of the Committee.

The Japanese delegation proposed the insertion of the following provision at the beginning of Article 1 :

"The high contracting parties undertake not to hamper trade between them in any way by import or export prohibitions or restrictions."

It was thought that a clause of so general a character and not imposing a clearly defined obligation would be out of place side by side with the other stipulations of Article 1, which are absolutely definite.

The idea contained in the Japanese proposal might, on the other hand, be usefully included among the clauses of the Preamble, regarding which the Conference has so far received no proposals. This solution met with the complete assent of the delegation concerned.

Lastly, the Committee received from the Roumanian delegation a proposal for the insertion of the following text, either in Article 1 or as a declaration in a special protocol :

"It is understood that the present agreement does not apply to export and import duties, each State reserving the right to determine its own Customs tariffs."

The Committee was obliged to take the view that a proposal of this kind was outside its competence.

#### Article 6.

One of the purposes of Article 6 of the Economic Committee's draft, according to the commentary contained in the printed document numbered C. I. A. P. 1., was to make it clear that the Convention did not impose any obligations on contracting States in relation to non-contracting States.

The text forming the last paragraph of Article 1 reproduced above makes any other stipulation on this point superfluous. It is quite clear from this text that the obligations entered into do not apply in any way to relations with non-signatory States.

Considered from this point of view, therefore, Article 6 loses its point.

What was its importance in other respects ?

It was recognised during the debate on this article in the Conference that its purpose was not clear. It was therefore to be anticipated that an effort would be made to define its object, whence the different proposals put forward by the delegations of France, the United States, Poland and Roumania.

These proposals refer chiefly to the measures to be taken with regard to States adopting provisions contrary to the terms of the Convention.

As far as non-contracting States are concerned, the question, as we have seen, is settled by Article 1. It remains, however, to be considered whether a declaration should not be

inserted in the Final Act, based on the apprehensions manifested by certain delegations at the Conference.

As regards the measures which might have to be taken in relation to contracting States, there is a close connection, as was brought out in the debate occasioned by the various proposals, between the questions raised by these proposals and the provisions of Article 7 concerning arbitration.

It was pointed out with reason that the case of a contracting State taking measures of this kind in relation to another contracting State should not normally require consideration unless States found the provisions of Article 7 insufficient to guarantee them to a large extent against the non-observance of the terms of the Convention. It is therefore on the contents of Article 7 that the utility of measures of this kind will depend.

Accordingly, the study of a solution for this problem, which indeed is at present still premature, could not be usefully undertaken by Committee A. This question will have to be examined, in relation to the terms of Article 7, by the Committee appointed to prepare the text of Articles 4, 5 and 7.

Thus, for the various reasons given above, it has seemed advisable to abandon Article 6 of the draft prepared by the Economic Committee, on the understanding, of course, that other provisions will be adopted whose text and place will have to be determined by the Committee to which we have just alluded.

#### *Article 9.*

As regards Article 9, Committee A had to consider five proposals.

Three of these, emanating from the French, Polish and Roumanian delegations, put forward suggestions as to the countries by which the Convention would have to be ratified, as laid down in the first paragraph of Article 9 drafted by the Economic Committee, before the Convention could come into force.

The Roumanian delegation's amendment contained a new idea in this connection which engaged the Committee's special attention, this amendment being based in particular on the extent of the foreign trade of the States ratifying the Convention.

The Committee closely examined the three proposals and compared them with the views expressed in the Conference, but was obliged to come to the conclusion that none of the proposed combinations seemed likely to enlist the support of all the States represented.

Naturally enough, each State is guided by its own particular interests in judging whether the participation of such and such a State is necessary to enable it to assume without danger the obligations imposed upon it by the Convention.

A proposal based on quite new lines—that of the Netherlands delegation—took into account the difficulties of the problem with which the present Conference was faced. This proposal entrusted to a subsequent Conference, to be convened by the Secretary-General of the League of Nations in April 1928 and to which all the States which had ratified the Convention before March 1st would be invited, the task of taking a decision on the putting into force of the Act.

At first sight it might be objected to this suggestion that its only result would be to postpone the solution of the difficulty. There can be no doubt, however, that this postponement would be likely to facilitate the solution of the problem.

At present, in fact, the Conference must devote its attention chiefly to reconciling the sometimes slightly conflicting points of view put forward as to the subject-matter of the Convention. Is it necessary to add to these difficulties that of fixing the number of countries and the particular countries which must ratify the Act before it comes into force?

Will not the signatory States in a few month's time be better able than they are to-day to appreciate which are the countries whose accession is essential before they can bind themselves without compromising their vital interests?

Would it not be well to wait, before pronouncing on the question, until we know better than at present the views of the different States represented at the Conference, or rather of their Governments, regarding the Act which will be the outcome of the Conference and which will probably depart to a greater or less extent from the draft Convention drawn up by the Economic Committee?

Lastly, will not the probable number of contracting States be better known in a few months' time, since, under Article 8, the Convention is to remain open for signature for a certain time after the Conference?

These various considerations have led Committee A to propose the following text for Article 9:

“ The present Convention shall be ratified and the ratifications deposited at Geneva with the Secretary-General of the League of Nations as soon as possible.

“ On the expiration of six months as from the date of the present Convention, the Secretary-General shall convene all the States which have affixed their signature, in order, in particular, to determine the number and geographical distribution of the States which must ratify the Convention before it can come into force. The States thus convened shall agree on the date on which the Convention shall come into force.

“ As regards the States which have not ratified the Convention before the date thus fixed, or which accede thereto after the expiration of the period of twelve months provided for in the previous article, the Convention shall come into force 90 days after the date on which the Secretary-General of the League of Nations notifies their ratification or accession to the other contracting parties ”.

\* \* \*

While this text is based essentially on the fundamental idea which guided the authors of the Netherlands proposal, it nevertheless departs from the latter in regard to various points, which are explained below.

The Netherlands proposal indicated in the following very general terms the aim of the proposed Conference : “ The Conference of these States (those which have ratified before March 1st, 1928) shall decide as to the coming into force of the present Agreement ”.

While these somewhat vague terms have the advantage of not limiting the powers of the proposed Conference, they have; on the other hand, the drawback of giving the impression that nothing has been definitely settled by the present Conference and that the whole matter remains in suspense.

It has appeared preferable to give the text greater precision, while not limiting the forthcoming Conference's action to the single purpose specified ; hence the formula employed in the text produced above, which says : “ in order, in particular, to determine the number and geographical distribution of the States which must ratify the Convention before it can come into force ”. The essential purpose of the meeting is explicitly mentioned, and the words “ in particular ” give the new Conference an opportunity of dealing also with other points if circumstances require it.

The text prepared by Committee A lays down no final limit for the deposit of ratifications, and, departing in this point also from the Netherlands proposal, it does not confine the right of taking part in the proposed Conference to States which have ratified ; it invites all the States which have signed within a period of six months as from the date of the Convention. It was thought that a measure of this kind would be likely to induce States to sign as soon as possible.

A period of six months seems amply sufficient to allow States whose delegates do not sign the Convention at the end of the present Conference, and those which have not been represented at the latter, to form an opinion as to the advisability of signing the forthcoming Act. And the fact that, by signing before the expiration of this period of six months, States will acquire the right to take part in the proposed Conference will be likely to lead to a rapid decision on the part of Governments which might hesitate to commit themselves. Their participation in the second Conference is indeed in itself calculated to overcome their reluctance, since it would give them a voice in the solution to be adopted as to the number and geographical distribution of the States whose co-operation will be regarded as necessary before the Act can come into force.

Naturally, the scheme which we have outlined should in no way prevent the signatory States from ratifying the Convention before the new Conference meets. They may, moreover, make their ratifications conditional on the ratifications of other States, or, better still perhaps, on their own approval of the decisions taken by the proposed Conference.

It will in reality be this Conference which will fix all the conditions relating to the entry into force of the Act.

\* \* \*

The third paragraph of our draft of Article 9 applies to States which do not ratify the Convention before the date fixed by the second Conference for its entry into force, or which accede after the expiration of the period of twelve months provided for in Article 8.

The Committee considered the question of providing, as was done in the Economic Committee's draft, for the eventuality of the Convention not receiving the number of ratifications and accessions considered by the second Conference as necessary for its entry into force. It was thought, however, that this second Conference would be better placed than the present Conference to fix the rule to be applied in such a case ; indeed, the former will have data at its disposal to assist it in taking a decision on this point which would no doubt be for the most part lacking to-day.

It will be in the Protocol embodying the decisions of the Conference provided for in Article 9 that the rules on this particular point, as on all the other points requiring settlement, will be inserted.

No reference has yet been made to a proposal regarding Article 9 emanating from the Japanese delegation. This proposal consisted in simply deleting the clause of the Economic Committee's draft referring to the holding of a Conference if all the ratifications and accessions required for the entry into force of the Act were not forthcoming. This is the eventuality to which we have just alluded. The Japanese delegation has accepted the proposal that all decisions in this respect should be left to the Conference provided for in the new text reproduced above.



This text has been accepted in principle by the authors of amendments who were present at Committee A's meeting. We cannot but express our regret that the Roumanian delegation, which did not receive the Secretariat's notice in time to attend, was not able to be represented at this meeting.

*Article 10.*

The text proposed for Article 9 inevitably reacted on the drafting of Article 10, and it was logical to leave it to the Conference mentioned above to determine the procedure to be followed if, owing to certain denunciations, the conditions with regard to the number and geographical distribution of the contracting States on which the entry into force of the Convention depended were no longer fulfilled.

On this basis the following text was drawn up for Article 10 :

“ Any contracting State may denounce the Convention by a notification in writing addressed to the Secretary-General of the League of Nations at any time not less than *(four)* years from the date when the Convention comes into force. Such denunciation shall take effect one year after its notification to the Secretary-General and shall only operate in respect of the denouncing State.

“ The Conference referred to in the previous article shall determine the procedure to be followed in the event of the number and geographical distribution of the States denouncing the Convention, in pursuance of the previous paragraph, being such that the conditions which it may have fixed for the entry into force of the Convention are no longer fulfilled. In particular, it may consider the summoning of a further Conference in order to examine the situation arising out of this fact.

“ If such a Conference did not meet, each of the contracting States could withdraw from the Convention as from the date on which the conditions that had been judged necessary for its entry into force had ceased to exist.”

The number “ four ” which is given in brackets in the above text is that inserted in the Economic Committee's draft. It is only given as an indication. The Committee considers that it will be for the Conference to pronounce on this question of the time-limit. In this connection we may recall that the Roumanian delegation submitted a proposal to the Committee for the reduction of this period to two years. It seemed undesirable to discuss this point in the absence of any representative of the delegation which had taken the initiative in proposing this figure.

The other amendments laid before Committee A with regard to Article 10 and emanating from the United States, Hungarian, Japanese and Polish delegations were dropped in view of the new idea on which the above text was based. This was recognised by the authors of the various proposals. The delegations concerned will, moreover, have an opportunity of reverting to certain of their suggestions at the new Conference mentioned in Articles 9 and 10.

---

The Egyptian delegation, although having no objections of its own to the existing text, proposed in the interests of non-Member States that Article 11 should be amended as follows :

“ In order to indicate the progress which has been made in regard to the abolition of import and export prohibitions or restrictions, the contracting States will, within twelve months of the coming into force in each case of the present agreement, communicate to each other, through the intermediary of the Secretary-General of the League of Nations, statements of the steps taken to give effect to the Convention. ”

The Committee recommends the Conference to adopt the text proposed above, which has been favourably received by the United States delegation subject to final confirmation at an early date.

---

### 3. MINUTES OF COMMITTEE C.

(ARTICLES 4, 5 AND 7 OF THE PRELIMINARY DRAFT AGREEMENT DRAWN UP  
BY THE ECONOMIC COMMITTEE.)

---

#### CONTENTS.

---

	Page
<b>FIRST MEETING, held on October 25th, 1927, at 3.15 p.m.</b>	
1. Programme of Work . . . . .	170
<b>SECOND MEETING, held on October 28th, 1927, at 3 p.m.</b>	
2. Report of Sub-Committee on Article 4 and Proposal of the French Delegation	171
3. Prohibitions affecting the Import and Export of Wine . . . . .	175
4. Article 4 . . . . .	175
5. Article 5 . . . . .	178
6. Programme of Work . . . . .	178
<b>THIRD MEETING, held on October 29th, 1927, at 9.30 a.m.</b>	
7. Programme of Work ( <i>continued</i> ). . . . .	179
8. Declaration by the Egyptian Delegation . . . . .	179
9. Examination of the Preliminary Draft of the Additional Article . . . . .	179
10. Reservations under the Additional Article . . . . .	180
11. Paragraphs to be added to Article 10 with reference to Conditions of Denunciation. . . . .	181
12. Procedure to be followed with regard to Reservations communicated after Signature . . . . .	183
<b>FOURTH MEETING, held on November 1st, 1927, at 11 a.m.</b>	
13. International Draft Convention (Articles 7 and 8) . . . . .	185

---

The Committee was constituted as follows :

*Chairman :*

M. COLIJN.

*Members :*

Dr. TRENDELENBURG (Germany).  
Sir Sydney CHAPMAN (Great Britain).  
M. CLAN (Denmark).  
Mr. Hugh R. WILSON (United States).  
M. SERRUYS (France).  
M. ERICH (Finland).  
M. DI NOLA (Italy).  
M. ITO (Japan).  
M. DOLEZAL (Poland).  
M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes).  
M. SCHÜLLER (Austria).

---

## FIRST MEETING

*Held on Tuesday, October 25th, 1927, at 3.15 p.m.*

---

### 1. Programme of Work.

The CHAIRMAN desired to make a few preliminary remarks. In order to find a practical procedure for the discussion of Articles 4, 5 and 7 and the amendments proposed thereto it was desirable to obtain a clear idea of the real difficulties. The chief difficulty was that no country really knew what action the others were going to take. They did not know what would be the contents of Articles 4, 5 and 7, or the use that would be made of the freedom allowed under Articles 4 and 5. The discussion of this point might, however, be postponed until Article 9 came before the meeting.

As regards Articles 4, 5 and 7 there were three positions to be considered. It was necessary to deal with the state of freedom normally left to Governments, and this situation might be dealt with by Article 4. The question of provisions to cover exceptional cases might then be met by Article 5. The third situation arose from provisions giving countries the freedom to maintain certain existing prohibitions and restrictions which were neither quite normal nor of such an exceptional nature as to come under Article 5. They might perhaps be termed the transitory provisions, as it was hoped that they would gradually tend to disappear. These provisions might either be included in Articles 4 and 5 or transferred to a new article, leaving Article 4 to cover the normal, and Article 5 the exceptional cases. Agreement on this point would render considerably easier the discussion on Articles 4 and 5.

The difficult question then arose of finding a suitable wording for the transitory clauses.

The Chairman further suggested that M. Serruys, Dr. Trendelenburg, M. Di Nola and Sir Sydney Chapman should meet and endeavour to find a mutually satisfactory wording. If this could be done, he felt very hopeful that it would be accepted by the majority of the Committee.

M. DI NOLA (Italy) felt that it would lighten the task of the small Committee if the bearing of Article 9 could be clarified. He would like to know whether the entry into force of the Convention was subordinated to declarations by certain countries containing certain reserves. If so, he felt that this would involve an overlapping with the transitory measures. It would be extremely advantageous to reach a formula for these transitory provisions which could contain any reservations made by delegations, but he feared that the article might then be of too wide a scope. It would perhaps be better to allow each delegation to make a declaration of the reservations it desired.

The CHAIRMAN said that the clarification of this point would depend on the findings of the Sub-Committee, which might even decide that it was impossible to obtain such a transitory clause.

As regards Article 9, which was not really within the scope of their present deliberations, the difficulty in ratification was that one State did not know what groups of States would ratify. States would also wish to know, before ratification, what sort of use would be made by other countries of the freedom allowed them in the transitory clause, and he would suggest that within four months of signature States might communicate to each other through the Secretariat their intention to submit the proposal for ratification to Parliament, and at the same time add a list of the prohibitions which they considered would be maintained.

M. SCHÜLLER (Austria) pointed out that Committee A had not envisaged the position of ratification being made subject to exception. He doubted if the Chairman's proposal would be practicable, understanding that it referred to prohibitions founded on the basis of the Convention. The transitory clause was, he felt, something quite separate and it would be very undesirable to ask delegations to make reservations to the Convention.

The CHAIRMAN explained that it should be stated—perhaps in Article 9—that States should communicate their intent to ratify and, at the same time, indicate the conditions under which ratification would be made. He felt that otherwise the same difficulties would arise of not knowing what other States were going to do.

He proposed that the Committee of Four should be requested to make proposals as to the best way of dealing with the problems of a transitory nature.

*The proposal of the Chairman was adopted.*

M. DOLEZAL (Poland) said he disagreed with the point of view put forward by M. Di Nola. The Committee of Four would first execute the mandate entrusted to it, and the Committee would then examine the proposals. It would be difficult at present to state what reservations to Article 9 were desired by delegations.

M. SERRUYS (France) ventured to disagree with the procedure suggested by the Chairman. He felt it was impossible to allow States the right to make reservations at the time of ratifying the Convention, for this would certainly involve the calling of a new conference. He would urge that after certain reservations had been accepted by the Conference the door should be shut, and he warned the Committee of the difficulties which would arise if contracting parties were allowed to make new reservations at the time of signature.

The CHAIRMAN said that he still felt convinced that if after signature certain countries maintained a number of prohibitions, other countries would refrain from ratifying. They would therefore need to know exactly what use would be made of the freedom which Governments were allowed under the terms of the Convention.

The difficulties arising out of Article 4 had now been referred to the small Committee, Article 4 being limited to the normal reservations, and Article 5 to those arising from extraordinary circumstances. He therefore proposed that the Committee of Four, with the addition of M. Dolezal and himself, should deal with the eventual redrafting of Article 5. He proposed that a Sub-Committee should be appointed to consider Article 4 and the proposed amendments and that it consist of the following members : M. BRUNET, M. STUCKI, M. ITO, M. IBL, M. FOTITCH.

*The Chairman's proposals were adopted.*

---

## SECOND MEETING

*Held on Friday, October 28th, 1927, at 3 p.m.*

---

### 2. Report of Sub-Committee on Article 4 and Proposal of the French Delegation.

The report of the Sub-Committee on Article 4 was as follows :

“ At its meeting on October 25th, 1927, Committee C decided that Article 4 should in principle be confined to the normal reservations which figure in a large number of commercial treaties.

“ It is on these lines that the Sub-Committee has endeavoured to reduce and define the application of the clauses of Article 4 of the preliminary draft.

“ Amendments had been submitted to this effect by the German, Italian, United States, British and Japanese delegations.

“ The seven paragraphs of Article 4 as proposed by the Sub-Committee cover, in its opinion, all that figured in the preliminary draft.

“ Paragraphs 1 and 2 correspond to the former paragraph 1.

“ Paragraph 3 corresponds to paragraphs 2 and 3 of the preliminary draft.

“ Paragraph 4 corresponds to paragraph 5 of the preliminary draft.

“ Paragraph 5 corresponds to paragraph 10 of the preliminary draft.

“ Paragraph 6 corresponds to paragraphs 4, 6 and 7 of the preliminary draft.

“ Paragraph 7 corresponds to paragraph 8 of the preliminary draft.

“ The former paragraph 9 has not been kept in the new text, the Sub-Committee being of the opinion that it would be necessary to have a special article referring to matters dealt with in other international conventions.

“ The Sub-Committee examined the numerous amendments relative to Article 4.

“ As regards the preamble the British delegation had submitted an amendment proposing the omission of the last phrase of the preamble beginning with the words “ and are not applied ”, while the Polish delegation proposed the omission of the word “ purely ”.

“ In the course of a discussion the British delegation proposed that the text of the sentence in question should be changed so as to show that it referred to measures constituting disguised protection. The Sub-Committee has complied with these two proposals by modifying the text of the preamble.

“ *Paragraphs 1 and 2* : The Sub-Committee proposes that the Italian-German amendment should be accepted.

“ *Paragraph 3* : As regards this paragraph the Committee agreed that the insertion of an interpretative clause was necessary to meet the views of certain delegations and the amendments submitted by the Finnish, Swedish and Czechoslovak delegations. Accordingly the Committee proposes the insertion of the following clause in the Protocol :

“ ‘ The protection of animals and plants against diseases also includes the measures taken to preserve them against degeneration or extinction and those applied to seeds and noxious plants. ’

“ The Polish delegation proposed the insertion in the Protocol of a clause intended to attenuate veterinary prohibitions on the importation of animals for slaughter and of plants intended for consumption.

“ The Czechoslovak delegation proposed that, in order to attenuate the effects of veterinary prohibitions, the Conference should recommend the conclusion of bilateral veterinary conventions as an integral part of commercial treaties.

“ On these points two opinions were expressed in the Sub-Committee, certain members being of opinion that many abuses existed in this domain, while others considered that the liberty of countries to protect themselves against the diseases of animals and plants could not be restricted and that the convention could not impose any limitations on the freedom of action of Governments in this connection other than those provided for in regard to the other matters dealt with in Article 4.

“ *Paragraph 5* : The Roumanian delegation had submitted an amendment to which the Committee has thought fit to accede by proposing the following interpretative clause :

“ ‘ By the word “ securities ” is meant Government stock, debentures, shares, treasury bonds, corporation stocks, etc. ’

“ *Paragraph 6* : The United States delegation has signified its acceptance of the explanations supplied in the course of the discussion to the effect that the fact of requiring appellations and marks of origin should not be regarded as an import prohibition or restriction but was covered by Article 2 of the Convention.

“ The Hungarian delegation has not maintained its request that its amendment concerning the application of Article 5 should be inserted in the text itself, but it desires that the report should express the idea that the measures applied to imported goods should not be more burdensome than those applied to home products.

\* \* \*

“ The British delegation asked that a reservation be introduced regarding prohibitions intended to secure the maintenance of a minimum standard of quality. The discussion showed that these measures referred to were simply certain steps taken on exportation to verify the quality of the goods exported. The Sub-Committee was of opinion that such measures could not be regarded as export prohibitions or restrictions but constituted one of the cases for which provision is made in Article 2 of the Convention.

“ The British delegation drew the attention of the Sub-Committee to measures for the purpose of safeguarding the revenue or facilitating Customs administration. It was agreed that these measures do not constitute prohibitions or restrictions within the meaning of the Convention.

“ As regards prohibitions connected with articles manufactured in prisons, it was noted that in several countries the national laws prohibit the importation of such goods. These laws, however, have little practical application, since the goods in question do not constitute an article of international trade. As, however, such laws exist and as certain countries would, for internal reasons, experience some difficulty in abolishing them, the Sub-Committee proposes that the Final Act should contain a statement to the effect that the Convention does not refer to prohibitions or restrictions applicable to prison-made goods.

“ The Sub-Committee proposes the following text for Article 4 :

“ ‘ The following classes of prohibitions and restrictions are not prohibited by the provisions of the present Agreement provided that they are applied equally to all foreign countries where the same conditions prevail and are not applied in such a way as to constitute a form of economic protection in favour of national production :

“ ‘ 1. Prohibitions or restrictions having in view public security ;

“ ‘ 2. Prohibitions or restrictions relating to the traffic in arms, munitions and implements of war, or applying in exceptional circumstances to other war material ;

“ ‘ 3. Prohibitions or restrictions having in view the protection of public health or the protection of animals and plants against disease, insects and harmful parasites ;

“ ‘ 4. Export prohibitions or restrictions issued for the protection of national treasures of artistic, historic or archaeological value ;

“ ‘ 5. Prohibitions or restrictions applicable to gold, silver, coins, currency notes or securities ;

“ ‘ 6. Prohibitions or restrictions for the purpose of applying to foreign products the system in force in the country itself in connection with the production, sale, consumption or forwarding or similar national products ;

“ ‘ 7. Prohibitions or restrictions applied to products which in the interior of the country are subject to State monopoly or to monopolies granted by the State as regards either manufacture or trade. ’ ”

M. SCHÜLLER (Austria). Rapporteur, said it had been the task of the Sub-Committee to limit the reservations and exceptions to be included in Article 4 to such as normally existed in treaties of commerce. Unanimity had been reached in the Sub-Committee in regard to all the proposed clauses of the article with the exception of Clause 3, in regard to which it had been impossible to reconcile certain divergencies of opinion. The delegations of Poland and Czechoslovakia had suggested that Clause 3 should be attenuated, but the Sub-Committee had not been able to accept that suggestion. It had therefore been proposed that a declaration to cover the views of the Polish delegation and the countries which supported the Polish proposal should be inserted in the Protocol. That suggestion had also been rejected.

At the last moment, however, the French delegation had submitted a proposal which might, perhaps, be the basis of a compromise which could be unanimously adopted. No reference was made to that proposal in the report, as it had only been brought forward at the last moment.

The CHAIRMAN asked the Committee to take Clause 3 of Article 4. He would ask M. Serruys to introduce the proposal of the French delegation to which M. Schüller had referred.

M. SERRUYS (France) introduced the following proposal to be inserted in the Final Act of the Conference with reference to paragraphs 2, 3 and 7 of Article 4 :

“ In order to limit import prohibitions and restrictions having in view the protection of human beings, animals and plants against disease to measures of certain efficacy, and in order to make them proportionate to the real dangers of contagion, the Conference recommends that each of the contracting States should consider anew the possibility of taking part before the end of 1929 in one or more international conferences of experts in the campaign against diseases of animals and plants. The object of these conferences will be to establish international conventions similar to the Berne Convention against Phylloxera (1881), the Draft Convention of Rome (1914, revised in 1926), and the International Arrangement of Paris against Epizootic Diseases (1924). Any international organisations which may be created as the result of these conferences, in the same way as the International Office for Epizootics, will have to examine how import prohibitions and restrictions established for the protection of human beings, animals and plants against all risk of contagion might be limited to such measures as are strictly necessary, preventive and repressive, supervision under Government responsibility being far more effective than prohibitions, while hampering international trade to a much smaller extent. ”

M. Serruys said that France, herself an agricultural country to a large extent, was naturally anxious that something should be done to meet the views of agricultural countries which felt that they were subject to vexatious prohibitions ostensibly imposed for health or veterinary reasons. The French delegation accordingly proposed that a passage should be inserted in the Final Act of the Conference with reference to paragraphs 2, 3 and 7 of Article 4. The Conference would recommend in this passage of the Final Act that each of the contracting States should consider anew the possibility of taking part before the end of 1929 in one or more international conferences of experts in the campaign against diseases of animals and plants. The object of the proposed conferences would be to establish international conventions similar to the Berne Convention against Phylloxera (1881), the Draft Convention of Rome (1914, revised in 1926), and the International Arrangement of Paris against Epizootic Diseases (1924). It should further be suggested that any international organisations created as a result of such conferences would, in the same way as the International Office for Epizootic Diseases, have to examine how import prohibitions and restrictions established for the protection of human beings, animals and plants against all risk of contagion might be limited to such measures as were strictly necessary. He would emphasise that measures taken for the protection of human beings, animals and plants should be preventive rather than prohibitive, and, as an example of such a measure, he would suggest the possible institution of inspectors who, on behalf of the importing countries, would be able to assure themselves as to the conditions existing in exporting countries, in order to safeguard the importing countries against the introduction of disease.

He would go so far as to suggest that the Conference should specifically request the Council to convene international conferences in order to study the possibilities to which he had referred. That was a more drastic proposal than was contained in the No. 4 that had been submitted, but he would ask the Committee to give it careful consideration.

Dr. TRENDELENBURG (Germany) supported the proposal of the French delegation. The League of Nations should, in his opinion, deal with such questions, which were of great importance to the economic relations of the nations. The International Economic Conference had drawn particular attention to the subject in the agricultural section of its report, and he would refer particularly to special Resolution 3 on page 47 of the report of that Conference. He would suggest that, in view of the fact that the substance of the proposal of the French delegation was already dealt with in that resolution reference should be made to the recommendations of the Economic Conference, and that a statement should be added to the

effect that the Conference on Prohibitions and Restrictions approved those recommendations and invited the League of Nations to carry them into effect. It would perhaps be better to refer to a text which had already been studied by the Governments than to submit a new one.

M. SERRUYS (France) agreed that a reference should be made to the recommendations of the Economic Conference. There were two points to be decided : first, should the present Conference merely refer to the recommendations of the Economic Conference or should it go a step further and ask the Council to take definite action in the matter ? Secondly, would it not be advisable to complete the statement to be included in the Final Act of the Conference by referring to specific examples ? The Economic Conference had stated that the international campaign against diseases affecting plants and animals had already been admitted in principle by 43 nations. Would it not be well to mention the nations and give some indication as to the progress which had been achieved ?

M. FORITCH (Kingdom of the Serbs, Croats and Slovenes) said that, as a representative of an agricultural country, he had defended the proposal of the Polish delegation. He would accept the proposal of the French delegation but would urge that the more drastic formula proposed by M. Serruys at the conclusion of his statement should be adopted. According to this formula the Council would be asked to consider the possibility of convening international conferences, whereas, according to the text of the French proposal, the Conference would merely recommend that each of the contracting States should consider the possibility of participating in such conferences.

M. GHEORGHIU (Roumania) also accepted the proposal of the French delegation, including the suggestion of Dr. Trendelenburg. Would it not, however, be better to ask the Council to consider the convening of a single conference rather than a series of conferences ?

M. DOLEZAL (Poland) said that the Polish delegation had not submitted its amendment with a view to weakening sanitary or health measures which were in the interests of States but merely with a view to removing unjustifiable restrictions on international trade. He would, however, support the proposal of the French delegation but would suggest that the proposed international conferences referred to in the French proposal should meet before the end of 1928. He thought it would also be well to specify that these conferences should meet under the auspices of the League of Nations. He would finally suggest that references to the previous Conventions of Berne, Rome and Paris should be omitted.

M. STOPPANI (Secretary of the Committee) said that it was usually considered undesirable, in requesting the Council to act, to accompany that request with too definite stipulations or to indicate a date within which action should be taken. It would be preferable, as a matter of procedure, to emphasise the importance and urgency of the question and leave it to the Council to appreciate the necessity of taking the necessary steps.

M. SERRUYS (France) agreed. The important thing was that the Council should be asked to take an initiative, but the request of the Conference should not be too rigidly defined. He would accordingly ask M. Dolezal not to press his amendments, and in particular to relinquish the idea that only one conference should be convoked. The experts dealing with diseases of animals and plants were not the same, nor were the countries concerned. The Council, after preliminary investigations, must decide as to what conferences were necessary and when they could most suitably be convened.

There were three aspects of the question to be considered : first, there were measures to protect animals ; secondly, there were measures to protect plants ; thirdly, there were measures to protect man from being poisoned as a consequence of diseases incident to animals and plants. The result of all such measures was to restrict international trade, though that might not be the object of the measures. He would propose that, in putting the question before the Council, reference should be made to the threefold aspect of the problem.

M. CLAN (Denmark) supported the proposal of the French delegation as supplemented by the suggestions of the German delegation. Animals and plants must be protected against disease, but the legitimate liberty of commerce must be respected.

M. DE NICKL (Hungary), as the representative of an agricultural country, supported the proposal of the French delegation. He would, however, be glad to have an opportunity of considering the final text of the passage to be inserted in the Final Act.

The CHAIRMAN said that three suggestions were before the Committee : (a) that the passage to be inserted in the Final Act should contain a reference to the recommendations of the Economic Conference ; (b) that a specific request should be addressed to the Council to take action ; and (c) that there should be a reference to certain specific examples and to the progress already achieved in the protection of animals and plants by means of international agreements.

M. SERRUYS (France) said that as one of the examples he would refer to the Berne Convention against Phylloxera, which had completely eliminated this vine disease and enabled the vine industry to be restored in certain countries.



The CHAIRMAN suggested that the passage to be inserted in the Final Act should be drafted by a small Committee consisting of M. SERRUYS (France), Dr. TRENDELEBURG (Germany), M. CLAN (Denmark), M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes), M. DE NICKL (Hungary), M. STUCKI (Switzerland), M. DOLEZAL (Poland) and M. GHEORGHIU (Roumania).

*The Committee agreed.*

### 3. Prohibitions affecting the Import and Export of Wine.

M. SERRUYS (France) said that there was one prohibition in force which was of perennial interest to certain countries, and as a representative of one of those countries he could not avoid alluding to the matter. He was, of course, referring to the prohibition by certain countries of the import of wine.

He might, in his opinion, legitimately ask that a special clause should be inserted in the Convention to cover that important question. That, however, was impossible. He might even more reasonably have urged that a reference to the matter should be made in the Protocol. That, however, was also impossible, as the Protocol would deal with only such matters as affected the application of the Convention and must be unanimously adopted.

He would accordingly ask that there should be annexed to the Convention a declaration in which certain States to whom this matter was of vital interest should be permitted to state that they had refrained from raising the point owing to a desire not to impede the proceedings of the Conference, but that they were, of course, unable to admit that the prohibition of the import of wine was a legitimate measure in the interests of public health.

M. CALHEIROS E MENEZES (Portugal) said that he supported the declaration of the French delegate.

M. DENDRAMIS (Greece) associated himself with the declaration of M. Serruys.

M. DI NOLA (Italy) thanked M. Serruys for the tact and consideration with which he had introduced the question. The proposed declaration, with which the representative of Italy would, of course, associate himself, would be no more than a platonic statement, but it would give moral satisfaction to the wine-growing countries.

Mr. Hugh R. WILSON (United States) thanked M. Serruys for the tact with which he had referred to the matter. He must point out, however, that the proposed declaration would excite considerable attention in the United States and undoubtedly make it more difficult to obtain public approval of the Convention.

M. SERRUYS (France) pointed out that the proposed declaration would commit only the delegations which signed it. These delegations would be a minority.

M. STUCKI (Switzerland) wondered whether the prohibition of the import of wine did not fall under paragraph 6 of Article 4 rather than under paragraph 3. It was, in fact, a prohibition the object of which was to extend to foreign products the regulations established within the country in regard to similar national products. The declaration which M. Serruys proposed, and which would perhaps be signed by the representative of Switzerland, might perhaps excite less feeling in the prohibition countries if it were referred to in connection with paragraph 6 rather than in connection with paragraph 3.

The CHAIRMAN proposed that M. Serruys should draft his proposed declaration.

*The Committee agreed.*

### 4. Article 4.

#### *Preamble.*

The CHAIRMAN said that the Committee would now discuss the preamble which would be attached to Article 4.

M. SERRUYS (France) pointed out that this paragraph was rather more restricted than the corresponding passage in the draft of the Economic Committee. He felt that perhaps the latter was the best draft as being better calculated to exclude certain prohibitions.

M. SCHÜLLER (Austria): Rapporteur, said that the change had been made because the British delegation had drawn attention to the fact that, even among the prohibitions allowed, there were some of a purely economic nature which were not, however, included to obtain commercial advantages.

M. SERRUYS (France) suggested that a formula might be added to the effect that the provisions of this article were not to be applied in such a way as to constitute a concealed form of restriction on international trade.

*The Committee agreed* that this point should be referred to the Drafting Committee.

Sir Sydney CHAPMAN (Great Britain) referred to the words "provided they are applied equally to all foreign countries where the same conditions prevail, etc.". He pointed out that

in health matters a country did, in fact, establish a prohibition in order to prevent a disease spreading from a particular country where it had broken out. He felt that it might have been better to say that the provisions should not be applied as a means of arbitrary discrimination between countries where the same conditions existed.

*This matter was referred to the Drafting Committee.*

*Paragraph 1.*

M. SERRUYS (France) suggested that a better word might be found to replace the word "visant".

*This matter was referred to the Drafting Committee.*

*Paragraph 2.*

M. DOLEZAL (Poland) said that in principle he would have preferred this paragraph to be maintained as in the Economic Committee's draft. He was, however, awaiting the instructions of his Government on the matter.

Mr. Hugh R. WILSON (United States of America) asked whether the Committee of Rapporteurs had formulated any idea of what was covered by "war material".

M. SCHÜLLER (Austria), Rapporteur, said that the Committee had not defined the words "war material", but had taken them as they stood in many treaties of commerce. He felt that Mr. Wilson's question as regards helium gas would be covered.

The CHAIRMAN proposed that the discussion on this point be postponed until paragraph 2 of the additional article came up. This paragraph would probably cover Mr. Wilson's point.

*Paragraph 4.*

M. SERRUYS (France) said that this paragraph was open to certain abuses. Some countries had forbidden the export of archæological finds made in their territory, but others had unfortunately gone further.

M. SCHÜLLER (Austria), Rapporteur, said that the Committee had considered striking out this paragraph but had found it impossible. He felt that the abuses referred to by M. Serruys were not of a very serious or general nature.

*This paragraph was adopted.*

*Paragraph 5.*

M. SERRUYS (France) said that this was a serious question which had been dealt with by the Economic Conference. Abusive interpretation of this paragraph might be prevented by the adoption of the proposal of Dr. Trendelenburg. This paragraph in the Economic Committee's draft had referred to paper money and securities, but had at times been interpreted to cover the case of bills and cheques. It had been explained at the Economic Conference that certain countries prevented payment on commercial transactions by prohibiting the export of their currency. He suggested that the Conference should state that it had no desire to go further than the views expressed by the Economic Conference.

M. SCHÜLLER (Austria), Rapporteur, said that the Drafting Committee had only defined the word "securities". In order to avoid misunderstanding, a reference would be made to the declarations of the Economic Conference that this passage did not refer to the question raised as regards the foreign currencies necessary for international trade.

The CHAIRMAN pointed out that page 21 of the Report of the Economic Conference read as follows :

" . . . and, further, that the application of these principles should not be indirectly defeated by restrictions on the free circulation of capital—including, for example, any system for controlling exchange which embodies the purchase or importation of foreign exchange for the purpose of paying for goods imported."

M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes) said that there were regulations in his country which governed the trade in foreign currencies. Did the resolution of the Economic Conference mean that it would be necessary to revise or abolish these regulations ?

M. SERRUYS (France) said that the question merely consisted in the fact that some States, when a commercial transaction had been completed, refused the money to pay for it. The point was covered by the passage which had been read out by the Chairman.

Mr. BIDWELL (United States) said that his country had had an amendment to propose as regards grain and cotton standards. When grain was imported into America and was stated to be of standard quality it was liable to Government inspection. There was, however, no prohibition on the import of grain. He understood that this point was covered by paragraph 6.

The same provisions were in force as regards the export of cotton, which, if stated to be a certain quality, was subject to inspection. He would ask the Committee whether these provisions were covered by Article 2 or under paragraph 6 of Article 4.

M. DE NICKL (Hungary) felt that it was covered by Article 2.

M. SCHÜLLER (Austria), Rapporteur, said that, if the Committee did not think that this was covered by Article 2, he did not think that it would come under paragraph 6 of Article 4, cotton not being a "foreign product".

The CHAIRMAN said that this matter might be considered when Article 2 was examined, and the American delegate would be free to raise the point again. He felt that it was merely a question of drafting.

M. CLAN (Denmark) said that the Economic Committee's draft included the following words: "to protect industrial, literary and artistic property, and to prevent unfair competition in regard to the false marking or appellation of origin".

In the new draft these words were replaced by the words "in connection with the production, sale, consumption and forwarding of similar national products". Did the latter wording cover the case of unfair competition?

M. SCHÜLLER (Austria), Rapporteur, said that this point was covered.

M. SERRUYS (France) said that the views of the British delegation had supported the inclusion of the word "standardisation" in this paragraph. Countries had been ready to put this word in the provisions as regards exports but not imports. It might be said in a final act that though paragraph 6 did not mention standardisation it was nevertheless desired to give a guarantee against fraud to the foreign consumer.

M. DI NOLA (Italy) said that there were two questions which should not be confused. The first had been raised in the Conference by the Danish delegation that there were certain countries which insisted that goods exported from their country should be of a certain quality. This did not constitute a prohibition, being for the benefit of the exporting country and the consumer.

The other question was that raised by the United States as to the provision that certain products obtained from the soil should have a certain defined quality. The country had a right to demand the same quality in imported products. He felt that this was a legitimate restriction in accordance with paragraph 6.

M. STUCKI (Switzerland) agreed with the importance of the question raised by M. Serruys, with whom he agreed as to the substance.

He felt that this text did not really meet the desires of the Conference, but it seemed only fair that, if a country made internal regulations, it was at liberty to apply them outside.

M. SCHÜLLER (Austria), Rapporteur, said that these cases had been distinguished by the Drafting Committee. He pointed out that the United States regulations were not to be considered as a restriction.

M. SERRUYS (France) said that he was unable to admit the views of M. Di Nola. One of the most scientific means of prohibition was to give an extremely detailed scientific description of a national product and to stipulate that only goods of this description could be imported. This was done in the wine trade, and its effect was to prohibit another country's wines.

M. DI NOLA (Italy) suggested that this point was covered by Article 2.

M. SERRUYS (France) desired to reserve himself on this point.

The CHAIRMAN said that the heading of Article 4 at least provided a morally binding obligation in the matter.

M. SERRUYS (France) suggested that the matter would be met by a mention in the Final Act to the effect that paragraph 6 should not be misconstrued and that it should not be permitted that the establishment of internal regulations or standards should be a restrictive description of national products.

M. DE NICKL (Hungary) said that there was no mention of a suggestion of the Hungarian delegation in the text, but he hoped that the Rapporteur would keep something in the report on the subject.

M. SCHÜLLER (Austria), Rapporteur, promised to do this. The question was one concerning the bilateral recognition of analysis certificates.

M. BRUNET (Belgium) recalled that the Danish delegation had asked whether paragraph 6 covered the question of unfair competition. He pointed out that this question was covered both by paragraph 7 and by the article which provided that nothing in the Convention should prejudice the rights and obligations arising from international conventions already in force.

M. GEORG (International Chamber of Commerce) supported M. Serruys' view as regards the interpretation of paragraph 6. He agreed that mention should be made that this paragraph should not be open to the abuses which the International Chamber of Commerce continually endeavoured to guard against.

#### *Paragraph 7.*

M. SERRUYS (France) said that this paragraph raised a serious question of State trade and monopoly. It must not be admitted that a State could shut the door to foreign trade on the pretext of monopoly and prevent other countries from taking reciprocal action.

M. DI NOLA (Italy) pointed out that the text of paragraph 7 referred to monopoly of all goods. The French text would cover the case of certain State monopolies but would not justify the establishment of general State monopolies.

M. SCHÜLLER (Austria), Rapporteur, agreed with M. Di Nola that a close interpretation could be made. He felt that a monopoly was not permissible for the whole system of foreign trade of a country.

M. SERRUYS (France) suggested that the draft should include a statement that the Conference had only considered the case of special monopolies and had not, any more than the Economic Conference, considered the case of a general State monopoly.

M. GEORG (International Chamber of Commerce) reminded the Committee that the system of monopolies was one opposed to the aims of the Conference. The International Chamber of Commerce would shortly be going into this matter very thoroughly.

M. DI NOLA (Italy) agreed that an addition might be made in the Protocol or Final Act to this effect. He did not, however, feel that a reference could be made to paragraph 7, which referred to restrictions in the interior of a country.

The CHAIRMAN proposed that this matter should be referred to the Drafting Committee.

*This proposal was adopted.*

#### **5. Article 5.**

The text of this article proposed by the Committee of Rapporteurs was the following :

“ Nothing in the present Convention shall affect the right of any high contracting party to institute measures of prohibition or restriction on importation or exportation in order to safeguard the vital interests of the country in exceptional and abnormal circumstances.

“ If measures of this kind are instituted, they shall be applied in such a manner as to entail no arbitrary discrimination against any other contracting State. Their duration shall be restricted to that of the causes or circumstances from which they arise. ”

M. WIBAUT (Netherlands) said that he had had an amendment to this article, but as the article had now been redrafted and greatly improved, he withdrew his amendment, understanding that the Committee interpreted it in the same way as the new article.

M. SERRUYS (France) said that the French delegation also withdrew its amendment.

#### **6. Programme of Work.**

The CHAIRMAN said that the Committee would discuss the additional article on the following day. It had been agreed that Article 4 should cover normal circumstances and Article 5 abnormal circumstances. It had also been decided to put certain additional paragraphs to Article 10 dealing with denunciation, and to decide upon the procedure to be followed with regard to reservations communicated after signature.

He realised that some delegations had not the power to sign the Convention without referring the final draft to their Governments. It had been originally intended that all delegates should sign at the end of the Conference. He hoped that the members would consider this point with a view to making some provision to cover the States which did not desire to sign immediately.

### THIRD MEETING

*Held on Saturday, October 29th, 1927, at 9.30 a.m.*

---

#### 7. Programme of Work.

The CHAIRMAN, after having sketched out the future work of the Committee, proposed that the General Drafting Committee, over which he would himself preside, should consist of the following members : M. BRUNET, M. SERRUYS, Dr. TRENDELENBURG, Sir Sydney CHAPMAN, M. DI NOLA, M. IBL, M. DOLEZAL, M. CLAN.

The Drafting Committee of Article 7 would be composed as follows : M. ERICH, M. MODIG, M. STUCKI, M. SCHÜLLER, Mr. WILSON, M. DENDRAMIS, M. ITO.

*The Chairman's proposals were adopted.*

#### 8. Declaration by the Egyptian Delegation.

ABDEL RAZAK ABDUL KHEIR Bey (Egypt) read the following declaration :

“ The Egyptian delegation wishes it to be clearly understood and to be recorded in the minutes of this Conference that it has not thought it necessary to make a special reservation regarding the obvious discretion of the Government to limit and regulate the areas to be disposed of for the growing of cotton. It takes it as fully admitted that the absolute right of the authorities concerned in this respect is left intact, since these measures are of an internal nature and cannot in any way be interpreted as concealing an indirect restriction on the export of cotton. ”

#### 9. Examination of the Preliminary Draft of the Additional Article.

The text before the Committee was the following :

“ 1. The high contracting parties, recognising that in certain States situations exist *de facto* or *de jure* which make it impossible for them, in the case of certain specified products, to execute forthwith the engagements contracted under the preceding articles, have thought fit to allow them to take part in the present Convention subject to certain temporary reservations, which they undertake to withdraw as soon as the relevant circumstances cease to exist.

“ 2. Moreover, the high contracting parties, recognising that in certain States import or export prohibitions and restrictions exist which it would be difficult for the States in question to abolish, and which, moreover, do not involve any economic consequences of importance, have also thought fit to authorise them to take part in the present Convention. ”

[*Note* : Here would follow an annex containing a list of the reservations allowed in accordance with the above article.]

M. CLAN (Denmark) expressed the opinion that it would be well to clarify the second paragraph of the additional article by adding after the words “ of importance ” the words “ as regards international commerce ”.

M. DI NOLA (Italy) proposed the following text : “ do not involve any consequences on the normal development of trade ”.

M. GHEORGHIU (Roumania) said that he had no objection to the substance of the present text, which coincided with the Roumanian proposal. He suggested that the last line should read as follows : “ have also considered it desirable to admit the necessity for certain exceptions ”.

M. BRUNET (Belgium) asked that a time-limit should be laid down in the text amended by M. Di Nola in order that it might not appear that certain prohibitions and restrictions were approved for an indefinite time. He would give his support to the Roumanian amendment.

M. SERRUYS (France) also supported the Roumanian amendment but did not agree with M. Di Nola. He could not conceive of a prohibition which would have no consequences and felt that a text to the following effect would be more exact : “ Certain prohibitions . . . which, however, have no harmful repercussions on the commerce of other States ”.

Disagreeing with M. Brunet, M. Serruys felt that it would be necessary to establish a distinction between the provisions in the first paragraph. The temporary exceptions therein would fall as soon as the circumstances which had given rise to them ceased to exist. The prohibitions in the second paragraph, however, had arisen out of special geographical or other circumstances, and there did not exist the same obligation to bring them to an end as quickly as possible.

M. BRUNET (Belgium) said that he had made his observations in order to give the authors of the text an opportunity to express their meaning, which was not very clear in the present proposal.

*The Committee decided that the matter be referred to the Drafting Committee.*

#### 10. Reservations under the Additional Article.

The CHAIRMAN said that there remained one question of considerable importance as to what reservations the various delegations would wish to submit. He proposed to address a written communication to all the delegations asking them for the list of reservations which they would ultimately desire to include. He then read a letter on this subject which he had received from the Italian delegation, stating that Italy's participation in the Convention was conditional upon the maintenance of export prohibitions of the following articles: donkeys (*asini stalloni*); wheat; iron ore; scrap iron, the waste of copper, bronze and other alloys containing a large proportion of copper; tin waste, tin ashes and zinc waste<sup>1</sup>.

M. DI NOLA (Italy) felt that it was desirable to give certain explanations as regards the reservations formulated by Italy. In the first place, it was necessary to repeat and confirm the declaration made on several occasions in this Conference that the Italian delegation would be prepared to abandon all the reservations submitted by it if a Convention could be concluded without any reservations.

The reservations formulated by the Italian delegation had become necessary because, contrary to expectation, the Convention still permitted the existence of prohibitions capable of causing a certain amount of hindrance to the normal course of international trade.

Having made these observations, M. Di Nola remarked that the Italian delegation had taken great care to limit its reservations to prohibitions which were not such as could affect the current of international trade or prejudice the interests of other countries.

The goods mentioned in the above reservations only existed in very small quantities in Italy and had never given rise to export traffic. It was known that the resources of Italy in iron ore were so limited that it was necessary entirely to exclude the possibility of other countries procuring this raw material in Italy. Under normal conditions there would therefore be no export of iron ore, but in view of the existence of certain obstacles to the free acquisition of raw materials—mainly because other countries maintained prohibitions on metal waste which were largely used to replace ore—the grant of full export facilities might give rise to certain dangers.

As regards iron waste the Italian delegation could only repeat the statement it had made to the Chair at the time of making the reservation. The export prohibition on these products was an obligation to which Italy was bound by certain bilateral conventions in order to obtain from other countries an allowance of scrap to meet the needs of her own industry. It was clear that Italy would have no reason to maintain this prohibition if the countries supplying metal waste abandoned their prohibitions and rendered the obligation in question useless.

The Italian delegation wished to make one final declaration. It desired that the reservations made should be accepted by the present Conference and should therefore not be the object of a debate under the process provided for in the additional article under discussion.

M. DOLEZAL (Poland) recalled that he had already made a general statement to the Committee of Rapporteurs to the effect that it was considerably easier to make no exceptions than to allow certain restrictions on the free movement of goods. Poland exported raw materials and agricultural products up to 70 per cent of its export trade. Some of the restrictions proposed seriously affected Poland's national economic life and created a situation the gravity of which was not covered by the instructions received by the Polish delegation. It therefore desired to reserve its attitude until a reply had been received from the Government.

M. BRUNET (Belgium) said that at to-day's meeting of the Committee of Rapporteurs he had regretted that he could not sign a convention which would better meet the desires of the Belgian delegation, which had come to Geneva hoping for an agreement which would have involved the fullest possible return to pre-war arrangements. In view of the new position, he would be unfortunately obliged to claim the benefit of certain reservations, particularly as regards scrap iron. He would give a definite list when he received instructions from his Government.

M. SERRUYS (France) said that he had come to the Conference prepared to sign a convention without any exceptions or reservations and that he would be ready to return to such a position. At present, however, he found himself compelled to ask for the inclusion of a special reservation

<sup>1</sup> The text of this letter will be found in Annex. (List of reservations submitted).

on the waste of iron and other metals and alloys. As soon as the German prohibition on the export of coal disappeared—*i.e.* as soon as the supply available for the French metallurgical industry returned to normal—this reservation would be withdrawn. Moreover, the prohibition on scrap iron was not peculiar to France, whose policy was considerably more liberal than that of other countries, since, owing to certain bilateral conventions, she exported up to 25 per cent of this product.

This was therefore not a prohibition of principle but a prohibition dictated by circumstances.

M. SERRUYS had no desire to raise a discussion on the prohibition of German coal. He felt it was quite understood that this prohibition was subject to international obligations undertaken towards certain countries. This meant that if an arbitration decision was given in favour of France this Convention could not be invoked to prove that arbitration was not allowable. M. SERRUYS said in conclusion that he would later make a reservation as to the prohibition of French coal. The French Government was prepared to withdraw this reservation if the corresponding prohibitions abroad disappeared.

M. GHEORGHIU (Roumania) reminded the Committee that the Roumanian delegation had already submitted its list of prohibitions. It included the export of crude oil, iron and copper ore and the import of second-hand machinery. These restrictions affected two or three articles which did not play any part in world commerce.

M. MODIG (Sweden) stated that his country would prohibit the export of scrap iron until the free traffic in this product was re-established in Europe.

#### 11. Paragraphs to be added to Article 10 with reference to Conditions of Denunciation.

The text before the Committee was the following :

“ 1. Each of the high contracting parties may denounce the present Convention upon the expiry of the third year dating from the joint signature, such denunciation to take effect six months later if at that time any one of the exceptions granted in pursuance of the additional article mentioned above is still in force.

“ 2. Each of the high contracting parties may denounce the present Convention on the expiry of the fifth year dating from the joint signature, such denunciation to take effect six months later if on that date it considers that the reservations granted to certain States have altered the effects of the present Convention.”

M. SCHÜLLER (Austria), speaking as a member of the Committee which had drawn up this article, said that the situation had been rather complicated. At present there was a first period of three years and then one of five years in which denunciations could be made. It was undesirable that the Convention should be further complicated, and the Sub-Committee was ready to agree to any fixed period provided that it was the only one. Moreover, he felt that the Parties should abstain from giving special reasons for each denunciation and proposed that the text be referred to the Drafting Committee.

The CHAIRMAN replied that this new paragraph to be added to Article 10 had been drafted in order to establish a distinction between the two classes of possible reservations. Some countries which had come to the Conference intending to suppress all restrictions would agree to the restrictions proposed by other countries, on condition that they were allowed the power to denounce the Convention if such restrictions and prohibitions did not disappear after a certain time. This was the meaning of the first paragraph of the text, and the second paragraph was of a more general nature.

Sir Sydney CHAPMAN (Great Britain) warmly supported the proposal of M. Schüller, for he considered that it would prejudice certain countries to make different rules. The present text might be interpreted as implying a promise by some of the contracting parties to take certain steps when they were not at liberty to give such assurances. On January 19th, 1921, Great Britain had passed a national Act on dyestuffs for the purpose of national defence. This Act remained in force until 1931, and he desired that there should be no doubt on the matter and that nothing should exist in the text which might be interpreted as an indication that the British Government had given any assurances as to what would happen after that date.

It was, moreover, unreasonable to admit a clause which gave the right of denunciation when one sort of damage was done and denies it when a greater damage of another sort was done. As he had stated at the beginning of the session, the Conference was adopting an experiment whose results were not known, and it might be necessary to call a new conference in three or four years to review the position.

He therefore asked that a single provision as to denunciation should be put in the Convention, which would put all the parties on an equal footing, whatever the grounds on which they might wish to denounce it.

M. SERRUYS (France) remarked that the question was a serious one, and thanked Sir Sydney Chapman for the frankness with which he had spoken. The crux of the problem lay in this question, and, contrary to the opinion of M. Schüller, the question did not concern two separate periods which would be compared together. One began to run from the date of entry into

## 2. REPORT OF COMMITTEE B ON ARTICLES 2, 3 AND 11 OF THE PRELIMINARY DRAFT AGREEMENT DRAWN UP BY THE ECONOMIC COMMITTEE.

The Committee was composed as follows :

*Rapporteur :*

H.E. SADIK HENEIN Pasha (Egypt).

*Members :*

M. ROCHÉ (International Chamber of Commerce), Chairman.  
H.E. SADIK HENEIN Pasha (Egypt).  
M. ITO (Japan).  
M. DE NICKL (Hungary).  
M. POSTHUMA (Netherlands).

The task of Committee B was to examine Articles 2, 3 and 11 of the Preliminary Draft Agreement and the amendments to these articles submitted to the Conference.

After holding three meetings under the chairmanship of M. Roché and hearing the representatives of the United States, French, Italian and Polish delegations, the Committee has the honour to submit to the Conference the following report on its work :

### *Article 2.*

Two amendments, proposed by the Italian delegation, were submitted to the Committee. The first was to the effect that in the first line the word " general " should be replaced by the word " national " in order to avoid any ambiguity which might result from contrasting the general and special legislation of a State.

Considering that the qualifying term " national " might also give rise to ambiguity, the Committee proposes, in agreement with the Italian delegation, to suppress completely in the first line of Article 2 any terms qualifying the words " their legislation ", since the word " their " already sufficiently expresses the idea that a State's domestic legislation as a whole is intended.

The French delegation suggested that the words " of origin " should be added to the words " imposition of marks ". The Rapporteurs, however, think that the text of the preliminary draft agreement should be maintained, since it has a wider sense, covering not only marks of origin but also all other marks. The French delegation accepted this point of view and withdrew its amendment.

The second Italian amendment proposed the insertion after the words " imposition of marks " of the words " or to any other formalities or conditions ". The Italian delegation was of opinion that the existing text was too restrictive and did not provide for all the formalities and conditions which might be required in connection with the importation and exportation of goods. If the proposed words were added, the text of the article would be much more general in scope.

After an exchange of views, the Committee decided to propose the adoption of the Italian delegation's amendment.

Accordingly the text of Article 2 proposed by the Committee runs as follows :

" Should the contracting States, in pursuance of their legislation, subject the importation or exportation of goods to certain regulations in respect of the manner, form or place of importation or exportation, or the imposition of marks, or to any other formalities or conditions, they undertake that such regulations, formalities or conditions shall not be made a means of disguised prohibition or arbitrary restriction. "

### *Article 3.*

The United States delegation proposed to the Conference the insertion, in Article 3 of the preliminary draft, of paragraphs (a), (b), (c) and (d) of Article 3 of the Convention of 1923 on Customs Formalities, instead of a mere reference to them, the reason being that the United States are not a party to that Convention. With regard to paragraph (e) of Article 3 of the 1923 Convention, the United States delegation proposes that it should be replaced by the following text :

" That, in the event of the fixing of rations or quotas, no conditions or formalities shall be imposed or required, in connection with the allocation of licences for restricted goods authorised for importation or exportation, that may prevent, according to each



other contracting State, an equitable share of such importation or exportation, having regard to the normal volume of trade of the respective countries in the particular class of goods in question. In the application of the provisions of this paragraph no distinction shall be made between direct and indirect shipments."

The first part of the above proposal did not meet with any opposition from the Conference in principle, but the Belgian delegation suggested that the provisions of the 1923 Convention referred to in Article 3 of the preliminary draft might usefully be reproduced in a note at the bottom of the page containing Article 3.

The second part of the United States proposal, which consists in replacing paragraph (e) of the 1923 Convention by the text reproduced above, encountered serious opposition in the Conference, since this text touches on questions which are outside the scope of the Conference: namely, the method of distributing quotas and the application of the most-favoured-nation clause in this matter.

In the Committee of Rapporteurs the discussion first turned upon the question whether it was necessary to retain Article 3 of the preliminary draft.

In view of the fact that the Convention admits the possibility of prohibitions and restrictions in certain cases, and that it will therefore be necessary to provide for the maintenance of formalities for granting licences, the Committee thinks that the provisions of Article 3 should be retained.

With regard to the first part of the United States proposal, which consists in inserting in Article 3 of the preliminary draft certain provisions of Article 3 of the Convention on Customs Formalities, the Committee has no objections to make. On the other hand, the observations made at the Conference led the Committee to refrain from discussing the subject dealt with in the second part of that proposal.

The United States delegation, realising the difficulties which this proposal raised, did not press the adoption of its text but pointed out that the only purpose of the second part of the proposal was that the Convention should lay down that the principle of equity must be observed in the distribution of quotas.

In order to take account of the wish expressed by the United States delegation, M. Serruys suggested a formula which, without pronouncing upon the method of distribution, would satisfy the request of that delegation. As this formula is only a declaration of principle on the part of the contracting States, the Committee was of opinion that, together with the first part of the American proposal, it should be inserted in a Protocol of the Conference, Article 3 being deleted from the body of the Convention.

The United States delegation agreed, on condition that the Final Protocol should have the same force and validity as the Convention itself, of which it shall be regarded as an integral part.

Accordingly, the Committee, in agreement with the United States delegation, proposes that the Conference should delete Article 3 of the Convention and insert the following text in a Protocol, which will have the same force and validity as the Convention:

"In the case of any prohibitions or restrictions which may be applied within the limits set by the present agreement, the contracting States shall, in the matter of licences, comply strictly with the following provisions:

"(a) That the conditions to be fulfilled and the formalities to be observed in order to obtain such licences should be brought immediately in the clearest and most definite form to the notice of the public;

"(b) That the method of issue of the certificates of licences should be as simple and stable as possible;

"(c) That the examination of applications and the issue of licences to the applicants should be carried out with the least possible delay;

"(d) That the system of issuing licences should be such as to prevent the traffic in licences. With this object, licences, when issued to individuals, should state the name of the holder and should not be capable of being used by any other person.

"As regards the distribution of quotas, the contracting States, without laying down any rule as to the method to be adopted, consider that an equitable distribution of these quotas is an essential condition of the equitable treatment of commerce between States."

#### Article 11.

This article provided for the communication of reports to the Secretary-General of the League of Nations, within twelve months of the coming into force of the Convention, on the steps taken by the Contracting States to give effect thereto.

The Committee considered whether it would not be desirable to revise the text of this article so as to obviate any difficulties which it might involve for States not Members of the League.

force of the Convention, and the other from the date of common signature. The position arose from certain essential facts which M. Serruys had stated at the beginning. The restrictions on English dyestuffs had given rise to the restrictions on German coal, and the numerous repercussions had produced a situation very different from that which had been hoped for.

The present position was of primary importance and could not be compared with prohibitions like that preventing the export of pigeon-dung from Egypt. The task of the Conference was to stabilise the world economic position, and it could not attain this result so long as there existed an exception like that at present on the export of German coal. They had therefore thought of putting a short period for denunciation which had been intentionally made to coincide with the date of expiry of the Act on English dyestuffs. Denunciations, for which this period had been provided, would certainly be made if certain facts which were absolutely contrary to the stability of trade had not disappeared at that date. The question did not mean that England should give any assurances at the present time.

If England felt bound to maintain her prohibition on dyestuffs, and if Germany felt that their prohibition on coal must be kept, they had every right to do so. But this complete closing of the frontiers and the artificial situation thus created would no longer interest France, who would again be free. It was impossible for France to remain five or six years with a prohibition on coal, which would constitute an intolerable burden on the French metallurgical and textile industries. Moreover, the entry into force of the Convention and the application of the procedure contained in the article under consideration were not to take place until the realisation of certain complex conditions mentioned in Article 9. It was perfectly possible that the Convention would have ceased to function a few weeks before the expiration of the Act on dyestuffs.

M. Serruys felt that the Conference would be grateful to him for stating the position so frankly. In a spirit of conciliation he would submit to the dangers to which France would be exposed by the English and German prohibitions, but he could not admit these prohibitions for an indefinite period. If it was desired to fix a period of three years from the date of signature, the Convention would have lived at most fourteen months, assuming that it came into force in 1929. This was not what the Conference wished to do. The Conference was not taking the risk of a costly experiment but was endeavouring to stabilise the international position. M. Serruys was therefore compelled to state that there must be two kinds of denunciation. The question did not mean asking for assurances from England, but concerned the liberty of the other countries. M. Serruys could admit no deception whatsoever in this Convention, and he would not make a double sacrifice in order to adhere to it. He was prepared to make a sacrifice at present because France was the country which had called this Conference, but he could not bring French opinion to believe that a spirit of conciliation had made it necessary to accept the English reserve on dyestuffs and, in consequence, the German exception on coal. In any case, it would be much more difficult to convince French public opinion of this than it would be for Sir Sydney Chapman to instruct the British public as to a position which involved no pressure on the part of the other contracting parties and no moral obligation on the part of England.

M. Serruys therefore desired to maintain the period of three years after signature. Germany certainly suffered from prohibition, but had means for retaliation. France suffered from both prohibitions and was disarmed. This question was of such a vital nature that M. Serruys could not go beyond certain sacrifices.

M. SCHÜLLER (Austria) asked whether it would not be possible to state that the Convention was valid for ten years and that any contracting party could denounce it three years after the date of common signature if the reservations at present demanded did not disappear.

M. SERRUYS (France) replied that it was absolutely impossible for France to remain until 1932 or 1933 in the artificial situation created by other States.

M. Schüller's formula was impossible, and M. Serruys placed his faith in the fairness of the Conference in asking it not to call upon France to make an impossible sacrifice.

The CHAIRMAN remarked upon the gravity of the present situation. M. Serruys had rightly shown that this article was the price to be paid in order to secure the adhesion of certain States in spite of some restrictions which remained. The States stated that, if the restrictions still remained on a certain date, they would make no attempt to secure their abolition but would consider that the Convention had lost its force. The Chairman said that this was also his personal view.

He understood, however, the difficulties confronting Sir Sydney Chapman. Account had to be taken of the fact that if one of the large countries refused signature many others would follow suit, and this must by all means be avoided. But M. Schüller's text did not seem to imply that the British Government had given any promise to withdraw its prohibition on dyestuffs.

Sir Sydney CHAPMAN (Great Britain) agreed and added that he would like the text to show clearly that other countries had the same freedom of action in other matters.

M. DI NOLA (Italy) did not think that the second denunciation provided for in Article 2 was absolutely necessary. As a matter of fact, if one of the contracting parties introduced new reservations all the other parties had the opportunity to oppose them.

Dr. TRENDELEBURG (Germany) confirmed the statement of M. Serruys. The German delegation had also come with the intention of signing a convention without any reservation. When, however, the British delegation had found it necessary to maintain a reservation on dyestuffs, Germany had found it impossible to sign the Convention without being able to obtain the results to which she was entitled. This action on the part of the German delegation was not intended to exert any pressure on Great Britain. Germany had a law regulating the trade in coal and including certain prohibitions which had been passed in 1919 at a time of special unrest. The Government would be prepared to alter it if other countries similarly placed would agree to introduce similar modifications in their commercial legislation. But it was absolutely impossible to consider such an alteration while England maintained the exception concerning dyestuffs. In the hope that the regulations of other countries would disappear after the expiry of the English law, the German delegation would be able to accept the English reservation on condition that they made a similar exception as regards coal. The Convention must express the idea that the present situation would only exist for a certain period and that the signatory parties retained full freedom of action if the Act on the English dyestuffs remained after 1931. On these conditions and with these observations M. Trendelenburg supported the remarks of M. Serruys.

*The Committee decided that the matter be referred to the General Co-ordination Committee for a new draft.*

**12. Procedure to be followed with regard to Reservations communicated after Signature.**

The text before the Committee was the following :

“ 1. Before April 1st, 1928, the signatory States shall inform the Secretary-General of the League of Nations : (a) whether their Governments have decided to submit and recommend the ratification of the present convention to the competent authorities ; (b) what reservations, in addition to those enumerated in the annex to the “ additional article ”, they find it necessary to make as conditions of their ratification, at the same time indicating the conditions on which they would be prepared to withdraw them.

“ 2. The Secretary-General of the League of Nations shall immediately bring to the notice of the signatory States any communication made to him in execution of paragraph 1 above.

“ 3. Any signatory State unable to accept either all or part of the reservations communicated by another signatory State in execution of (b) of paragraph 1 above must, within two months, notify the Secretary-General, who shall immediately transmit this communication to the other signatory States.

“ 4. If one or more of the signatory States, in the form and within the period mentioned above, raise objections to one or more of the reservations communicated by another signatory State the latter may either inform the Secretary-General that it can no longer be a party to the Convention or request him to summon a conference of the signatory States with a view to obtaining the withdrawal of the objections raised by one or more of them.

“ On . . . . . 1st, the Secretary-General of the League of Nations shall summon a conference of the signatory States for the purpose of examining the whole of the reservations objected to.

“ If either of these two communications has not been received by the Secretary-General within sixty days it shall be understood that the State in question no longer intends to be a party to the Convention.

“ *Note* : It will be necessary to add a provision to meet the case in which the whole of the conditions underlying the Convention are materially altered, owing to the fact that several States do not take the steps indicated in paragraph 4 above, consequent upon objections raised to their reservations.

“ It might be laid down that, should this situation arise in respect of . . . . . European States, the Secretary-General shall, within a period of . . . . . summon a conference of all the signatory States to consider the situation thus created. ”

The CHAIRMAN gave a general indication of the scheme proposed. The date for the forwarding of reservations would be March 1st. The text would then be communicated in November to the Governments, which would have time to study it until March 1929 and would forward any reservations in April. The Secretariat would then transmit the reservations to all signatory States, and the final time-limit for notices of objection would be July 1st. The conference for the examination of reservations and objections might therefore meet in the beginning of October. If the Conference agreed, a period might be laid down for ratification, and he would suggest the date of April 1st, 1929.

After some remarks by M. STUCKI (Switzerland) insisting on the necessity of fixing earlier the first date which would constitute the point of departure, the CHAIRMAN proposed February 15th instead of April 1st.

M. DI NOLA (Italy) thought that it would be difficult for a Government to forward to the Secretary-General the two declarations provided for in this article at the same time. He would also like to know whether there would be one or two conferences. He felt personally that it would be preferable to provide for a single conference entrusted with the general examination of both questions.

M. Di Nola further felt that a rule should be inserted that reservations should only affect restrictions and prohibitions existing at the time of the present Convention. It was indispensable that contracting States should be prevented from making the situation worse than it was at the time of signature.

What would be the position of States which adhered after the date of common signature? M. Di Nola thought that these States also should only be allowed to keep restrictions existing at the date of the Convention.

In conclusion he asked that the following wording might be inserted in the Convention: "The present Convention does not derogate from the stipulations in bilateral agreements in force between certain contracting States to the extent that these agreements establish a more liberal scheme of import and export prohibitions than that contained in the above provisions".

This text would avoid prejudice to the right of countries which had already settled the situation to their mutual satisfaction in bilateral conventions.

After a brief exchange of views as to the date proposed by M. Stucki (February 15th), M. BRUNET (Belgium) proposed the choice of February 1st.

The CHAIRMAN pointed out that it would be necessary to take into account the position of countries each as Chile, China, Colombia, Australia, and New Zealand, whose distance from Geneva would involve considerable delay.

M. SATO (Japan) said that in a spirit of conciliation he would endeavour to obtain satisfactory results by February 1st.

*The Committee decided to adopt the date of February 1st and that a period of three months be granted to the contracting parties to formulate any objections to the reservations.*

The CHAIRMAN, in reply to a question by Sir Sydney Chapman, said that a country which had not signed but which had, before February 1st, 1928, expressed its intention of signing with reservations, was in rather a difficult position, for, in settling the matter in a too generous spirit, they would run the risk of seeing this Conference at an end without obtaining a single signature.

He would have personally preferred that the postponement of signature till January 31st should only be granted to delegates who, on the appointed date, had not received full powers from their Governments.

M. SCHÜLLER (Austria) pointed out that the reservations submitted by a Government which signed immediately could be accepted by the present Conference, whereas reservations made by a Government which signed later on would have to be approved by the next conference. It was therefore advantageous to sign immediately.

M. BRUNET (Belgium) said that he would see some difficulties in the terms of paragraph (a), at any rate as he interpreted it. The fact that a State submitting a reservation would be threatened with having it immediately communicated to all the contracting parties would encourage it to wait until the last minute before formulating it. It would therefore be advantageous if the communication to the Governments of all proposed reservations were made at a single time.

The procedure in item 3 seemed to him such as to involve considerable delay. He would prefer the Conference to meet after a definite period in order that all the States interested could proceed to a general exchange of views. The attitude of those who asked for no exceptions might thus have a happy influence upon the others, and States would perhaps reach agreement that it was desirable to effect a general and simultaneous abolition of the prohibitions which they had asked to be allowed to maintain.

The CHAIRMAN recalled that the present text had merely been sketched out in order to allow the members of the Committee to make suggestions.

M. DOLEZAL (Poland) recalled, as a result of the declaration which he had submitted on behalf of his country, that the question of adhering States would be an important one. He therefore supported the proposal of M. Di Nola and would submit his proposals to the General Drafting Committee.

M. IBL (Czechoslovakia) pointed out that the text of paragraph (b) might give the impression that signatory States would always be bound to say on what conditions they would be prepared to abolish new reservations. He therefore proposed that, instead of saying that they should "at the same time" communicate the conditions of reservation, it might be said that they should indicate them "should occasion arise".

He would like to ask M. Di Nola for an explanation as to the meaning of his last proposal.

M. DI NOLA (Italy) replied that if a country like France, where the export of scrap iron was prohibited, granted Italy the right to import that product by the terms of a bilateral treaty, and if France was therefore bound by the most-favoured-nation clause to concede the same privileges to all other countries with whom she had bilateral agreements, she could not

well state in the Convention that she maintained her prohibition of scrap iron. For this reason he had submitted an amendment which gave an assurance that the situation could not be rendered less favourable than it was at present.

M. STOPPANI (Secretary) pointed out that when the Secretary-General had received all the reservations and objections to them he would not only communicate them to all the signatory States but would draw up a table to show the results. This table would be a useful and valuable document for the next Conference.

The CHAIRMAN agreed. He proposed that the date of the Conference be fixed between June 15th and July 15th, 1928.

He also proposed that the period for ratification should be fixed at six months. The General Co-ordination Committee would take into account the special position of countries where the date of the parliamentary session made the position difficult.

*These proposals were adopted.*

M. GHEORGHIU (Roumania) pointed out that the proposal of M. Di Nola put on one side the countries which enjoyed generous terms through the conclusion of bilateral treaties, and on the other those for whom the terms of the Convention did not provide such terms. But an article prohibited on the grounds of the Convention was either necessary to the vital interests of countries or it was not. This proposal could therefore not constitute a basis for the discussion of bilateral agreements.

M. DI NOLA (Italy) recalled that his proposal only affected bilateral agreements already concluded, and that its aim was to prevent their being modified. The question of discrimination between bilateral agreements was outside the scope of this Conference.

*The text in question was referred to the Drafting Committee.*

---

#### FOURTH MEETING

*Held on Tuesday, November 1st, 1927, at 11 a. m.*

---

### 13. International Draft Convention : Articles 7 and 8.

#### *Article 7.*

The CHAIRMAN said that the text of Article 7 submitted by the Drafting Committee was intended to meet the difficulties which might arise from the elimination of the old Article 6. The text read as follows :

“Should a contracting State decide to impose a prohibition on the products of any specified State contracting or not, it must impose that prohibition in such a manner as to prejudice the trade of the other contracting State as little as possible.”

Sir Sydney CHAPMAN (Great Britain) suggested the deletion of the words “contracting or not”. The suppression of those words would not alter the meaning of the article, but he felt it would be unfortunate if it were explicitly admitted in an international convention that circumstances might arise which would make it necessary to impose a prohibition upon a contracting State.

M. SERRUYS (France) said that Sir Sydney Chapman had not quite grasped the intention of the article. The article did not refer to measures of reprisals which might be taken against a contracting State. It referred to prohibitions imposed legitimately under Article 4, as, for example, for veterinary reasons. The article was intended to make it clear that such a prohibition should not prejudice the trade of third parties. It was, in fact, the generalisation of a stipulation which had already been inserted in several bilateral treaties between France and other countries.

The words “contracting or not” did not, however, greatly affect the article, and might be eliminated.

Dr. BARANDON, representing the Legal Section of the Secretariat, pointed out that it was impossible to use the term “high contracting parties” in Article 7, owing to the fact that His Britannic Majesty, who would be one of the high contracting parties, was the representative of several territories. He suggested that the word “State” should be used without any further qualification.

M. SERRUYS (France) said that the use of “State” without any further qualification would leave room for the assumption that the article referred to a non-contracting State. He would

suggest the use of some such expression as "any contracting State or State to which the present Convention applies". He was, however, quite content to leave the exact form of words to the Legal Section of the Secretariat.

*Article 8.*

The text before the Committee was as follows :

"Should a dispute arise between two or more contracting States as to the interpretation or application of the provisions of the present agreement with the exception of those contained in Articles 4 and 5, and should such dispute not be settled either directly between the parties or by the employment of any other means of reaching agreement, the parties to the dispute may, before resorting to any other arbitral or judicial procedure, submit the dispute with a view to an amicable settlement to any technical body that the Council of the League of Nations or the parties concerned may set up. This body will give an advisory opinion after hearing the parties and effecting a meeting between them if necessary.

"The advisory opinion given by the said body will not be binding upon the parties to the dispute unless it is accepted by all of them, and the parties may, if they agree to do so, either after resort to such procedure or in lieu thereof, have recourse to any other arbitral or judicial procedure which they may select, including reference to the Permanent Court of International Justice as regards any matters which are within the competence of that Court under its Statute.

"If a dispute of a legal nature should arise with regard to the interpretation or application of the provisions of the present agreement (with the exception of those relating to Articles 4 and 5) the parties shall, at the request of any of them, refer the matter to the decision of the Permanent Court of International Justice or of an arbitral tribunal selected by them, whether or not there has previously been recourse to the procedure mentioned in the first paragraph, in which case the parties to the dispute must sign a submission to arbitration in which the subject of the dispute must be clearly specified. In case of doubt as to whether a dispute is of a legal nature or not this question shall be referred to the decision of the Permanent Court of International Justice or the arbitral tribunal selected by the parties.

"The adoption of the procedure before the body referred to in the first paragraph above or the opinion given by it will in no case involve the suspension of the measures complained of; the same will apply in the event of proceedings being taken before the Permanent Court of International Justice — unless the Court decides otherwise under Article 41 of the Statute — or before the arbitral tribunal selected by the parties.

"Nothing in this Agreement is to be construed as prejudicing the obligations assumed by the high contracting parties in respect of the jurisdiction of the Permanent Court of International Justice or any other body for arbitration or conciliation."

M. SCHÜLLER (Austria), Rapporteur, said that in framing Article 8 the Sub-Committee had been invited to consider proposals from the Netherlands and Finnish delegations to the effect that all disputes under the Convention should be subject to arbitration. Five delegations had submitted other amendments limiting arbitration to questions arising under certain articles of the Convention, and the views of those delegations had been supported by many members of the Conference. The Sub-Committee had finally decided to exclude from arbitration matters arising under Articles 4 and 5. It had been urged in regard to Article 5 that it was impossible to submit to arbitration the question whether a catastrophe had in fact occurred within the meaning of the Convention or whether the means adopted to deal with it were necessary or not. The opposition to submitting matters arising under Article 4 to arbitration was due to the attitude of Government departments which were not concerned with economic questions, such as departments of public health or departments interested in the preservation of national art treasures. Such departments did not wish to submit such questions to international control. It was clear that the time had not yet come for the adoption of arbitration to settle disputes arising under Article 4, and several delegations had received formal instructions to exclude all such questions from compulsory judicial settlement.

On the basis of an amendment of the Italian delegation and with the co-operation of the British delegation, the solution of the problem embodied in Article 8 had been reached. The text represented an agreed solution, though the American delegation still felt it necessary to await instructions before it could accept the compulsory arbitration provisions contained in the article.

During the discussions in the Sub-Committee, certain delegations in favour of arbitration had urged that very little remained for judicial settlement if questions arising under Articles 4 and 5 were excluded, and they had suggested that in such circumstances the whole procedure of judicial settlement might as well be abandoned. The Sub-Committee had felt, however, that there should be some provision for arbitration in a convention drafted under the auspices of the League, and the present article was offered as a point of departure. He had no doubt that in course of time the attitude at present adopted by certain States would be modified

and that further progress would be achieved. He would point out that there was still a number of fairly important questions which were left subject to arbitration, and that the present article went further than the similar provisions contained in the Convention on Customs Formalities.

He would propose, as an improvement of the text submitted, that the following sentence should be deleted from paragraph 3 of Article 8 : " in which case the parties to the dispute must sign a submission to arbitration in which the subject of the dispute must be clearly specified ".

That sentence had been intended to refer to Article 5 and to provide a procedure for the definition of a catastrophe.

M. WIBAUT (Netherlands) said the Netherlands delegation could not congratulate itself on the result of its suggestions as embodied in the text submitted by the Sub-Committee. It was a matter of regret that the Conference should be framing an international Act in which no provision was made for a judicial settlement of disputes relating to such important matters as those dealt with in Articles 4 and 5. Article 8 in its present form left States free to impose restrictions and prohibitions and to determine both their character and the period during which they should run.

Article 7 as originally drafted by the Economic Committee was more satisfactory than the present Article 8. In Article 7 as originally proposed it was open to States to follow a judicial procedure in dealing with the disputes arising under Articles 4 and 5. That procedure was now excluded. He could not but think that difficulties must inevitably arise in the future owing to the exclusion of arbitration as a method of settling such disputes.

M. BRUNET (Belgium) associated himself with the regrets expressed by the Netherlands delegation. He was personally surprised to note that the proposed text, which he had taken no part in drawing up owing to his work in the other Committees, constituted an appreciable retrogression from the draft of the Economic Committee.

Articles 4 to 6 were not only excluded from the provisions for compulsory arbitration, but it had not even been thought possible to include them among those terms of the Convention to which would be applied the conciliation procedure provided for in the first two paragraphs of Article 8. M. Brunet knew that this was the result of a compromise which had been necessary in order to reach agreement. He deeply regretted that agreement had not been reached on more satisfactory provisions and expressed the hope that progress would be made in this field in time.

M. DOLEZAL (Poland) accepted the proposal of the Rapporteur, but added that the Polish delegation, as the author of an amendment which aimed at securing that questions arising under paragraph 3 of Article 4 should be subject to arbitration, necessarily considered that the present draft left a serious loophole in the Convention. Arbitration, if it had been admitted in such matters, would have led to an increased freedom of production and consumption in agricultural countries and would have augmented the value of international commerce.

M. DANAÏLOW (Bulgaria) said that the Bulgarian delegation had come to the Conference in the hope of abolishing prohibitions. The Conference, however, had been mostly concerned with exceptions and reservations. He had hoped that the Convention would be based on the preliminary draft prepared by the Economic Committee, which had left a wide scope for arbitration. Arbitration was now, however, excluded for questions arising under Articles 4 and 5, which were the only clauses on which some form of judicial settlement was likely to be necessary.

The Bulgarian delegation would accept the article as submitted but could not refrain from pointing out that the refusal of arbitration implied an infringement of the principle of equality as between large and small States. It was to be hoped that some further progress would be possible towards a system of judicial settlement which would be equal and fair for all.

M. SERRUYS (France) regretted that the principle of arbitration could not at that moment be more generally accepted in dealing with matters which were of an international character. He accepted, however, the proposed draft with resignation. The present text represented certain tendencies which had been clear from the outset of the Conference. In particular, arbitration for disputes arising under paragraph 3 of Article 4 (veterinary prohibitions) had been excluded on the ground that it would be an infringement of the sovereignty of certain States.

Progress, however, might be made in the future, and such progress was essential. He would therefore propose that the Convention should include a clause providing for its revision, and when the time came for such revision the French delegation would certainly press for an extension of the principle of arbitration.

He would further submit an amendment to the last paragraph of the article. That paragraph should allude not only to the rights but also to the obligations which arose for the contracting parties from their undertakings to accept the jurisdiction of the Permanent Court of International Justice or from their undertakings under their bilateral agreements relating to arbitration or conciliation. He would ask the Drafting Committee to consider an amendment in that sense.

M. STUCKI (Switzerland) said he understood and shared the regrets and disappointment of other delegations at the limited scope allowed to arbitration under the Convention. The

Swiss delegation thought that for most points arising under the Convention arbitration should be admitted. There was in fact only one class of question for which Switzerland could not accept arbitration ; those arising under paragraph 3 of Article 4, which were precisely the questions in regard to which other delegations had most insistently pressed for a form of judicial settlement. Questions arising under paragraph 3, however, were of such importance to Switzerland that it was quite impossible for her to meet the views of those delegations.

He would draw attention to a legal question which arose under the last paragraph of Article 8. Switzerland, like many other countries, had accepted the principle of arbitration in many commercial treaties. In all such treaties, however, the two parties had agreed that the questions arising under paragraph 3 of Article 4 should be excluded from arbitration, even though the principle of arbitration had been accepted generally in the treaty itself or in a general arbitration treaty between the countries concerned. The Swiss delegation must therefore make it quite clear that no previous obligations into which Switzerland might have entered could be pleaded in order to bring questions arising under Articles 4 and 5 within the scope of arbitration. The question arose whether it was possible under the last paragraph of Article 8 for a country to bring Switzerland to arbitration in order to settle a question arising under Article 4, on the ground that the procedure of arbitration was imposed upon her by a previous arbitration treaty or by her adherence to the statutes of the Permanent Court of International Justice. It should be obvious that, if arbitration were explicitly excluded for such questions under the present Convention, it should not be possible to compel a party to the Convention to accept arbitration indirectly by appealing to the provisions of other diplomatic or international instruments.

He would therefore submit the following declaration to be inserted in the Protocol of Signature or in the Final Act :

“ In accordance with Article 7, the provisions of Articles 4 and 5 are not subject to a procedure of arbitration. Switzerland, in adhering to this provision, considers that the steps which she has taken or may take by virtue of Articles 4 and 5 cannot, without her formal consent, be made subject either to an arbitral or judicial procedure based on the Statute of the Permanent Court of International Justice or on an arbitral or judicial procedure based on a treaty of arbitration which she has concluded. ”

M. ERICH (Finland) said that, although he had presided over the Sub-Committee which had drafted the text under consideration, he nevertheless felt it necessary to express the views of the Finnish delegation concerning that text.

The Finnish delegation had hoped that at least a purely advisory procedure might have been adopted in dealing with questions arising under Articles 4 and 5. It had made certain suggestions in that connection, being convinced of the utility of an advisory procedure, even though certain Powers might not think it possible to accept arbitration in a wider sense.

The Finnish delegation could therefore only regret the somewhat inadequate scope allowed to arbitral, judicial or advisory procedure, and further deplored that there should be indirectly introduced into a general convention a distinction between disputes of a legal and a non-legal character concerning the interpretation of a treaty. There was no precedent for such a distinction in previous conventions. There was no basis for that distinction in the optional clause of Article 36 of the Statute of the Permanent Court of International Justice or in the general interpretation of that clause adopted by the League of Nations.

The Finnish delegation was glad to note the final paragraph of the article. It had insisted, during the general discussion and in the Committee, on the necessity of not in any way prejudicing, either in form or in substance, special obligations assumed either previously or subsequent to the conclusion of the Convention.

He welcomed the proposal of the Rapporteur that the sentence in paragraph 3 of the article to which he had referred should be deleted. It was more logical that the question how the submission to arbitration should be established in the event of one of the parties failing to accept it should depend either on provisions relating to the activity and procedure of the Court or on the General Convention of 1907, or on any special arbitration provisions which might be relevant.

M. SERRUYS (France), referring to the declaration of M. Stucki, pointed out that the Protocol to the Convention could only deal with matters concerning the application of the Convention, and that the Final Act could embody only such statements in regard to matters not mentioned in the Convention, or which needed interpretation, as could be unanimously adopted by the Conference. He would point out, moreover, that it was impossible for the country towards the International Court of Justice or under its bilateral treaties.

On the general question he would observe that there was at present a treaty between France and Germany under which even prohibitions imposed for veterinary reasons were subject to arbitration in accordance with the procedure established by the Statute of the Permanent Court of International Justice. It followed that, even though such questions were



excluded from arbitration by the terms of Article 8 of the present Convention, they would necessarily be subject to arbitration under previous instruments.

The Conference could not make itself responsible for any such doctrine as had been expounded by the delegate for Switzerland. It would be for the Conference to decide whether the declaration submitted by M. Stucki might be annexed to the Convention.

The CHAIRMAN enquired whether the declaration of the Swiss delegation did not conflict with the final paragraph of Article 8.

There was another point to which he would draw the attention of the Conference. Many delegates had declared themselves dissatisfied with the limited scope allowed for arbitration or for an advisory procedure under Article 8. Was it not possible to draft an optional clause open for the signature of such States as desired to go further in the direction of submitting certain questions to a judicial settlement?

M. STUCKI (Switzerland) said that, personally, he considered that the question raised by the Swiss delegation was adequately covered by the final paragraph of Article 8. According to his reading of that article, Switzerland could not be called upon, under other diplomatic or international instruments, to submit to arbitration questions arising under paragraph 3 of Article 4. Other authorities, however, had expressed some doubt on the subject, and the Swiss delegation desired the position to be made quite clear. If no States had any intention of asking Switzerland to submit such matters to arbitration—and in that connection he would appeal to the delegations of Poland and of the Kingdom of the Serbs, Croats and Slovenes for enlightenment—there could be no difficulty about accepting the Swiss declaration. If, on the other hand, any such intention existed, the declaration was all the more necessary, as Switzerland must have no doubt as to the position.

M. IBL (Czechoslovakia) asked to be enlightened on one point. The article concerning arbitration provided that the terms of Articles 4 and 5 were withdrawn from compulsory arbitration. But if a dispute arose concerning the preliminary question of whether the matter really concerned the provisions of Articles 4 and 5, who would settle that dispute? M. Ibl would quote a definite example. According to recent statements in the newspapers, one of the States participating in the Conference was about to introduce a law designed to prohibit the import of boots made from certain raw materials, *e.g.*, artificial leather. Czechoslovakia, as a country concerned in the export of boots, might maintain that this import prohibition was in contradiction to the Convention. The State which had taken these measures might reply that this prohibition fell within the terms of Article 4, and that the prohibition had been imposed in order to protect the public health. M. Ibl asked in such a case who was intended by the Rapporteurs to decide whether the question concerned the provisions of Article 4 or not.

M. ITO (Japan), said that he felt it necessary to make some reservations in regard to paragraph 3 of Article 8. The Japanese delegation had agreed to that paragraph, as such agreement appeared to be necessary in order to obtain the ratification of the Convention. It was, however, unable to accept the doctrine embodied in that paragraph for reasons similar to those which had been explained by the delegate for Finland.

M. CLAN (Denmark) shared the regret of other delegations that the Convention did not go further in the direction of arbitration. He agreed with the observations which M. Serruys had made concerning the declaration submitted by the Swiss delegation. The Conference was not competent to express an opinion on questions of law and interpretation or in regard to obligations arising outside the Convention or incompatible with it.

M. SERRUYS (France), replying to M. Ibl, said that in the case to which M. Ibl had referred he himself would have no hesitation in maintaining that the country in question had been guilty of a breach of the Convention under Article 1. It would then be for the State accused to plead that the prohibition in question came under Article 4 and was not therefore the subject of arbitration.

M. FOTITCH (Kingdom of the Serbs, Croats and Slovenes), replying to M. Stucki, said that his Government would be unable, even if it desired, to summon Switzerland to accept arbitration for matters arising under Article 4, since his country had not signed Article 36 of the Statute of the Permanent Court of International Justice, and it had as yet no treaty of arbitration with Switzerland. His Government was at present negotiating a treaty of arbitration with Switzerland, and it would be for the Swiss negotiators to insert in that Convention a provision excepting questions arising under paragraph 3 of Article 4 from the scope of the arbitration treaty.

Switzerland had recently raised the question of the validity of international conventions ratified subject to reservations. The problem raised by the declaration of M. Stucki could only be solved by Switzerland making an additional reservation to Article 36 of the Statute of the Permanent Court, or by inserting specific reservations in any treaties of arbitration which it might conclude.

M. WIBAUT (Netherlands) said that he was grateful to M. Serruys for indicating that there was a possibility for a State to appeal to arbitration under Article 1 in the event of its being refused arbitration under Article 4. Did not that argument show the interdependence of all the articles of the Convention and reveal the weakness of a system which made questions arising

under certain articles subject to arbitration and excluded questions arising under other articles? Was there not even now some means of improving the present text? He was thinking, in particular, of the suggestion of the Chairman that an optional clause might perhaps be annexed to the Convention.

M. BRUNET (Belgium) recalled that during the discussions several delegates had referred to the possibility of future progress in the field of arbitration. It seemed to him that a basis for such progress might well be established at the present time by framing an optional clause in the Convention as suggested by the Chairman. M. Brunet indicated the contents of a clause of this nature, but reserved the right to revise its provisions before making a definite proposal.

This clause, which was of a purely optional nature, would allow contracting States to undertake as between themselves, at the time of ratification or later, to submit to arbitration procedure disputes concerning the interpretation or application of the Convention including all or part of Articles 4, 5 and 6.

The words "all or part" would be intended to allow as many States as possible to be included without necessarily excluding those States which hesitated to submit to arbitration certain provisions of Articles 4-6 which they felt could not be dealt with in this way.

States which agreed to accept an undertaking of this kind might sign as between themselves a declaration stating their intention to adhere to the optional clause within certain definite limits at the time of ratification or at a later date.

M. SERRUYS (France) supported the proposal of the Chairman and of M. Brunet. Some such reciprocal declaration might be of advantage.

M. SCHÜLLER (Austria), Rapporteur, thanked M. Serruys for his proposal in regard to the insertion of a clause providing for the revision of the Convention. Such a clause would, in his view, be extremely useful.

He welcomed also the proposal of the Chairman, as further defined by M. Brunet, that an optional clause should be drafted to be signed by such States as wished to go further in the direction of arbitration than the provisions of Article 8. The possibility of such a clause had been discussed in the Sub-Committee, where it had been urged that it might perhaps create a bad impression to divide the parties to the Convention into two classes. There had, however, been no substantial opposition to the proposal.

In regard to the last paragraph of the article he would accept the amendment proposed by M. Serruys, and he would suggest that the Drafting Committee should be asked to establish a revised text of the paragraph.

The revised text of Article 6 had come before the Sub-Committee only after it had completed its discussion. It might be necessary in Article 8 to add a reference to Article 6 to the references already made to Articles 4 and 5. It might, on the other hand, be argued that such reference was unnecessary, as questions arising under Article 6 were obviously not subject to arbitration.

Referring to the observations of M. Ibl, he would observe that the case which M. Ibl had described could quite easily be settled under the provisions of Article 4. The question at issue was whether the prohibition in question corresponded with regulations in force as to the sale of similar goods within the interior of the country. If such were the case, the prohibition in question would be covered by paragraph 6 of Article 4. If the prohibition were not covered by paragraph 6, it would clearly be a breach of the Convention.

It was obvious that questions of public health could not be subject to arbitration, but M. Serruys had shown how it was possible under Article 1 to bring to arbitration a prohibition imposed unjustifiably under Article 4. It must be presumed that Article 4 would be applied by the parties in good faith, and that abuses of the kind described by M. Ibl would not be permitted. There could, of course, be no question of bringing to arbitration under Article 1 questions which were legitimately exempted from arbitration under Article 4. If any doubt existed on that point, the position should be made quite clear in the final text as established by the Drafting Committee.

He would suggest the following textual amendments to Article 8 :

In the first sentence, the word "Convention" should be substituted for the word "agreement"; the words "if they agree to do so" should be inserted after the words "the parties to the dispute may"; and the word "appoint" should be substituted for the words "set up".

He would suggest that the article thus amended should be referred to the Drafting Committee, which should be invited to draft a clause relating to the revision of the Convention and an optional clause to be signed by States which desired questions arising under Articles 4 and 5 to be subject to judicial settlement.

The CHAIRMAN said that Articles 7 and 8 would be referred to the General Drafting Committee, which would take into account the observations and proposals which had been made during the meeting.

He would ask M. Erich, Chairman of the Sub-Committee, and M. Schüller, Rapporteur, to take part in the discussions of the Drafting Committee when those articles were discussed.

## 4. MINUTES OF THE GENERAL DRAFTING COMMITTEE.

### LIST OF MEETINGS.

	<b>Page</b>
<b>FIRST MEETING, held on October 31st, 1927, at 10.15 a.m.</b>	
1. Additional Article and Paragraph to be added to Article 10 providing for Conditions of Denunciation . . . . .	192
2. Proposal for the Preamble to the Protocol of the Convention and the Final Act . . . . .	192
3. Discussion on Draft Articles . . . . .	192
<b>SECOND MEETING, held on October 31st, 1927, at 3.30 p.m.</b>	
4. Discussion on Draft Articles ( <i>continued</i> ) . . . . .	195
5. Observations of the Bulgarian Delegate . . . . .	196
6. Discussion on Draft Articles ( <i>continued</i> ) . . . . .	196
<b>THIRD MEETING, held on November 1st, 1927, at 4 p.m.</b>	
7. Discussion on Draft Articles ( <i>continued</i> ) . . . . .	198
8. Additional Article (Article 6). . . . .	201
9. Protocol to the Convention . . . . .	202
<b>FOURTH MEETING, held on November 2nd, 1927, at 9.30 a.m.</b>	
10. Protocol to the Convention ( <i>continued</i> ) . . . . .	203
11. Clauses to be inserted in the Final Act . . . . .	205
12. List of Reservations submitted by Delegations . . . . .	206
13. Clauses to be inserted in the Final Act ( <i>continued</i> ). . . . .	212
<b>FIFTH MEETING, held on November 3rd, 1927, at 12 noon.</b>	
14. Reservations submitted by Czechoslovakia . . . . .	213
15. Proposal of the Swiss Delegation . . . . .	216

---

The General Drafting Committee was composed as follows :

*Chairman :*

M. COLIJN (Netherlands).

*Members :*

- M. BRUNET (Belgium).
  - M. SERRUYS (France).
  - Dr. TRENDELENBURG (Germany).
  - Sir Sydney CHAPMAN (Great Britain).
  - M. DI NOLA (Italy).
  - M. IBL (Czechoslovakia).
  - M. DOLEZAL (Poland).
  - M. CLAN (Denmark).
-

## FIRST MEETING

*Held on Monday, October 31st, 1927, at 10.15 a.m.*

### 1. **Additional Article and Paragraph to be added to Article 10 providing for Conditions of Denunciation.**

The CHAIRMAN was happy to state that the members of the Committee had been able to solve, with the reservation of the approval of their Governments, the difficulties arising with regard to the additional article and the paragraph to be added to Article 10. He pointed out that Sir Sydney Chapman had proposed some amendments to the preliminary draft of the additional article<sup>1</sup>. In the first paragraph in the fourth line Sir Sydney Chapman proposed: (1) to replace "execute forthwith" by "assume at once"; (2) to replace the words "contracted under the preceding articles" by "contained in the preceding articles".

M. SERRUYS (France) was of the opinion that the first modification proposed was not only a question of form but also a question of principle. "Assume" had not the same meaning as "execute". It would be inadmissible that States should not contract a formal obligation to "execute" their engagements.

The CHAIRMAN went on to the third amendment proposed by Sir Sydney Chapman, proposing in the second paragraph to add after the words "do not involve any economic consequences of importance" the words "for other countries".

M. STOPPANI (Secretary) proposed, in the case of the Committee accepting Sir Sydney Chapman's amendments, to entrust the drafting of the paragraph to M. Serruys and M. Brunet. In order that the discussion should be clearer, he read the first paragraph of the additional article, revised by the Secretariat from the point of view of form.

M. SERRUYS (France) proposed to replace the expression in the first paragraph "for them" by the expression "for the latter".

*The Committee accepted the text proposed by M. Stoppani with the modification asked for by M. Serruys, subject to the approval of Sir Sydney Chapman, who was absent for the moment, and to other modifications of form. The Committee also accepted the second paragraph of the revised text of the additional article with the reserve of general modifications of form.*

### 2. **Proposal for the Preamble to the Protocol of the Convention and the Final Act.**

M. STOPPANI (Secretary) drew attention to the fact that the Preamble was only a mosaic made up of the grounds stated in the International Economic Conference. He thought that it was desirable that the present Conference should appear as the first manifestation of the principle proclaimed.

M. SERRUYS (France) said that the idea of the economic conference had come later than the idea of the conference for the abolition of export and import prohibitions and restrictions. He thought it necessary to demonstrate that this Conference was the most pressing necessity which had occurred since the war.

### 3. **Discussion on Draft Articles.**

#### *Article 1<sup>1</sup>.*

M. BRUNET (Belgium) reminded the Committee, as an indication, and in order to recall the question to the memory of the Committee, that Committee A had, on the occasion of an amendment proposed by the Japanese delegation, suggested that a modification proposed by that delegation for Article 1 should be transposed into the Preamble.

M. DI NOLA (Italy), referring to the third paragraph of Article 1, proposed to delete the word "Customs" before the word "territory".

He was fully aware of the reasons which had called for the insertion of the word "Customs", but he felt that these fears could be removed by the inclusion in the Final Act of the declarations which the States interested might make.

M. Di Nola could not accept the word "Customs", because commodities which did not leave or enter the Customs territory would be excluded from the action of the Convention.

<sup>1</sup> See report of Committee A.

This would be the case, for example, in goods of the town of Zara, which was outside the Italian Customs territory, and as regards goods manufactured in the free zones of seaports.

Article 1, as drafted by the Drafting Committee, might raise serious questions. For instance, if one of the parties to the Convention established a Customs agreement with another country not a party to the Convention, would the other contracting parties be bound or not to allow the latter country the privilege which the new Convention bound them to grant to the former ?

M. SERRUYS (France) accepted that the Committee delete the word " Customs " from Article 1, but he considered it essential that it should be mentioned somewhere. He proposed therefore that it be inserted in the Final Act.

M. DI NOLA (Italy) explained that he looked at the question from a particular point of view. He referred in particular to the special situation of the Saar and Liechtenstein. He agreed that it was in the Final Act that special provisions with regard to this matter should be inserted, but without drafting a general provision.

M. SERRUYS (France) accordingly proposed to put that the Customs territory of France comprised the Saar as well as Algeria. He further stated that he would ask the Conference to discuss the question of the free zones.

M. BRUNET (Belgium) said that the text under discussion was the result of a long exchange of views, and it would be difficult to modify it without asking for the opinion of Sir Sydney Chapman, who had only given his support to the text with the insertion of the word " Customs ".

The CHAIRMAN suggested that the Chairman of Committee A should endeavour to give satisfaction to the proposals which had been presented and should revise his first project after consulting M. Di Nola, M. Serruys, Dr. Trendelenburg and Sir Sydney Chapman. He desired the Secretariat to arrange this meeting. He then drew the attention of the Committee to the Report of Committee A, page 3, paragraph 3, proposing a special article for the last paragraph of Article 1 which would be put at the head of the Convention. This paragraph affected not only the provisions of Article 1 but the agreement as a whole. If it was placed at the beginning the reader would be in a better position to understand the scope of the Convention.

M. BRUNET (Belgium) proposed, in order to avoid confusion, that the articles under discussion instead of being henceforth numbered 1 and 2 should be numbered 1 and 1 (a) provisionally.

*The Committee agreed to this proposal.*

M. SERRUYS (France) remarked that many delegates would favour the idea of indicating in Article 1 that the suppression of prohibitions should not entail exaggerated Customs duties. He proposed to put this provision in the Final Act under a form acceptable to the United States delegation. He had presented a text on this subject which had not yet been distributed<sup>1</sup>.

#### *Article 2<sup>2</sup>.*

M. SERRUYS (France), referring to the words " or to any other formalities or conditions ", was of the opinion that this formula was wider than the proposal submitted by the Italian delegation. He considered that this clause opened the door for all sorts of formalities.

M. DI NOLA (Italy) said that Article 2 well expressed his thought. The wider the article was the stricter was the obligation resulting from it.

M. SERRUYS (France) observed that in this case they could surround merchandise with excessive Customs formalities. He would have preferred that the formula regarding these formalities should be more restricted.

M. BRUNET (Belgium) proposed the following drafting : " *or other formalities and conditions* ".

*The Committee accepted Article 2 thus modified.*

#### *Article 3<sup>3</sup>.*

The CHAIRMAN proposed to displace Article 3 from its place in the draft established by the Economic Committee and to place it in the Protocol of the Convention.

*The Committee accepted this proposal.*

#### *Article 4<sup>4</sup>.*

M. STOPPANI (Secretary) proposed to read this article paragraph by paragraph.

*The Committee accepted the preamble of the article without discussion.*

<sup>1</sup> For text, see report of Committee A.  
<sup>2</sup> For text, see report of Committee B.  
<sup>3</sup> For text, see report of Committee B.  
<sup>4</sup> For text, see report of Committee C.

The CHAIRMAN asked if the amendment proposed by the delegation of the United States relating to helium gas was covered by the second paragraph.

M. SERRUYS (France) answered in the negative. Helium was not especially a war material. It was used to inflate commercial balloons as well as war balloons. He was of the opinion that this product came under Article 6, paragraph 1.

*The Committee accepted without further discussion all the paragraphs of Article 4.*

*Article 5.*

*The Committee accepted Article 5.*

*Article 6.*

Committee A having proposed to delete this article, the additional article to replace it, which had been previously discussed, *was accepted by the Committee with Sir Sydney Chapman's consent.*

*Article 7.*

*The Committee adjourned the discussion of this article until the following day so as to await the drafting of the Committee ad hoc.*

*Article 8<sup>1</sup>.*

M. SERRUYS (France) asked that a delay longer than that provided for in the article be allowed to the States which signed without reservations. Furthermore, he was of the opinion that a provision should be formulated stating that all States signing before February 1st, 1928, should benefit by Article 6, but that States signing after that date should not benefit by it.

The CHAIRMAN agreed with this point of view.

M. BRUNET (Belgium) recalled that it was the practice at Geneva, in the case of conventions of a worldwide character, to provide for a delay of one year for signature in order to enable States which were at a great distance to sign on the same footing as other States.

M. STOPPANI (Secretary) proposed the following text :

“ Until February 1st, 1928, the present Convention will be open for the signature of all States desiring to be admitted to benefit by the provisions as well as by the procedure indicated in Protocol No. . . . . etc. ; for those States which shall renounce the benefit of the said provisions and procedure, until the expiration of one year dating from the general signature of the present Convention. ”

Sir Sydney CHAPMAN (Great Britain) asked why a delay of one year should be imposed for the adhesion of the States. In that case he foresaw difficulties of signature. He was of the opinion that their adhesion should be admitted at any time provided that it conformed to the rules governing it. If the States made reserves they should be submitted to all the States which signed.

M. BRUNET (Belgium) thought that M. Stoppani's text was not in accord with the decisions previously taken. In order that reservations coming under paragraph 1 of Article 6 might be admitted, it would be necessary for the present Conference to have had an opportunity to pronounce upon them.

M. SERRUYS (France), referring to Sir Sydney Chapman's views, declared that if a delay of one year was granted, it was not with a view to excluding ulterior adhesions but because it was particularly advisable to encourage rapid signature by reason of Article 9. When a new conference would be convened to examine the proposed reserves the number of ratifications would not be sufficient for the Convention to be put into effect. In that case the possibility of ulterior adhesions would come up.

---

<sup>1</sup> For text, see report of Drafting Committee.

---

## SECOND MEETING

*Held on Monday, October 31st, 1927, at 3.30 p.m.*

### 4. Discussion on Draft Articles (continued).

*Articles 8, 9 and 10<sup>1</sup>.*

M. BRUNET (Belgium) said he entirely accepted paragraphs 1 and 2 in the new draft of Article 8, which read as follows :

“ 1. The present Convention, of which the French and English texts are both authentic, shall bear this day's date.

“ 2. It may be signed on behalf of any Member of the League of Nations or of any non-Member State which was represented at the present Conference or to which the Council of the League of Nations shall for this purpose have transmitted a copy of the present Convention.

“ 3. In the case of States which desire to take advantage of the procedure described in the Protocol of the present Convention the signature must be affixed before February 1st, 1928.

“ 4. In the case of States which make no claim to take advantage of the procedure described in paragraph . . . above, signature may be affixed during a period of twelve months from the present date.”

He proposed, however, to reverse the order of paragraphs 3 and 4 and to amend them as follows :

“ 3. The Agreement shall be open for signature for a period of twelve months from the present date.

“ 4. States signing the Agreement before February 1st, 1928, may take advantage of the procedure described in the Protocol of the present Convention.”

M. SERRUYS (France) thought it was advisable to establish a connection between Articles 8 and 9. He would like to see the position of contracting States, according as they signed the Agreement before February 1st, 1928, or not, at once defined. Article 9 should, in his opinion, stipulate that States signing the Agreement before February 1st, 1928, should meet in conference between June 15th and July 15th, 1928, in order to take a decision as to the reservations formulated and the conditions under which the Agreement would come into force. On the other hand, certain States would adhere to the Agreement in the period between February 1st and the convening of the proposed Conference, and their adherences would perhaps enable the Agreement to come into force and the convening of a further conference to be avoided. If at the conference convened between June 15th and July 15th, 1928, the putting into effect of the Agreement was regarded as impossible, a further conference would be convened after January 1st, 1929, until which date the States which had not taken advantage of Article 6 might subscribe. He was of opinion that the last paragraph dealing with adherences should be suppressed.

The CHAIRMAN drew the attention of the Committee to a possibility which had not hitherto been contemplated. A State, as, for example, the German State, might at a given moment notify its intention of recommending its Parliament to ratify the Agreement. The conference to be held between June 15th and July 15th, 1928, might then be convened and discuss the points submitted to it, such as the geographical position and number of the signatory States, etc. Several months afterwards, however, the German Parliament might refuse to ratify the Agreement. Might it not be possible that another State, France for example, would declare that it did not wish to be a party to an agreement to which Germany was not a party ?

M. STOPPANI (Secretary) argued that it was advisable not to consider Articles 8 and 9 separately, but to consider as a whole the document in which an attempt was made to solve the entire problem. In his view, Article 8 would render Article 9 superfluous, and Article 10 would be an article of denunciation. It seemed desirable to allow for a period of six years and to introduce a denunciation clause. He thought it was only necessary at the present moment to determine the position of the States signing the Agreement between February 1st and June 15th, 1928, reserving for a further conference the examination of the position of States which had signed the agreement after February 1st, together with any other questions, such as ratification, the number and geographical position of the signatory States, the putting into force of the agreement, etc.

M. SERRUYS (France) said that the essential point was still quite clearly the question of ratification. He had endeavoured to establish a connection between Articles 8 and 9 in the sense indicated by the previous discussion, the tenor of which he again described. In

<sup>1</sup> For the text of Articles 9 and 10 submitted by Committee A, see pages 163-165.

short, an article was necessary dealing with the signature, namely, Article 8, and an article dealing with the putting into force of the Agreement, namely, Article 9, and an article dealing with denunciation of the Agreement, namely, Article 10. That was the framework adopted by the Economic Committee. It was understood that the agreement would only come into force after the ratifications had been duly notified and not as a result of mere promises of ratification. He could detect only one omission in the proposed draft of Articles 9 and 10. The case was not covered in which a State might declare itself ready in June 1928 to ratify the Agreement but to put it into force only on condition that one or several other specified States should do the same.

M. IBL (Czechoslovakia) observed that it might also happen that on June 15th, 1928, the signatory States were sufficient in number for it to be needless to await other signatures, and the decision might then be taken to put the Agreement into force on January 1st, 1929, subject to ratification. What, however, would happen if subsequently one or several parliaments refused to ratify the Agreement? In his opinion it would be necessary to convene a further conference after January 1st, 1929, in the event of all the necessary signatures not having been received before June 15th, 1928, or in the event of certain signatures obtained by that date not having been ratified.

M. STOPPANI (Secretary) observed that, with the exception of two points raised by M. Serruys, the procedure proposed in the new draft covered all possible cases. He would refer the Committee to the passage in the Protocol which replaced Article 9. It would suffice to deal in a rider after June 15th with the question of non-ratification and the position of States which signed the Agreement after the conference of June-July 1928.

M. IBL (Czechoslovakia) said that his anxieties in regard to non-ratification of the Agreement should be removed by Article 10. Paragraph 2, however, referred only to denunciation and not to ratification, and it would therefore be necessary to insert a special clause.

##### **5. Observations of the Bulgarian Delegate.**

The CHAIRMAN informed the Committee that the delegate of Bulgaria had asked leave to present certain observations in regard to the drafting of Article 1.

M. DANAILOW (Bulgaria) called the attention of the Committee to the replacement in Article 1 of the term "contracting States" by the term "high contracting parties". In international law the expression "high contracting parties" was reserved for bilateral agreements. In the present case it was accordingly, in his opinion, necessary to retain the expression "contracting States", since the present Agreement was not an ordinary treaty of commerce but an agreement in which a large number of States were asked to participate. In the International Convention for the Simplification of Customs Formalities the term "contracting States" had been used.

He further considered that Article 1 should convey clearly the idea of reciprocity, and felt that the Economic Committee's draft corresponded more closely with the intention of the article than the formula subsequently submitted.

Thirdly, he thought that the Convention should not prevent signatory States from concluding treaties among themselves which went beyond the limits of the present Agreement.

*The Committee noted the observations of M. Danailow.*

##### **6. Discussion on Draft Articles (continued).**

###### *Articles 8, 9 and 10 (continued).*

The CHAIRMAN, asking the Committee to resume the general discussion on Articles 8, 9 and 10, summarised the position. The essential question was whether the present Conference should endeavour at once to regulate the greatest possible number of points or whether it was better to deal at present only with questions relating to the signature of the Agreement, leaving it for a further conference to deal with the other points. M. Serruys had asked that there should be an immediate settlement of as many points as possible, whereas the Secretariat was in favour of postponing them.

M. BRUNET (Belgium) pointed out that Committee A had expressed the view that the meeting contemplated for June 1928 would be faced with a more definite position. It would be premature to settle now the points relating to the number and geographical distribution of States whose ratification would be necessary for the entry into force of the Convention, or to decide on the steps to be taken in the event of the conditions to which the entry into force had been subject ceasing to be fulfilled.

M. SERRUYS (France) said he would like to make a final observation. The present Conference derived its authority from certain powers which had been conferred upon it by the contracting States. The Conference might go as far as its instructions allowed, but it had no power to delegate a portion of its terms of reference to another conference. He



thought, moreover, that it would be very dangerous to establish a procedure without dealing with the conditions for the guarantee and application of that procedure. Circumstances had determined that the texts of Articles 8, 9 and 10 were still vague and undefined. In consequence, it seemed desirable that the supporters of the various formulas submitted should redraft and clarify them in order that there might be a further discussion which might result in their improvement. It would be understood that Article 9 should deal with the ratification, the conditions of which might remain undetermined, and Article 10 with the right of denunciation.

M. DI NOLA (Italy) agreed with M. Serruys. Each conference should assume the full responsibility pertaining to it. He did not refuse to refer for a further examination the question of reservations and the conditions under which the Agreement would be put into force. He felt, however, with M. Serruys that a new draft of the text proposed was necessary before the discussion should be continued.

M. BRUNET (Belgium) also thought that the texts should be as definite and as precise as possible. It would clearly have been preferable to settle now all the conditions necessary for putting the Agreement into force and for its denunciation. This was, however, impossible, as M. Serruys had implicitly recognised in the text which he had proposed.

M. Brunet would, moreover, draw attention to a weak point in the text submitted by the Secretariat ; it seemed hardly possible to deal in the Protocol with a subject which was not dealt with in the Convention itself. The Convention did not refer to the reservations which might be admitted after signature, and it would appear necessary to insert in it a provision covering that possibility.

M. SERRUYS (France) insisted that the Conference should at once assume its responsibilities in order to avoid giving the Agreement an unstable character. The examination of the final texts embodying the two conceptions under consideration would clearly indicate that no doubt existed on the subject.

The CHAIRMAN, in order to gain time, proposed that M. Stoppani and two members of the Committee should be appointed to prepare a special draft of Articles 8, 9 and 10.

M. STOPPANI (Secretary) asked whether those articles should provide for an immediate settlement of the questions raised or for their reference to a further conference.

The CHAIRMAN was of opinion that the greatest possible number of points should be immediately settled, and that only a few points should be reserved for the conference to be convened between June 15th and July 15th, 1928. He would ask the members of the Committee to express their views on the subject.

Sir Sydney CHAPMAN (Great Britain) said that he had no very definite opinion on the matter, but he was inclined to share the views of M. Serruys, provided that the discussion was not indefinitely prolonged.

M. CLAN (Denmark) thought that as few questions as possible should be reserved for the further conference.

M. BRUNET (Belgium) was in favour of making the Agreement as concrete as possible within the limits which circumstances permitted.

M. DI NOLA (Italy) said he did not wish to give an opinion before having examined the final texts. He was naturally in favour of settling immediately the greatest possible number of questions, but feared that there would be a difficulty in doing so at the present moment.

M. IBL (Czechoslovakia) said he now realised it was hardly possible to settle all the questions at issue at the present moment. The Agreement, however, should determine the instructions of the conference to be convened between June 15th and July 15th, 1928, assign to that conference its rights and define its task.

Dr. TRENDELENBURG (Germany) agreed with M. Ibl.

M. STOPPANI (Secretary) said he would draft the texts, taking into account the framework suggested by M. Serruys, in order to fill the gap between Articles 8 and 9. It would also be necessary to insert a special article dealing with reservations, which would be placed after the additional article.

The CHAIRMAN asked M. Brunet and M. Di Nola to assist M. Stoppani in redrafting the articles in question.

M. DI NOLA (Italy) declined the proposal owing to his lack of competence in such matters.

M. SERRUYS (France) proposed that M. Ibl should replace M. Di Nola, as their points of view were not very different.

*The Committee agreed to this proposal.*

M. BRUNET (Belgium) supported the proposal made by M. Serruys that there should be admitted to the meeting of June 1928 those States which should sign the Agreement between February 1st and the date of the meeting.

### THIRD MEETING

*Held on Tuesday, November 1st, 1927, at 4 p.m.*

---

#### 7. Discussion on Draft Articles (continued).

##### Article 8.

The text before the Committee was the following :

“ The present Convention, of which the French and English texts are both authentic, shall bear this day's date.

“ It may be signed on or before January 1st, 1929, on behalf of any Member of the League of Nations or of any non-Member State represented on the present Conference or to which the Council of the League of Nations shall for this purpose have transmitted a copy of the present Convention.

“ States on whose behalf the Convention has been signed prior to February 1st, 1928, may avail themselves of the procedure referred to in paragraph . . . of the Protocol of the present Convention.”

M. STOPPANI (Secretary) proposed to add at the last line after the word “ procedure ” the expression “ provided by paragraph 3 of the Additional Article ”.

##### Article 8 (a).

The text before the Committee was the following :

“ The present Convention shall be ratified.

“ The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify the receipt thereof to all Members of the League and to non-Member States referred to in the previous article.

“ The Convention shall come into force under the conditions and on the date to be determined by the meeting provided for in the next article.”

M. SERRUYS (France) did not accept the suggestion that the second paragraph of Article 8 (a) should be transferred to Article 9. Article 8 related to the signature of the agreement, Article 8 (a) to its ratification and Article 9 to its coming into force.

##### Article 9.

The text before the Committee was the following :

“ Between June 15th and July 15th, 1928, the Secretary-General of the League of Nations shall convene the duly accredited representatives of the high contracting parties on whose behalf the Convention shall have been signed on or before June 15th, 1928, to attend a meeting at which they shall determine the number and geographical distribution of those States which must have ratified the Convention before it can be put into force, together with the date of the coming into force of the Convention and the period within which ratifications must be deposited.

“ If on the expiration of this period the ratifications on which the coming into force of the Convention will be conditional should not have been obtained, the Secretary-General of the League of Nations shall consult the high contracting parties on whose behalf the Convention has been ratified and ascertain whether they nevertheless desire to bring it into operation as between themselves.”

Sir Sydney CHAPMAN (Great Britain) thought it was impossible to be strictly bound by the date of June 15th, and proposed to insert the following passage instead of naming the date : “ as soon as possible after June 15th ”.

M. SERRUYS (France), replying to M. Di Nola, who proposed to refer to the reservations which the new Conference would be asked to examine as conditions essential for the putting into force of the Agreement, agreed that the admission of reservations was an essential condition for the ratification of the States. There were two interdependent and necessary factors which must both be covered by Article 9. He proposed the following draft :

“ . . . meeting at which they would have to determine : (1) the reservations which each of them might, subject to the assent of the parties, formulate at the moment of ratification in conformity with Article 6 and the provisions of the Protocol annexed to that article ; (2) the number and geographical distribution ”, etc.

M. DI NOLA (Italy) asked, in reference to the second paragraph, whether, in the event of the number of ratifications being too few, the Convention could enter into force without there being any necessity of convening a further conference. Was it contemplated to arrange only for a consultation by correspondence or for a further meeting ?

M. IBL (Czechoslovakia) replied that his Committee had desired to determine the instructions of the next Conference, but it had endeavoured to avoid using the word "conference" in order not to give the impression that the present Conference was delegating part of its work to another conference. The Secretariat would judge what form of consultation was most desirable. In any event, it was necessary to remedy an omission by adding the following sentence to the article :

" If the reply be in the affirmative, the Convention will enter into force as between them."

M. DI NOLA (Italy) recognised that it might be prudent to advise the Committee not to be too precise.

M. BRUNET (Belgium) observed that the formula had been taken from the draft of the Economic Committee. In reality a second conference was contemplated.

M. IBL (Czechoslovakia) asked whether, according to the present text, it could be said at this further conference that the ratification of a country which had not yet signed was indispensable.

M. SERRUYS (France) said he understood that M. Ibl did not wish the text of the Convention to prevent a State to make its ratification depend on that of another State. That was a question which had been the subject of a considerable number of statements at the plenary Conference.

There was a choice between two systems, and the present text laid down two conditions. It was necessary to determine, first, the number and, secondly, the geographical distribution of the States which would have to ratify the Convention. He thought that it was necessary to leave the new conference greater freedom of action, and he proposed the following text :

" . . . to determine : . . . (2) the number and possibly the names of the States ", etc.

M. DI NOLA (Italy) proposed the following text :

" . . . to determine : . . . (2) the conditions requisite for putting into force the Agreement and particularly the number and, if necessary, the names of the States which must previously have ratified the Agreement."

M. SERRUYS (France), M. IBL (Czechoslovakia), and M. STUCKI (Switzerland) accepted that text with the introduction of an amendment proposed by M. Stucki to the effect that after the word "States" the words "signatories or not" should be added.

M. SERRUYS (France) observed that it was preferable not to go into a crowd of complicated details. The Conference might, however, express its intention in the Final Act.

The second paragraph might be eliminated, and there might be inserted in the Final Act a passage in which the high contracting parties would recommend that the Conference contemplated in paragraph 2 of Article 9 should take special account of the possible necessity of the simultaneous signature of certain States.

M. STOPPANI (Secretary) thought that it was preferable not to encumber the text of Article 9 with all kinds of recommendations, and that the transfer of the paragraph in question to the Final Act was particularly desirable.

#### Article 10.

The text before the Committee was the following :

" Each of the high contracting parties may denounce the present Convention by an instrument in writing addressed to the Secretary-General of the League of Nations on the expiration of a period of . . . years, reckoned from the date on which the Convention shall have entered into force. Such denunciation shall take effect twelve months after the date on which it has been notified to the Secretary-General and shall only operate in respect of the State which makes it.

" Nevertheless, each of the high contracting parties may denounce the Convention on the expiration of the third year from the date of common signature, to take effect six months thereafter, if at the end of that period any one of the exceptions granted in virtue of paragraph 1 of the additional article still exists.

" Furthermore, each of the high contracting parties may denounce the Convention on the expiration of the fifth year as from the date of common signature, to take effect six months thereafter, if at that date it considers that the reservations admitted in favour of certain States have modified the operation of the present Convention.

" If, as a result of denunciations, the conditions to which the coming into force of the Convention have been subjected in conformity with Article 9 should no longer be fulfilled, each of the high contracting parties may request the Secretary-General of the League of Nations to summon a conference to discuss the situation arising from this fact. Failing agreement to maintain the Convention, each of the high contracting parties shall be discharged from its obligations as from the date on which the denunciation which led to the summoning of the Conference shall take effect."

M. BRUNET (Belgium) pointed out that the text on which agreement had been reached at the meeting before last had not been altered.

M. SERRUYS (France), replying to Sir Sydney Chapman, who observed that in paragraphs 2 and 3 the same terms should be used instead of a reference being made to exceptions in one place and reservations in another, said that he had intentionally drafted these two paragraphs in that way, choosing for each of them terms which were absolutely different in order to emphasise that the real question at issue was totally dissimilar.

He would propose that the Drafting Committee should meet the views of Sir Sydney Chapman, so far as it was possible to do so, having regard to the necessity of emphasising that paragraphs 2 and 3 were entirely different.

M. BRUNET (Belgium) regretted that he could not, on behalf of the Drafting Committee, of which he was a member, accept a mandate in such terms. The form was closely connected with the substance, and it was therefore necessary that agreement should be reached in the full Committee on a new text.

M. STUCKI (Switzerland) drew attention to the fact that the exposé of M. Serruys might give rise to misunderstandings. It went without saying that in the new conference contemplated there could be no question of any country being "voted down". On the contrary, each State which had protested without result against a reservation put forward was entirely free not to ratify the Convention. A State could never be obliged unwillingly to endure a reservation which it considered as inadmissible, save where it considered such a reservation as of insufficient importance to justify a refusal to ratify.

M. SERRUYS (France) proposed the following amendments: In paragraph 2, instead of "period", he would insert the word "date". In paragraph 3 he would draft the two last lines as follows: "in that they consider that any of the exceptions approved by the conference contemplated in paragraph 2 of Article 9 alter the effect of the present Agreement".

In that way all the reservations and exceptions of any importance would be covered. It would be understood that exceptions which had no real importance should not be the subject of any sanction.

M. SCHÜLLER (Austria) accepted the text, adding after the words "exceptions approved by the conference" the following expression: "in virtue of the Protocol annexed to Article 6".

*The meeting was adjourned for a short informal discussion between Sir Sydney CHAPMAN and M. SERRUYS.*

After resumption, M. SERRUYS (France) declared that his amendment had been accepted by Sir Sydney Chapman, who had, however, observed that the whole of that part of Article 10 bore upon the paragraph 2 of Article 6 in regard to which he was not entirely in agreement, since he had not been present at the drafting of that paragraph. The point at issue was one on which Sir Sydney Chapman had held long discussions with his Government. Sir Sydney Chapman had asked that the paragraph, instead of reading "the impossibility of immediately executing . . .", should read "the impossibility of immediately undertaking . . . the engagements . . .". M. Serruys accepted that amendment.

M. DINOLA (Italy) observed that in that case it was necessary to use the word "exceptions" in the last line but one of Article 6 instead of the word "derogations". The amendments to Article 6 had been accepted, as well as the amendments to Article 10, subject to certain amendments of form relating to the fourth paragraph which M. Serruys would submit to the final Drafting Committee.

M. IBL (Czechoslovakia), referring to the general period of denunciation mentioned in the last paragraph, regretted that he could not accept a period longer than four years.

M. SERRUYS (France) observed that there was a possibility of revising the Agreement after five years, and urged M. Ibl to advise his Government of the fact, so that it might be possible to make the period of revision coincide with the period of denunciation.

M. IBL (Czechoslovakia) promised to do his utmost to obtain the adherence of his Government.

*The Committee agreed upon a period of five years subject to M. Ibl's reservation.*

#### Article 11.

The text before the Committee was the following:

"The high contracting parties shall, within twelve months after the coming into force of the present Convention as far as concerns them, submit, through the Secretary-General of the League of Nations, a report on the steps taken to give effect to the provisions of the Convention."

*The Committee adopted this article without discussion.*

*Article 12.*

The text before the Committee was the following :

“ If, before the expiration of the period of . . . years mentioned in paragraph 1 of Article 10, one-third at least of the high contracting parties should inform the Secretary-General of the League of Nations that they desire a revision of the present Convention, the other high contracting parties agree to take part in any consultation which may be held with a view to the possible revision of the Convention. ”

*The Committee adopted this article with the same period as named in Article 10.*

*Other articles to be inserted in the Convention.*

*Article A.*

The text before the Committee was the following :

“ 1. Nothing in the present Convention shall prejudice the rights and obligations which the high contracting parties may derive from international conventions in force to which they are parties.

“ 2. The present Convention shall not prejudice the provisions of any bilateral agreements in force on this day's date between the high contracting parties which establish in regard to import or export prohibitions and restrictions a more liberal regime than that provided by the above provisions. ”

*This article was adopted, with the following amendment submitted by M. SERRUYS (France) in the second paragraph : instead of “ in so far as ”, the text should read : “ if at least ”.*

*Article B.*

The text before the Committee was the following :

“ Any high contracting party may declare at the time of signature, ratification or accession that, in accepting the present Convention, he does not assume any obligation as regards all or part of his colonies, protectorates or territories under suzerainty or mandate ; in this case the present Convention shall not apply to any territories named in such a declaration.

“ Any high contracting party may subsequently give notice to the Secretary-General of the League of Nations that he desires that the present Convention shall apply to all or any of his territories which have been the subject of a declaration under the preceding paragraph ; in such a case the Convention shall apply to all the territories named in the notice ninety days after its receipt by the Secretary-General of the League of Nations.

“ Any high contracting party may at any time declare that he desires that the present Convention shall cease to apply to all or part of his colonies, protectorates or territories under suzerainty or mandate ; in this case the Convention shall cease to apply to the territories named in such declaration one year after its receipt by the Secretary-General of the League of Nations. ”

*This article was adopted.*

*Article C.*

The text before the Committee was the following :

“ The present Convention shall not lay any of the high contracting parties under an obligation running counter to his rights and duties as a Member of the League of Nations. ”

*This article was adopted.*

**8. Additional Article (6) <sup>1</sup>.**

M. STUCKI (Switzerland) asked for an explanation of the passage which defined the intention of the words “ territories of the high contracting parties ” employed in Article 1. He asked why the expression “ Customs territories ” had been suppressed.

---

<sup>1</sup> This article has become article one of the final text.

After hearing the explanations of M. Di Nola (Italy), who repeated the statement which he had already made in the Committee, M. Stucki said that Switzerland had a Customs union with the Principality of Liechtenstein. The difficulty might be solved by stating at the moment of signature that the advantages and obligations of the present Agreement were equally valid for Liechtenstein.

Dr. TREDELENBURG (Germany) suggested that, instead of enumerating the various Customs unions of that kind, a more general formula should be employed owing to the temporary character of certain of those Customs unions.

After a short exchange of views, he presented the following formula, *wich was accepted* :

“ Should the Customs territory of one of the high contracting parties include territories which are not placed under its sovereignty, these territories shall also be regarded as territories within the meaning of Article 1. ”

## 9. Protocol to the Convention (Chapters I and II).

The text before the Committee was the following :

“ At the time of signing the Convention for the Abolition of Import and Export Prohibitions and Restrictions concluded on this day's date, the undersigned and duly authorised persons have agreed to the following provisions :

### I.

“ Should any prohibitions or restrictions be imposed within the limits laid down by the present Convention, the contracting States shall strictly adhere to the following provisions as regards licences :

“ (a) The conditions to be fulfilled and the formalities to be completed in order to obtain licences shall be promptly made public in the clearest and most precise form.

“ (b) The method of issuing such licences shall be as simple and constant as possible.

“ (c) Applications shall be considered and licences issued to applicants as rapidly as possible.

“ (d) The system of issuing licences shall be such as to prevent any traffic in these documents. Licences, when granted to individuals, shall therefore bear the name of the holder and may not be used by any other person.

“ As regards the allocation of quotas, the contracting States, without pronouncing upon the method to be adopted, consider that an equitable allocation of such quotas is one of the essential conditions for the equitable treatment of commerce as between States.

### II.

#### “ Ad Article 4.

“ (a) *ad* § 3.

“ The protection of animals and plants against disease refers also to measures taken to preserve them from degeneration or extinction or measures taken against harmful seeds and plants.

“ (b) *ad* § 5.

“ 1. The word ‘securities’ is understood to mean stocks, bonds, shares, treasury bonds, public funds, etc.

“ 2. The contracting States declare that, as regards the necessary freedom to procure foreign currencies in order to pay for goods, they approve the resolutions of the International Economic Conference.

“ (c) *ad* § 6.

“ The contracting States declare, although they have refrained from making any reference in paragraph 6 of Article 4 to measures relating to ‘standard’ products and definitions of products, their approval of the practice followed by certain States in subjecting the export of their goods to certain conditions as to quality with the object of safeguarding the reputation of those products as well as of offering a guarantee to the foreign purchaser. On the other hand, they desire to express their disapproval of any system of qualifying or defining products which may be employed as an indirect means of restricting the importation of foreign products or of unfairly discriminating against them.

“ (d) *ad* § 7.

“ The States taking part in the Conference declare that, as regards paragraph 7 of Article 4, they have in view only prohibitions relating to specific products and that they have refrained from considering the question of wider prohibitions on which national commerce is founded. ”

*The Committee decided to substitute for the introductory paragraph a text taken from recently concluded bilateral agreements.*

*Chapter I.*

*This chapter was adopted.*

*Chapter II.*

(a) *ad* § 3.

*The Committee approved this paragraph and decided to refer it to the Drafting Committee.*

(b) *ad* § 5.

M. SERRUYS (France) thought that the definition of the word “ securities ” given in paragraph 1 and concluding with the expression “ treasury bonds, public funds, etc. ” was extremely dangerous. In many States, commerce was seriously impeded by the clearing houses, which was the origin of the provision which already figured in the bilateral Agreements.

M. DI NOLA (Italy) said that he understood that the Economic Conference had, in considering the purely economic aspect, disapproved of the prohibition of the export of securities. It seemed, however, that the insertion of the declaration in question in the Final Protocol would create an obligation which certain countries in exceptional circumstances would be unable to admit. He thought that the passage in question should be removed and included in the Final Act with all possible consideration for the position of certain countries.

M. SERRUYS (France) said that the point at issue was one on which conciliation was especially difficult. In a spirit of conciliation, he would accept the transfer of the provisions in question to the Final Act.

As regarded the definition of the word “ securities ”, he proposed that it should simply be struck out.

*The Committee agreed to this proposal.*

(c) *ad* § 6.

On the proposal of M. DI NOLA (Italy), the text was referred to the Drafting Committee with instructions to give to it the form of an undertaking so that it might remain in the Protocol of Signature.

(d) *ad* § 7.

On the proposal of Dr. TRENDELENBURG (Germany), the last lines following the words “ specific products ” were suppressed.

---

FOURTH MEETING

*Held on Wednesday, November 2nd, 1927, at 9.30 a.m.*

---

10. **Protocol to the Convention** (*continued*).

*Part III, ad Article 6.*

The text before the Committee was the following :

“ 1. The high contracting parties may publish, by a communication to the Secretary-General of the League of Nations, any prohibitions or restrictions they may wish to maintain under paragraphs 1 and 2 of the additional article. Such communication must reach the Secretary-General before February 1st, 1928. It must state any conditions on which the high contracting parties may be prepared to abandon such prohibitions or restrictions.

“ 2. As soon as possible after February 1st, 1928, the Secretary-General of the League of Nations shall notify the high contracting parties of all applications he may have received under the preceding paragraph.

“ 3. Any high contracting party wishing to make observations on any applications so communicated may forward such observations to the Secretary-General of the League of Nations not later than May 1st, 1928. As soon as possible after that date the Secretary-General will inform the high contracting parties of all observations received.

“ 4. Any applications and observations received from the high contracting parties will be examined at the meeting provided for under Article 9 of the present Convention. ”

The CHAIRMAN asked the Committee whether it agreed with the procedure indicated in the fourth paragraph.

M. DI NOLA (Italy) recalled that he had previously stated his approval of a procedure for the discussion of reservations, but he wondered whether it was really necessary. He did not think that there could be many reservations submitted after the date of common signature, and he thought that the procedure laid down in the paragraph would cause difficulties both for those States who submitted reservations and for those who had to pass judgment upon them. He thought that it would be better to state that after the date of common signature there would be a period of time during which States could make reservations which would be communicated to the Secretariat. The latter would forward them to the countries which had to examine them. In this case the proposed time-limit (February 1st, 1928) would appear to be too early. M. Di Nola proposed that it should be lengthened.

The CHAIRMAN expressed his view that it was necessary to lay down a time-limit, after which no more reservations could be made.

M. DI NOLA (Italy) agreed with the Chairman on this point, but thought nevertheless that the present period was too short. He did not like the idea of opposition between the parties which was contained in this article.

M. SERRUYS (France) said that he would only accept the text if this idea of opposition were kept. He felt that countries should not come to the Conference provided for in Article 9 except in order to settle the disputed points. The reservations which did not encounter objections within a certain time would thus be accepted, and the Conference would only have to examine those which were the subject of dispute. Those States which presented reservations ought to come to this Conference defending rather than demanding their proposals.

M. SERRUYS stated that the present draft constituted the minimum text on which agreement could be found.

M. BRUNET (Belgium) thought that there would be a real danger in considering as admitted those reservations which had not called forth objections on the part of other States. Such an arrangement might involve the admission of exceptions which discussion between the parties concerned might have succeeded in avoiding. He mentioned as an example the case of his own country, which at the next Conference would doubtless ask for an exception to be made as regards bones but intended to withdraw its request if the other countries which had taken measures impeding the export of bones undertook to abolish them. In this way a procedure which would allow the interested parties to examine together the reservations they desired would produce infinitely better results than one tending towards the acceptance, without a general discussion, of the reservations which had not given rise to any written objections.

M. Brunet therefore proposed that all the reservations without exception should be examined at the July meeting.

M. CLAN (Denmark) thought that the Committee appeared to be drafting a text contrary to the spirit of the Convention. He observed that the countries which submitted no reservations were actually making real concessions towards those who did submit them. The Committee must avoid placing such countries in an inferior position.

M. SERRUYS (France) thought that M. Clan had not quite understood the meaning of his intervention. He in no way intended to place countries without reservations in a position of inferiority.

*The Committee adopted the passage of the Protocol referring to the fourth paragraph of the additional article.*

#### *Part IV, ad Additional Article.*

##### *Ad § 2. (Proposal of M. Di Nola and M. Brunet.)*

The text before the Committee was the following :

“ 1. By allowing the exceptions contemplated in the additional article, paragraph 2, the high contracting parties do not intend to give perpetual recognition



to their existence but merely to mark their opinion that the necessity of abolishing these exceptions is not so imperative in view of their small influence on international trade.

“ 2. It is understood that any exceptions which may be agreed to under the provisions of Article 6 and in consequence of the procedure established in connection therewith shall only affect prohibitions or restrictions in force on the date of signature of the present Convention. ”

M. DI NOLA (Italy) said that he would be quite prepared to withdraw his proposal.

M. SERRUYS (France) requested that it should be maintained, in spite of M. Di Nola's proposal to withdraw.

M. CLAN (Denmark) said that he also greatly hoped that this proposal would be maintained.

*After discussion, the Committee decided to retain the paragraph in question.*

*The Committee accepted the second section of the proposal of M. Di Nola and M. Brunet.*

#### *Part V.*

The text before the Committee was the following :

“ The high contracting parties who have made the reservations referred to in paragraph 1 of the additional article declare that they do not regard their acceptance of the provisions of Article 10, paragraph 2, as an undertaking on their part that the circumstances which compelled them to make these reservations will have ceased to exist at the end of three years, but as entitling any high contracting party to resume its freedom of action if, in the event of these circumstances not having changed within the said period, it considered that its economic conditions were detrimentally affected by the maintenance of any of the prohibitions to which the aforesaid reservations refer. ”

#### *Part VI.*

The text before the Committee was the following :

“ As far as concerns the British Empire, the words ‘ territories of the high contracting parties ’ employed in Article 1 shall only refer to territories to which the present Convention shall be made applicable. ”

[This clause should be transferred to the beginning of the Protocol.]

*The Committee adopted these parts without discussion.*

### **11. Clauses to be inserted in the Final Act : Proposal of the French Delegation.**

#### *Ad Article 2.*

This proposal was as follows :

“ The high contracting parties declare that the present Convention does not affect either the tariff system or the treaty-making methods of any one of them or the practices by which that system or those methods are to be applied, but they express the firm conviction that the abolition of prohibitions and restrictions must not be made a pretext for the introduction of exaggeratedly high Customs tariffs or impediments of any other kind as substitutes for those which it is the object of the present Convention to remove. ”

M. SERRUYS (France) stated that this proposal was a compromise reached between the French and American delegations. The first part of it, as far as the words “ are to be applied ”, considerably lessened the force of the American amendment. The second part of the sentence ran counter to a Roumanian proposal calling for an increase in Customs duties after the abolition of the restrictions.

M. BRUNET (Belgium) called to mind the resolutions of the International Economic Conference and proposed that the text should be amended to read as follows :

“ . . . cannot be a reason for establishing new export duties or excessive import duties. ”

M. IBL (Czechoslovakia) rose to support the proposal of his delegation consisting in the addition of the following paragraph to the French delegation's proposal :

“ It is also understood that there can be no question of the suppression, or of maintaining the suppression, of export prohibitions in respect of raw materials in the event of other States maintaining or introducing an excessive Customs protection of, or increasing the existing Customs duties on, the products manufactured from the raw materials in question. ”

He felt that if the export prohibitions on raw materials were withdrawn, countries producing them would be placed at a disadvantage as regards the countries which used them to make manufactured products and then raised the duties upon these products. He insisted on the fact that the adoption of his amendment would be of great importance regarding the decision which his Government would take concerning the signature of the Convention. Moreover, if his delegation could receive satisfaction on this point, his Government would find it much more easy to surmount the opposition to the Convention in the industrial circles in Czechoslovakia.

M. SCHÜLLER (Austria) said that he regretted that for the first time he had to oppose a proposal of M. Brunet. He felt that M. Ibl was right. It was clear that certain countries might find themselves forbidden to prohibit the export of raw materials, whereas purchasing countries could oppose the entry of manufactured products. He proposed that the paragraph under discussion should include a general expression which would avoid raising this question.

M. BRUNET (Belgium) expressed the view that a country which had suppressed the prohibition on a given article and then burdened it with export duties would be acting contrary to the spirit of the Convention. It was this essential idea which had inspired his request for an alteration in the text proposed.

M. DI NOLA (Italy) did not agree with those of his colleagues who, recognising the interdependence of prohibition and Customs rights, wished to settle the two questions at the same time. He felt rather that the matter should be dealt with step by step. He therefore preferred to give his support to the first of the three proposals submitted to the Committee by the French, Belgian and Czechoslovak delegations.

M. SERRUYS (France) said that he had nothing to add to the remarks of M. Schüller and M. Di Nola. The French proposal showed a desire to give effect to the wishes expressed by the Economic Conference. That of M. Brunet would necessitate long discussions of the legitimacy of export duties, etc. M. Serruys recognised that M. Ibl's proposal was intended to put the matter on an equitable footing. There certainly existed an interdependence between consuming and producing countries, and countries sometimes adopted the policy of high import or export duties as a result of this very interdependence. He felt that a satisfactory formula might be found in the following wording :

“ The high contracting parties declare that a return to freedom of commerce in the case of a specific product entails correlative obligations on producing and consuming countries, which must take the form of an equitable regime in regard to export and import duties. ”

*The Committee approved this proposal and decided to refer it to the Drafting Committee.*

## 12. Discussion of Reservations submitted by Delegations<sup>1</sup>.

The CHAIRMAN said that the Committee would now proceed to the discussion of the reservations handed in. He felt that the consideration of these might be based on three principles. Each reservation must have a temporary character or else be of no economic importance. All reservations must also conform to the rule that they should not be of a purely economic character. The Chairman felt that the question of British dyestuffs, German coal and scrap iron were not purely of an economic nature.

M. CLAN (Denmark) suggested that it would be desirable to add a condition that only such restrictions should be admitted which countries could not possibly do without.

M. SERRUYS (France) suggested that no prohibitions be admitted unless the country imposing them had no other means for safeguarding its commerce.

The CHAIRMAN said that for the present discussion he felt that the rule should be made a little stricter.

M. SERRUYS (France) said that it was definitely desired not to admit prohibitions placed for the purpose of economic competition or for the purposes of commercial speculation.

M. DI NOLA (Italy) agreed that it would be difficult to say that the prohibition regarding scrap iron was not of an economic nature. He felt that nevertheless difficulties might be avoided if it were clearly established that this prohibition would be withdrawn on the day when those on dyestuffs and coal were removed.

<sup>1</sup> See Annex 5.

M. STUCKI (Switzerland) pointed out that in his country, rightly or wrongly, the decision of Great Britain regarding dyestuffs was regarded as a purely economic measure. Without wishing to raise opposition he did not wish to have to admit that these were not economic reservations.

M. IBL (Czechoslovakia) agreed with M. Serruys and suggested that the matter might be considered according to what would be an equitable view of the situation.

The CHAIRMAN said that he would not press his suggested basis for the test of reservations and that the Committee would now discuss the individual reservations.

*Reservations submitted by the German Delegation.*

The CHAIRMAN pointed out that these reservations covered the case of coal, coke, peat, lignite and briquettes, and prohibitions on the export of scrap iron and scrap of metals, if prohibited by other countries.

*The Committee accepted these reservations.*

*Reservation submitted by the Austrian Delegation.*

The CHAIRMAN explained that this reservation referred to scrap iron and waste of other metals.

*The Committee accepted this reservation.*

*Reservation submitted by the Belgian Delegation.*

The CHAIRMAN said that this reservation covered scrap iron and scrap of other metals.

M. SERRUYS (France) suggested that reservations of this nature might be described by the wording : " Scrap iron and scrap of other metals and alloys ".

M. BRUNET (Belgium) said that he would agree to this wording if it was understood that it covered all the articles included in the Belgian reservation.

*The Committee accepted this reservation.*

*Reservation submitted by the Bulgarian Delegation.*

M. DANAÏLOW (Bulgaria) explained that his Government had actually no prohibitions to submit which were not covered by the Convention. His reservation covered certain articles which were State monopolies. He would draw the attention of the Committee to the fact that there existed a law in Bulgaria which gave the National Bank of Bulgaria the sole right to deal with foreign currencies. This measure had been adopted both within and without the country and was of a temporary nature.

M. SERRUYS (France) expressed the view that all these cases submitted by Bulgaria were covered by the Convention.

M. DANAÏLOW (Bulgaria) *withdrew his reservation* on the understanding that the fact that its contents were covered by the Convention would be duly recorded.

*Reservations submitted by the Egyptian Delegation.*

The CHAIRMAN said that these reservations concerned certain organic fertilisers and that he understood the matter would be covered by paragraph 2 of Article 6.

M. SERRUYS pointed out that it would be necessary to say in which paragraph of the additional article each prohibition fell.

ABDEL RAZAK ABUL KHEIR Bey (Egypt) explained that these reservations included the subjection of export of live-stock from Egypt to a permit from the veterinary authorities in order to secure a sufficient quantity of live-stock being kept in Egypt. The third reservation referred to the restriction of the export of eggs during certain months of the year. The three reservations fell under paragraph 2 of Article 6.

*The Committee accepted these reservations.*

*Letter from the Delegation of Finland.*

*The Committee noted that Finland had no reservations apart from those covered by the Convention.*

*Reservations submitted by the French Delegation.*

The CHAIRMAN pointed out that the French delegation desired to reserve a prohibition on the export of scrap iron and the scrap of other metals and alloys, and an import prohibition on coal which it was hoped to drop if an agreement at present being negotiated with Germany came into existence.

M. DI NOLA (Italy) said that he hoped that the French prohibition on scrap iron would be removed at the same time as the German prohibition on coal.

M. SERRUYS (France) said that negotiations were in process with Germany for an arrangement as to coal. His reservation concerned coal in Lorraine, a certain proportion of which had to go to Germany. He felt that the prohibition on scrap iron was not exclusively bound up with that of coal, as its removal also depended on similar action of other countries who prohibited the export of scrap iron.

M. DI NOLA (Italy) expressed the hope that M. Serruys meant that the prohibition on the export of scrap iron depended on the action of other countries whose export prohibitions affected the trade in scrap iron. He hoped that it would not be maintained merely on account of a prohibition of some small country whose trade was unimportant.

M. SCHÜLLER (Austria) said that the prohibitions on scrap iron in his country would be taken off as soon as other countries did the same.

M. DI NOLA (Italy) hoped that M. Serruys would agree to a formula which would give him a guarantee as regards the export of scrap iron. The present position was one of considerable danger for Italy. The French prohibition on scrap iron had led a number of other countries to impose the same prohibitions.

M. SERRUYS (France) felt that an agreement with M. Di Nola would be difficult if he desired to surround it with further conditions. The French scrap iron market was, moreover, not the chief market in Europe, though France supplied most of Italy's scrap iron.

M. SERRUYS and M. DI NOLA agreed on the following formula, to be inserted in the minutes of the Drafting Committee :

“ The French delegation, in support of its demand for the prohibition of scrap iron and the scrap of other metals and alloys, quotes the following reasons :

“ 1. The German prohibition in regard to coal and the prices resulting therefrom, which make it necessary for France to reserve what is a requisite raw material for her metallurgical industry ;

“ 2. The prohibition in regard to scrap iron in most of the countries which produce it on a big scale.

“ Accordingly, the prohibition concerning the export of scrap iron will be removed when Germany abolishes the import and export prohibition in regard to coal, and when the principal countries which produce scrap iron in Europe have abolished the export prohibition in regard to scrap iron.”

Sir Sydney CHAPMAN (Great Britain) asked M. Serruys to explain what would be the extent of the French reservations as regards coal.

M. SERRUYS (France) replied that he had firm instructions to maintain the prohibition on coal. He was, however, ready to cancel it if an agreement was reached with Germany as regards the coal from the Lorraine mines. If this agreement was not obtained, France would have two reasons for maintaining the prohibition. In the first place, the German prohibition lasted for three years and would affect the French mining industry. Secondly, there existed prohibitions in other countries. If agreement could be reached with other countries, the French Government would cancel its prohibition on scrap iron when the German prohibition on coal was withdrawn.

Sir Sydney CHAPMAN (Great Britain) hoped that some reassuring words might be recorded as regards the restrictions on coal.

*Reservation submitted by the British Delegation.*

The CHAIRMAN explained that this reservation concerned dyestuffs and other colouring matter.

M. STUCKI (Switzerland) said that he accepted this reservation with the deepest regret.

*The Committee accepted this reservation.*

*Reservations submitted by the Hungarian Delegation.*

The CHAIRMAN said that the reservations numbered 770 (a)-775 (a) were covered by the general heading "Scrap-iron and scrap of other metals and alloys".

Sir Sydney CHAPMAN (Great Britain) said that he assumed that all decisions taken at the present meeting were entirely provisional.

The CHAIRMAN said that definite decisions would be taken by the plenary Conference. He hoped that M. de Nickl would reconsider some of the Hungarian reservations, which, if maintained, would involve the maintenance of others.

M. DE NICKL (Hungary) said that as regards the question of hides and skins, Hungary was prepared to remove her prohibitions when her neighbours did so. As regards the other reservations, M. de Nickl explained that at present Hungary had not adopted the system of Customs duties on exported goods. These prohibitions would be removed when the Hungarian Government had adopted that system.

M. SCHÜLLER (Austria) explained that M. de Nickl's intent was that a recommendation should be included in the Convention that an understanding might be reached between the countries interested in the trade in hides and skins. Such a recommendation would serve to bring this matter to the attention of non-signatory States.

Dr. TRENDELENBURG (Germany) welcomed this proposal. He added that a similar discussion between the parties interested would be of value regarding the restrictions on other products. He suggested that the Secretariat should make preparations so that these matters might be settled at the June Conference and that a wider wording should be included in the text to cover other products.

M. SERRUYS (France) asked M. de Nickl not to make these reservations at the time of signature. He felt that if countries would postpone these reservations until they could be discussed it would probably be possible to obtain their simultaneous withdrawal.

Dr. TRENDELENBURG (Germany) said that the Conference should discuss all these questions. Certain countries would find it difficult to remove their reservations if the Customs duties in other countries remained. The real difficulty lay in the fact that if a country was not satisfied with the position resulting from the Convention it would withdraw from it and maintain its restrictions.

M. STUCKI (Switzerland) said that no reservations as to hides and bones had been announced in the Convention. He suggested that a sentence might be included in the procedure proposed so as to avoid the reservations which had previously been announced.

The CHAIRMAN proposed that this matter should be referred to in the Protocol to the Convention.

M. STOPPANI (Secretary) suggested that the text should first state that it had been noted that States felt that they could remove these restrictions; it would then suggest that for this purpose States should study the matter with a view to its discussion at the conference in June 1928, and that they should come to that conference ready to discuss the whole question.

Dr. TRENDELENBURG (Germany) suggested that the Secretariat might make enquiries and call the parties interested into private conversation.

*Reservations submitted by the Italian Delegation.*

M. DI NOLA (Italy) proposed that the fourth paragraph of the Italian reservation should read "ashes of tin and zinc".

*The Committee agreed to this wording.*

The CHAIRMAN asked M. Di Nola whether he intended the Italian delegation's letter on this subject to be put on record.

M. SERRUYS (France) suggested that the minutes of to-day's meeting should be given more or less diplomatic authority for the purposes of reference.

M. STOPPANI (Secretary) said that a provisional text of these minutes would be distributed, so that delegations could make any corrections which they desired.

M. DI NOLA (Italy), in reply to a question by M. Serruys, explained that the reservations of the Italian delegation would come under the scope of the additional article. He suggested that the prohibitions on ores might be admitted under paragraph (b) of the additional article. Italy did not at present propose to remove these restrictions, but on the other hand it never had an export trade in ores.

M. SERRUYS (France) said that he would agree to the proposal of M. Di Nola on condition that it was not regarded as a precedent and could not affect any countries which might enter the European iron market.

*The Committee agreed that this reservation should come under the second paragraph of Article 6 and gave its approval to the other reservations submitted by the Italian delegation.*

*Reservation submitted by the Japanese Delegation.*

The CHAIRMAN asked M. Ito to explain the meaning of the words "and synthetic products".

After discussion, M. Ito (Japan) said that he would examine and give a definition of these words at a plenary meeting.

As regards rice, he would explain that the attitude of the Japanese Government did not affect international trade. He felt, however, that the matter could not be included under paragraph 1.

M. SERRUYS (France) said that the question was similar to that of hides and bones and that countries had been advised to endeavour to obtain agreement on these matters. A recommendation would be put in the Convention to the effect that States should confer to ascertain whether they could obtain simultaneous withdrawal of reservations.

M. Ito (Japan) said that this procedure would be difficult for him in view of existing circumstances.

*The Committee decided to refer this matter to the plenary meeting.*

*Reservation submitted by the Delegation of Luxemburg.*

The CHAIRMAN explained that this reservation was covered by the Convention.

*Reservation submitted by the Roumanian Delegation.*

The CHAIRMAN said that this reservation must either come under the first paragraph of the additional article which covered restrictions of a temporary nature or under the second paragraph regarding restrictions which had no repercussion on international trade.

M. GHEORGHIU (Roumania) explained that his country's reservation regarding crude oil and ores concerned articles which played no great part in world commerce. He would have to add, however, that if other countries imposed prohibitions on scrap iron and scrap of metals, Roumania would be forced to follow suit.

The CHAIRMAN asked whether the reservation on crude oil and ores came under the second paragraph of the additional article.

M. GHEORGHIU (Roumania) said that this was so.

Sir Sydney CHAPMAN (Great Britain) asked how the prohibition on crude oil worked and what quantities were allowed to be exported.

M. GHEORGHIU (Roumania) explained that the export of crude oil was not allowed from Roumania, as the supply was far from inexhaustible and was used for the local industries which depended upon it for their existence. The prohibition had been imposed by a constitutional law.

The CHAIRMAN said that the decision on this matter would rest with the plenary meeting. The members of the Committee would now express their opinion as to whether the export of crude oil from Roumania could be considered to have no repercussion on international trade.

M. DE NICKL (Hungary) said that the inclusion of such a prohibition under the second paragraph of the additional article would make it difficult for him to sign or ratify the Convention. He felt that this matter was by no means unimportant as regards international commerce, for the refining industry in Hungary greatly needed Roumanian oil.

M. SERRUYS (France) said that a difficult question of principle had arisen as to whether a State could reserve the right to transform its own raw materials. He felt that the acceptance of such a principle would be an extremely bad precedent. In the present case it would deprive the buyer of the use of raw oil as a carburant and of the by-products obtained in the refining process. He felt that the desires of Roumania might be met by the inclusion of the reservation

under the first paragraph of the additional article and that after three years it could be considered whether other States were prepared to agree to that prohibition or not.

The CHAIRMAN said that if the Roumanian reservation were included under the first paragraph it would mean that it was really a temporary measure. The transference of the question from the second to the first paragraph was not a mere formality.

M. GHEORGHIU (Roumania) pointed out the importance of the Roumanian oil industry both for Roumania and for international commerce. He explained that out of a total of thirty milliard lei for the total exports of Roumania, the export of petroleum derivatives accounted for six milliards. Although crude oil could be considered as raw material in certain foreign industries, Roumania found it absolutely necessary to protect her own industry, particularly as oil did not exist in exhaustible quantities as did corn, etc.

The present Conference was one of the stepping stones towards general economic reorganisation. In order to obtain such reorganisation, industry must be established on a sound basis, and M. Gheorghiu did not think that this would be the case if other countries which did not possess oil wells were to establish an artificial industry to transform the raw material of another country. He therefore thought that this reservation should come under the second paragraph.

It might be pointed out in conclusion that the Roumanian output of oil was not even 3 per cent of the total world production.

M. SCHÜLLER (Austria) agreed with M. Serruys that it could not be said that this reservation would have no effect on world trade. He felt that this would certainly not be the view of the neighbours of Roumania. The only way to solve the problem would be to include the Roumanian prohibition under the first paragraph.

M. SERRUYS (France) suggested that a passage in the Final Act might meet the desires of the Roumanian representative.

M. GHEORGHIU (Roumania) said that his instructions were to secure the inclusion of this reservation under the second paragraph. Roumania's signature would be conditional on this being done.

The CHAIRMAN suggested that the discussion of this matter be now closed and that a decision be taken at the plenary meeting. He would like to ask the Roumanian Government the meaning of the words "certain quantities which are necessary for the industries essential to her national defence".

M. GHEORGHIU (Roumania) explained that petrol and oil were used for transport, which was an important item in national defence. Roumanian ores were also of great value to the metallurgical industry, and in view of the limited quantities of these products they could justly be said to be needed for national defence.

In reply to a question by the Chairman, M. Gheorghiu said that he would agree to the reservation as to second-hand industrial machinery being included under the first paragraph of the additional article, as it was only of a temporary nature.

*Letter from the Swiss Delegation.*

M. STUCKI (Switzerland) said that his position was similar to that of the Bulgarian representative. If the Committee would agree that these questions were covered by the Convention the Swiss delegation would be satisfied.

*Letter from the United States Delegation.*

Mr. Hugh R. WILSON (United States) explained that he had stated his position conditionally, as he found it difficult to keep his Government in contact with the decisions of the Conference. He hoped, however, that it would have an opportunity to consider the text of the draft Convention and that he would be able to state its views in plenary session.

The CHAIRMAN asked whether paragraph 2 of the American delegation's letter was not covered by the Final Act.

Mr. Hugh R. WILSON (United States) said that his delegation had thought of making the following declaration unless it was decided that the matter was covered by the Final Act.

"In fixing its signature the delegation of the United States does so with the understanding that nothing in this Convention affects the right of any State to impose such import duties as it may see fit as to take such measures as its laws may provide to counteract dumping, bounties, subsidies, unfair competition and discrimination."

The CHAIRMAN stated that such a declaration was already covered by the wording of the Final Act.

13. **Clauses to be inserted in the Final Act (continued).**

I. *Proposal of the French Delegation regarding Article 2.*

M. BRUNET (Belgium), after having insisted on the importance attaching to the recommendations adopted by the International Economic Conference in this matter, suggested as a compromise to substitute the following text for the wording which he had previously proposed: " must not be a pretext for the introduction of exaggeratedly high export or import duties ".

These words would take the place of the following words in the French proposal: " must not be a pretext for the introduction of exaggeratedly high Customs tariffs ".

M. IBL (Czechoslovakia) said that this proposal did not retain the idea in the Czechoslovak amendment that the aim of the Conference was to avoid the replacing of prohibitions by increased Customs duties. His only desire was that the resolution of the Economic Conference should be followed as closely as possible.

He would not raise any serious objection to the insertion of such a text but would mention that it did not wholly satisfy his desires.

*The Committee adopted the French proposal amended by M. Brunet.*

II. *Section relating to the Most-Favoured-Nation Clause.*

This section read as follows:

" The Conference has considered the position created by the present Convention between two States, one a contracting party and the other a non-contracting party, which have between them a treaty based on the most-favoured-nation clause and referring to matters dealt with by the Convention.

" Bearing in mind the unanimous recommendation of the Economic Conference, the Conference expresses its confidence that the relations of these States with regard to matters of import and export prohibitions and restrictions will be determined in conformity with the principles which have inspired the present Convention and which the Conference considers essential for the rational development of international trade."

*The Committee agreed to delete this section.*

III. *Desires expressed regarding Veterinary Prohibitions.*

The text before the Committee was the following:

" The States taking part in the Conference,

" Approving the resolutions of the International Economic Conference regarding measures for the prevention of diseases of plants and animals by means of international agreements; and

" Considering that certain of these agreements, in particular the Berne Convention of 1881 against phylloxera, have led to successful joint action with useful results;

" That measures against epizootics and epiphytics, which should be directed solely to the preservation of animals and plants or the health of the population endangered by the consumption of unwholesome meat or plants, are in too many cases imposed or enforced as a means of hampering or discriminating against the trade of countries exporting products of the stock-breeding industry or agriculture; and

" That it is desirable to adopt only measures of proved efficacy and to make them proportionate to the real risks of infection anticipated:

" Recommend the Council of the League of Nations to undertake with as little delay as possible and in the manner which appears to it most expedient, the necessary investigations, consultations and enquiries with a view to summoning a conference or conferences of experts with special knowledge of measures for the prevention of diseases of animals and plants, these experts to be invited to propose to the various States joint action which would be effective against the evils that all these States desire to combat, and which, at the same time, would have due regard to their sovereign rights and the interests of their trade.

" The Members of the Conference are aware that efforts have been made by certain countries to arrive at the desired result by means of bilateral agreements; they recommend that the bodies to which the Council will entrust the investigations described above should examine the provisions of such arguments and observe their effects."

M. SERRUYS (France) said that at the small meeting which had agreed upon a text M. Stucki and Dr. Trendelenburg had not been present. He would therefore like to have their support to the present proposals.

Dr. TRENDELENBURG (Germany) proposed that the second part of the text, from the word " qui ", should be deleted.



After certain amendments proposed by Dr. TRENDELENBURG (Germany) and M. SERRUYS (France), and a discussion in which M. Serruys, M. Trendelenburg, M. Ibl, M. Dolezal and M. Stucki took part, *the Committee decided to refer this matter to a Sub-Committee in order that a generally acceptable text might be found.*

#### IV. *Declaration by Wine-Producing Countries*<sup>1</sup>.

The text before the Committee was the following :

“ The delegations of France, Greece, Hungary, Italy, Portugal, the Kingdom of the Serbs, Croats and Slovenes and Switzerland, present at the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, desire to place it on record that, though they have abstained, in the desire not to place any obstacle in the way of the success of the Conference and not to raise between the participating States a controversy on a question of principle which could lead to no definite conclusion, they are nevertheless fully convinced that the prohibition of viticultural products cannot be justified on the ground of the provisions of Article 4, n° 3, of the Convention of to-day's date. ”

M. SERRUYS (France) said that this declaration would be included as an annex to the Final Act. It was desired to avoid any difficulties which might prevent the United States delegate from signing the Convention. He added that Portugal had asked to be associated with this declaration.

#### V. *Declaration by the Swiss Delegation.*

M. STUCKI (Switzerland) said that the only desire of his delegation was that the situation before the Convention was signed should not be changed for the worse. He then read the following proposal :

“ As Article 7 provides for no conciliation or arbitration procedure regarding the provisions of Articles 4 and 5, it is understood that no contracting party can call upon another contracting party to submit to conciliation or arbitration proceedings in this matter, by basing its demand on the Statutes of the Permanent Court of International Justice or on an arbitration treaty, unless the obligation to submit to such proceedings existed before the entry into force of the present Convention. ”

In reply to a suggestion by M. Serruys, M. Stucki pointed out that the signature of his country entirely depended on the success of this proposal. He hoped to have further instructions from his Government very shortly.

*The Committee decided to refer the matter to the Sub-Committee.*

#### VI. *Territories forming Part of the Same Sovereign State.*

M. SERRUYS (France) referred to Article 21 of the Convention on Customs Formalities and explained that it stated that the present Convention did not regulate rights or obligations *inter se* of territories forming a part of or placed under the protection of the same sovereign State. It had been found necessary to put such an article in previous conventions. He suggested that the representatives of the three countries interested in the matter—Great Britain, Poland and Germany—should be asked to draft such an article if one was to be inserted.

The CHAIRMAN agreed.

M. STOPPANI (Secretary) suggested that this article might be included in the Protocol.

M. SERRUYS (France) proposed that reference should be made to the geographical position of contracting States.

*The Committee adopted these proposals.*

---

### FIFTH MEETING

*Held on Thursday, November 3rd, 1927, at 12 noon.*

---

#### 14. **Reservations submitted by Czechoslovakia.**

M. BRUNET (Belgium) asked whether the prohibitions on coal, coke, etc., proposed by Czechoslovakia existed at present both as regards exports and imports.

M. IBL (Czechoslovakia) replied in the affirmative.

---

<sup>1</sup> See Part I, n° 4.

Geneva, February 20th, 1928.

**LEAGUE OF NATIONS**

**SETTLEMENT OF BULGARIAN REFUGEES**

**SIXTH REPORT**

**of the Commissioner of the League of Nations**

*Period from November 15th, 1927, to February 15th, 1928.*

[*Translation*]

I have the honour to submit to the Council of the League of Nations the following report on the execution of the Plan for the Settlement of Bulgarian Refugees, covering the three-months period from November 15th, 1927, to February 15th, 1928.

**I. SETTLEMENT LOAN.**

The Annex to the present report gives the position of the loan account, including interest, on January 31st.

The Finance Minister has included in the draft budget for the year 1928-29 for the repayment to the loan account the reserve of £90,000 and \$168,750, which was retained by the banks at the time of issue.

**II. YIELD OF REVENUES ASSIGNED AS SECURITY FOR THE LOAN.**

The yield of the revenues assigned as security for the loan during November and December 1927 and January 1928 is shown below in levas:

Chapters of budget 1927-28	Receipts			Monthly average of budget estimates
	November	December	January	
Chapter 15: Excise duty on alcohol	1,315,651	955,267	1,209,046	10,000,000
Chapter 16: Excise duty on salt, etc.	27,475,407	24,465,385	18,246,565	23,333,333
Chapter 21: Sale of matches . .	9,497,000	6,661,050	6,795,000	9,166,666
Total . . . . .	38,288,058	32,081,702	26,250,611	42,499,999

It will be seen that there is a considerable falling-off as compared with the previous quarter and with the monthly average of the budget estimates; an examination of the monthly receipts for one year, however, will show that the figures at the end and the beginning of the year are the lowest. In November 1926, these receipts amounted to 34,817,414 levas; in December 1926, to 29,337,483 levas; and in January 1927, to 28,253,836 levas.

The total yield of the revenues assigned as security for the loan during the first nine months of the present fiscal year was 338,908,888 levas, 129,836,617 levas being allocated to the loan service.

### III. EXECUTION OF THE SETTLEMENT PLAN.

During the winter, progress in the work of settlement has necessarily been much slower, and in certain cases it has had to be suspended altogether. As a result of the frost, the heavy snow-falls and the difficulties of communications, especially in those parts of Bulgaria where work was in progress, house-building and land-surveying operations have almost entirely ceased and will not be resumed until the end of March. We shall not, therefore, have any very important progress to record in this report as compared with the previous report, and the information given below under the usual headings is rather in the nature of a general summary of what has been done since the work of settlement began.

Nevertheless, full advantage was taken of this slack period by the Central Organisation. The provincial executives were summoned to Sofia to study improved methods, in the light of experience gained. The details of various plans and schemes to be carried out this year have been completed; important administrative work has also been done: statistics brought up to date, the accounts audited, private contracts with refugees drafted, etc.

We shall refer in passing to the principal matters that have received consideration.

#### A. Seeds.

According to the latest statistics, 2,879,500 kilogrammes, having a value of 19,666,838 levas, have been distributed, representing an increase of 479,838 kilogrammes and 3,200,688 levas respectively over the figures indicated in the previous report.

#### B. Cattle.

Up to February 1st, the total distribution effected since the beginning of the settlement operations amounted to 7,419 animals, namely:

Bullocks . . . . .	4,344
Cows . . . . .	849
Buffaloes . . . . .	988
Horses . . . . .	1,238
	7,419 animals,

worth 47,047,490 levas — an increase of 965 head over the figures in the last report.

These animals have been distributed to 5,035 families.

It proved impossible to carry out the whole of last year's scheme, and a considerable number of animals were not distributed owing to the fact that the number of cattle in different parts of Bulgarian territory varies so greatly. They are plentiful in the north but very scarce in certain southern districts, and the numbers offered for sale at the markets in that part of the country are usually very small. The next purchasing period, which coincides with the annual opening of the cattle trade, will start early in March. A scheme has been drawn up which we hope will enable us to deal more satisfactorily with the applications received than was the case last year. We have in view the organisation of certain markets intended specially for refugees, even if this involves transporting cattle for long distances, as we consider that any increase in the expenses will be amply repaid by a more rapid yield from the land distributed.

#### C. Supply of Material.

1. *Carts and Wagons.* — The difficulties encountered at the outset (see Fifth Report, page 3) in the manufacture of these articles have gradually been overcome. By February 1st, 1,504 carts were ready, and orders for 5,172 were placed on satisfactory terms.

2. *Ploughs and Harrows.* — It is proposed to place a further order for some 2,000 ploughs.

The first lot of 5,032 ploughs supplied in the autumn has not yet been entirely distributed, as some refugees who have no use for them during the winter are waiting to take delivery until agricultural work is resumed in the spring. We are also told that certain others would have preferred the old wooden plough. This prejudice is gradually being broken down, however, thanks to the patient and persuasive efforts of the local organs of the General Directorate for the Settlement of Refugees.

The new order is to meet definite applications which have already been received.

3. *Fishing Gear.* — Tenders have been invited for the supply of 38 boats and 4,000 kilogrammes of nets for delivery during the present year.

#### D. Buildings.

For the reasons given above, there have been no important changes since the last report.

The position on February 1st was as follows:

	Houses	Sheds	Stables
Buildings completed . . . . .	327	324	231
Buildings under contract . . . . .	1,137	952	853
	<hr/>	<hr/>	<hr/>
	1,464	1,276	1,084

The average prices remain practically the same as those mentioned on page 3 of the previous report.

While building operations were suspended, certain contractors took the opportunity to get together the necessary material: timber, doors, windows, etc. To assist them in this work, the General Directorate for the Settlement of Refugees stated that it was prepared to make them cash advances against security, and some contractors have already taken advantage of this offer.

In our previous report (page 4, fourth paragraph) we referred to the grave anxiety we felt in regard to a future supply of building timber on reasonable terms and in a sufficient quantity. The General Directorate has now drawn up a scheme to intensify the timber resources of the country. The application of this plan requires the approval of the Ministry of Agriculture. Unfortunately, up to the time of sending this report, no decision has been taken, notwithstanding the constant representations that have been made to the Ministry for the past three months. At the present season, when building operations are about to be resumed, each day's delay means a loss of precious time. If an arrangement is not come to very soon, to avoid holding up the execution of the settlement plan we shall be obliged to import timber.

#### E. Allocation of Land.

The work of surveying and allotting land has been suspended until weather conditions permit of its resumption.

The present position, which marks an important advance as compared with the figures in the last report, is as follows:

	Decares
(a) Land which the Bulgarian Government has undertaken to provide for the settlement of refugees . . . . .	1,320,000
(b) Land of the "Land Reserve" entered in the settlement scheme . . . . .	1,750,000
Of which on February 1st there were with clear title . . . . .	655,227

Details as on February 1st, in decares:

Provinces	Land surveyed	Land allotted	Number of families	Average area of allotment
Burgas . . . . .	346,453	214,470	5,694	37.66
Varna . . . . .	19,538	16,944	480	35.30
Vidin . . . . .	7,807	7,659	239	32.04
Vratcha . . . . .	18,798	16,601	474	35.02
Petrich . . . . .	54,165	46,908	2,696	17.40
Plovdiv . . . . .	6,440	6,440	184	35
Plevna . . . . .	18,012	12,567	388	32.38
Rustchuk . . . . .	25,948	9,632	261	36.90
Tirnovο . . . . .	15,381	14,354	371	38.69
Haskovo . . . . .	126,428	73,877	1,627	45.41
Shumla . . . . .	28,229	25,218	712	35.42
	<hr/>	<hr/>	<hr/>	<hr/>
	667,199	444,670	13,126	33.87

It will be noted that, on February 1st, the number of families who had definitely received allotments was 13,126 — an increase of 5,574 compared with November 1st last. There is every reason to hope that during 1928 nearly all the refugee families, with the exception, of course, of those to be settled later on drained land, will receive allotments of arable land.

A proposal is to be submitted to the Sobranié for the modification of the existing law relating to the settlement of refugees in order to make the stipulations concerning the area of the individual allotments less rigid. As we have already stated (Fifth Report, page 5), the average areas hitherto allotted are insufficient — we are borne out by the figures in the above table.

The valuation of the land distributed was begun during the winter. The law provides that this valuation shall be approved by three different bodies: the commune, the district authorities, and a "Valuation Committee" at Sofia, whose decision is final. Some 50 per cent of the plots distributed have been valued by the first two bodies mentioned above. The Valuation Committee has not yet been appointed.

The Geographical Institute has also begun to prepare individual plans of each allotment distributed, to be handed over to the refugees with the title-deeds.

#### F. Mechanical Ploughing.

The contracts concluded up to February 1st relate to 36,121 decares, 15,557 of which had been ploughed. The average price per decare works out at 238.2 levas.

There is no doubt that the area originally intended for mechanical ploughing is rapidly decreasing, the refugees themselves doing the work whenever possible according to their own methods. As soon as a refugee has received his allotment, he sets to and diligently prepares the soil. This first ploughing, which he carries out himself, is probably far from satisfactory, but there are not sufficient tractors to meet the urgent requests for as much available land as possible for the spring sowings.

#### G. Draining of Marshes.

In conformity with Article XIV of the Danube Statute, "the riparian States shall supply the International Commission with a summary description of all works to be carried out on the portion of the waterways situated within their own frontiers to prevent inundation, and those undertaken for purposes connected with irrigation and utilisation of hydraulic power. The Commission may not forbid the construction of such works except in so far as they may be detrimental to navigation".

In view of this stipulation, the plan for the construction of the Ghigen Dike (see Second Report) was submitted to the International Commission of the Danube on November 23rd, 1927. The Commission stated, at its December session, that it had no remarks to make on the plan.

The plan for draining the Sistov and Nicopol ponds, which also forms part of the Plan for the Settlement of Refugees, will in due course be submitted to the International Commission of the Danube.

It was feared that the Danube floods which occurred this winter would damage the still unfinished Ghigen Dike. This did not happen, however. In fact, the value of the dike was proved, thanks to the work carried out last summer by means of the loan; the Water Board reckons that an area of 2,500 hectares was this year saved from floods.

#### H. Means of Communication.

1. *Rakowsky - Mastanla Railway.* — The first section of the Rakowsky - Mastanla railway is now open to traffic between Rakowsky and Haskovo.

Owing to a particularly severe winter and heavy falls of snow, the work has practically been suspended. The bad weather caused the subgrade to slip in various places, so that the laying of the rails on the second section (Haskovo - Knijovnik) was interrupted.

The piercing of the tunnel of 1,112 meters (at the 54th kilometer) was begun on the date stipulated, but the work was started by hand owing to the fact that the contractor found it impossible to have the boring apparatus conveyed to the spot before the snow fell.

On February 1st, contracts for work and for the supply of material amounted to 116,965,235 levas.

2. *Roads.* — (a) The contract for the construction of a section of the Vassiliko - Burgas road, *i.e.*, the road from Vassiliko to Kupria (see Fourth Report, page 6), was concluded on November 15th, for a sum of 3,960,000 levas (the amount estimated in the contract specification was 6,000,000 levas). The work was begun in December under the supervision of the engineering section of the Road Surveying Department; owing to bad weather, it has progressed slowly.

(b) After reconsidering the question of the road system in the Department of Burgas, we thought it necessary to complete the work of settlement properly so called by improving two roads which we thought indispensable to the satisfactory development of future building. We have accordingly authorised the General Directorate for the Settlement of Refugees to obtain contracts for:

(1) A 14-kilometer section of the road from Malko-Tirnovovo to Burgas (the estimate in the contract specifications is 5,500,000 levas). The rest of the road is to be constructed by the Road Surveying Department out of the Government budget.

(2) The completion of the road between Elhovo and Kavakli (the estimate mentioned in the contract specifications is 2,400,000 levas).

#### I. Health.

The Health Committee of the League of Nations adopted the following resolution at its eleventh session:

"The Health Committee having taken note of the measures proposed by the Malaria Commission at the instance of Professor Swellengrebel, who was charged with a special mission, on behalf of the League of Nations Commissioner for the Establishment of Bulgarian Refugees, for the organisation of an effective campaign against malaria in the Burgas region, considers that these measures are already yielding results and suggests that they should be continued;

"The Health Committee recognises, in agreement with Professor Swellengrebel, that the prevention of malaria in this region is only a part of the health problem of the refugees, and that the disappearance of this disease is dependent on other factors, and consequently expresses the hope that the public health and medical services will be developed not only in

the Burgas district but also in other districts inhabited by refugees, and, in particular, in the second area selected by the Commissioner.

“ The Health Committee appreciates greatly the collaboration that the International Health Division of the Rockefeller Foundation is, in principle, prepared to give to the extension of anti-malaria measures in the second district suggested by the Commissioner of the League of Nations for the Establishment of Bulgarian Refugees, these measures forming part of a general public health programme.

“ The Health Committee shares the views of the Malaria Commission as to the very great advantages offered by this opportunity of co-ordinating the work to be carried out in accordance with this programme with the work already being done in the Burgas district. For the purpose of such co-ordination, the Health Committee decides to utilise the services of the Malaria Commission as well as the technical assistance of the Health Section.”

We have taken all the necessary steps, in agreement with the Public Health Department, to give effect to these recommendations — in particular, to those relating to the development of the public health and medical services.

After a tour in Bulgaria by one of its delegates in October last, the Rockefeller Foundation recently stated that it agreed to take part in the anti-malaria campaign. The district of Petrich was unanimously chosen as the centre of its work. A medical officer of the Burgas Malariological Institute will be attached to the Rockefeller Foundation organisation at Petrich in order to ensure the co-ordination recommended in the Health Committee's resolution. With this co-ordination, the anti-malaria campaign and the application of suitable methods of rural hygiene and medical assistance should yield the best results.

#### IV. VARIOUS.

##### A. Legislation.

The draft law published on page 7 of the Fifth Report was passed by the Sobranié on December 28th, 1927, without amendment; emphasis was merely laid on the fact that the law has retroactive effect as from December 18th, 1926, the date of the entry into force of the law for the Settlement of Refugees.

##### B. Article VII of the Protocol.

In conformity with this article, which stipulates that the annual accounts of the expenditure of the Settlement Loan shall be drawn up and published, we give below a statement of this expenditure from the date when the Commissariat began operations up to December 31st, 1927.

#### EXPENDITURE OF THE SETTLEMENT LOAN AS AT DECEMBER 31ST, 1927 (in Levass).

A.	<i>Amount placed at the disposal of the General Directorate for the Settlement of Refugees</i>		159,239,857
B.	<i>Settlement expenditure entered as at December 31st:</i>		
	I. Preparation of land:		
	(a) Surveying . . . . .	2,507,266.50	
	(b) Ploughing . . . . .	2,850,359.—	
		<hr/>	5,357,625.50
	II. Distribution of seed . . . . .		15,969,601.58
	III. Distribution of cattle:		
	(a) Purchases . . . . .	45,191,939.—	
	(b) Insurance . . . . .	735,167.40	
		<hr/>	45,927,106.40
	IV. Distribution of agricultural material:		
	(a) Ploughs . . . . .	6,679,960.—	
	(b) Harrows . . . . .	634,900.—	
	(c) Wagons . . . . .	3,920.—	
		<hr/>	7,318,780.—
	V. Buildings . . . . .		14,601,625.—
	VI. Draining of marshes:		
	Ghigen Dike . . . . .		2,853,044.60
		<hr/>	92,027,783.17
			<hr/>
			159,239,857

	92,027,783.17	159,239,857
Brought forward . . . . .		
VII. Means of Communication:		
(a) Vassiliko-Burgas road . . . . .	105,600.—	
(b) Rakovsky-Mastanla railway . . . . .	25,943,341.01	
	<u>26,048,941.01</u>	
VIII. Health:		
Anti-malaria campaign . . . . .		811.665.—
C. Settlement expenditure not yet entered (as at December 31st):		
I. Supply of material and work carried out:		
(a) Ploughing . . . . .	37,850.—	
(b) Surveying . . . . .	4,300,000.—	
(c) Seeds and cattle . . . . .	8,306,272.02	
(d) Anti-malaria campaign . . . . .	600,000.—	
(e) Railway . . . . .	2,941,078.40	
	<u>16,185,200.42</u>	
II. Advances on work in hand, including material:		
(a) Fishing gear . . . . .	576,975.35	
(b) Wagons . . . . .	5,222,875.—	
(c) Railway . . . . .	7,237,682.—	
(d) Miscellaneous . . . . .	65,000.—	
	<u>13,101,632.35</u>	
D. General expenditure . . . . .		8,773,012.75
		<u>156,948,234.70</u>
Total expenditure . . . . .		156,948,234.70
Balance at the disposal of the General Directorate for the Settlement of Refugees as at December 31st, 1927 . . . . .		2,291,622.30
		<u>159,239,857.—</u>
		159,239,857

The above accounts have been audited by a Committee composed of a councillor from the Chief Audit Office, the Controllor-General of the Ministry of Finance, and the Chief Accountant of the National Bank of Bulgaria. An official of the Commissariat also took part in the Committee's work.

On December 31st, 1927, in addition to the above sums actually expended, an expenditure of 161,237,890 levas has been provided in respect of contracts.

In paragraph B/III, of the above statement, a sum of 735,167.40 levas figures as "Insurance of cattle". This sum represents the first insurance premium on the cattle distributed; the premium is paid for the refugees and debited to their account. It is deposited in the Agricultural Bank of Bulgaria and bears interest at 6½ per cent. This method of insurance is naturally temporary, but it had to be adopted owing to the impossibility of reaching an agreement either with the Central Co-operative Bank or with private insurance companies. The latter did not wish to take up the matter, and the Central Co-operative Bank, which deals with the insurance of cattle belonging to agricultural co-operative societies, required a large grant before taking over the cattle belonging to refugees. This grant the State budget is not at the moment able to make.

The "Settlement expenditure not yet entered" (Head C of the table) is divided into two categories:

(a) *Expenditure for supply of material and work carried out.* — Made before December 31st, but not yet entered at that date, as the vouchers had not yet all been checked. Hitherto a large portion of the expenditure has been made through the Agricultural Bank and its provincial branches, notably for purchases of cattle. At the beginning, difficulties arose with the Agricultural Bank, which sent in accounts which were sometimes inaccurate and which were much delayed. The system has gradually improved, and it may now be hoped that delays in checking the expenditure made in this manner will be reduced to a minimum.

(b) *Advances on work in hand, including material.* — Sums advanced against banking guarantees, after signing contracts, to various contractors, either with a view to obtaining better prices or, as we have already pointed out, to enable small contractors or local artisans without sufficient ready money to compete for contracts.

**Annex.**

POSITION OF THE LOAN ACCOUNT AS AT JANUARY 31ST, 1928.

(a) *Nominal amount:*

	Pounds sterling	Dollars
Sterling . . . . .	£2,400,000	
Dollars . . . . .		\$4,500,000

(b) <i>Net amount</i> . . . . .	<table border="0"> <tr> <td align="center">£</td> <td align="center">s.</td> <td align="center">d.</td> </tr> <tr> <td align="right">2,112,000</td> <td align="right">0</td> <td align="right">0</td> </tr> </table>	£	s.	d.	2,112,000	0	0	3,915,000.—
£	s.	d.						
2,112,000	0	0						

(c) *Deduct:*

	£	s.	d.	
Repayment of Treasury Bonds 1912-13 . . . . .	625,889	11	6	
Six months' reserve . . . . .	90,000	0	0 <sup>1</sup>	168,750.— <sup>1</sup>
Sundry expenses for stamps, printing of certificates, etc. . . . .	49,745	0	0 <sup>2</sup>	765,634 11 6
<b>Total</b> . . . . .	<b>£1,346,365</b>	<b>8</b>	<b>6</b>	<b>\$3,746,250.—</b>

(d) *Add:*

Interest . . . . .	42,301 19 6	97,584.89
	<b>£1,388,667 8 0</b>	<b>\$3,843,834.89</b>

(e) *Deduct:*

Released . . . . .	£579,618 3 0	\$884,375.02
--------------------	--------------	--------------

(f) <i>Amount released</i> . . . . .	Leva	512,109,927
--------------------------------------	------	-------------

Of which the following amount is at the disposal of the General Directorate for the Settlement of Refugees. . . . .	169,767,107
---	-------------

<i>Balance available on January 31st</i> . . . . .	£809,049 5 0	\$2,959,459.87	342,342,820
	(lodged in London)	(lodged in New York)	(lodged in the National Bank of Bulgaria).

<sup>1</sup> In accordance with the provisions of the Protocol, Article II, § 7, the Bulgarian Government is to repay the equivalent value in levas of the sum retained by the banks at the time of issue to form a six months' reserve as provided for in the "General Bond".

<sup>2</sup> This amount has not yet been definitely settled.



Geneva, February 22nd, 1928.

**LEAGUE OF NATIONS**

**Seventeenth Quarterly Report of the Refugee  
Settlement Commission**

Athens, February 17th, 1928.

**FINANCIAL SITUATION.**

**A. SITUATION ON DECEMBER 31ST, 1927.**

<i>Liabilities.</i>	£	s.	d.
Proceeds of the 7% 1924 Loan . . . . .	9,970,016	6	9
Contributions of the Greek Government for the purchase of cereals in 1924 . . . . .	219,619	13	0
Receipts . . . . .	308,565	1	5½
Bonds deposited by refugees as security for their debts . . . . .	106,352	10	0
Commitments . . . . .	163,716	16	1½
Various <i>per contra</i> accounts . . . . .	354,296	2	10½
	£11,122,566	10	2½
 <i>Assets.</i>			
Balances available at Bank and Head Office . . . . .	1,040,309	5	5½
Bonds deposited . . . . .	106,352	10	0
Recoverable advances . . . . .	5,293	10	9
 <i>Expenditure:</i>			
<i>Agricultural Settlement:</i>	£	s.	d.
Establishment expenses . . . . .	7,500,329	8	9
General expenses . . . . .	728,751	13	7
	8,229,081	2	4
<i>Urban Settlement:</i>			
Establishment expenses £1,110,493 . . . . .	1,110,493	8	2½
General expenses . . . . .	20,401	5	3
	1,130,894	13	5½
<i>General Administration:</i>			
General charges . . . . .	131,974	5	11½
Furniture and fittings . . . . .	23,280	2	11
	155,254	7	8
Sums applied to redemption of 7% 1924 Loan . . . . .	101,984	16	5½
Various <i>per contra</i> accounts . . . . .	354,296	2	10½
	£11,122,566	10	2½

The following notes facilitate the reading of this balance-sheet.

<i>Liabilities.</i>		£	s.	d.
<i>Receipts</i> . . . . .		308,565	1	5½
The analysis of this heading is as follows:				
		£	s.	d.
Interest on balances . . . . .		247,716	13	9
Caution money forfeited . . . . .		8,885	15	11½
Various receipts . . . . .		8,698	4	2½
Share of the R.S.C. in the payments by refugees (25 per cent of the refund of capital and 100 per cent of the payments of interest) . . . . .		43,264	7	6½
Total . . . . .		£308,565	1	5½
<i>Commitments</i> . . . . .				163,716 16 1½
(a) Share of the International Financial Commission (75 per cent) of repayments of capital by refugees . . . . .		£101,084	16	5½
(b) Rents to be refunded . . . . .		4,023	1	1
(c) Caution money and sundry creditors . . . . .		58,608	18	7
Total . . . . .		£163,716	16	1½

*Assets.*

<i>Balances available</i> . . . . .	1,040,309	5	5½
-------------------------------------	-----------	---	----

By balances available we mean the sums which still remain at our disposal at banks and in cash. The cash in hands of provincial bureaux is not included. The total of the engagements undertaken and credits opened to be met from this item are indicated in Section B.

<i>Bonds deposited</i> . . . . .	106,352	10	0
----------------------------------	---------	----	---

Bonds of the 1923 6 per cent Loan for the indemnification of immigrants from Bulgaria, 16,370,000 drachmas, or . . . . . £40,925  
 Bonds of the 1926 8 per cent Loan for the indemnification of exchangeable refugees from Turkey, 26,171,000 drachmas, or £65,427 10s.  
 (converted on the basis of £2 10s. per 1,000 drachmas).

<i>Recoverable advances</i> . . . . .	5,293	10	9
---------------------------------------	-------	----	---

This sum represents for the most part advances made to the staff and various other small advances. The debt of 56,000,000 drachmas due from the Government to the Commission, which represented the value of grain bought in 1924 by the Commission on account of the Government, as also the amount of the first coupon of the 1924 7 per cent Loan retained by Hambro's Bank, Speyer and Co. and the National Bank of Greece, have now been entirely repaid.

<i>Expenditure.</i> . . . . .	9,515,230	4	8
-------------------------------	-----------	---	---

In this balance-sheet the expenses are analysed in a manner to show separately "Establishment expenses" properly so called, and "General expenses". Among the latter are included expenses of transport of personnel and the various expenses of administration.

The percentage of general expenses to the whole of the expenses of establishment (colonisation and urban) is 10.2, which cannot be considered excessive in view of the variety of administrative work which has to be undertaken by the Colonisation Department.

In this connection, it must be noted that the personnel is charged, in addition to the work of establishment properly so called, with the settlement of disputes which arise between refugee and indigene, and between refugee and refugee, on the subject of the distribution of land; with the valuation of houses abandoned by Bulgarians and Mussulman emigrants; with the sanitary services in the rural colonies; and, finally, with the organisation of numerous technical services, such as experimental plots, stallion stations, agricultural co-operation schools, etc., all of which contribute to the agricultural development of the colonies and the completion of the agricultural instruction of the settlers.

Another cause which has also contributed to raise the percentage of general expenses is the delay in the conclusion of the supplementary loan. In anticipation of its conclusion, the Commission has been obliged meanwhile to maintain its complete organisation intact.

The percentage of general expenses to expenses of establishment in the three colonisation regions (the general expenses of the Central Office being excluded), is as follows:

	%
Macedonia . . . . .	9.6
Thrace . . . . .	7.8
Old Greece, etc . . . . .	7.5

	£	s.	d.
<i>Sums applied to Extraordinary Amortisation of the 1924 7 % Loan . . . . .</i>	101,084	16	5½

This sum represents 75 per cent of the capital repayments made by the refugees, in addition to the whole of the sums collected from non-refugees for the value of land sold. The following analysis shows the detail:

<i>Payments by refugees:</i>	£	s.	d.
In 1925 . . . . .	9,211	6	8
In 1926 . . . . .	67,125	11	1
In 1927 . . . . .	24,113	10	1½
	<hr/>		
	100,450	7	10½
<i>Payments by non-refugees. . . . .</i>	634	8	7
	<hr/>		
	£101,084	16	5½

The decrease in the amount applied for additional amortisation of the loan of 1924 in comparison with the previous year is due:

- (a) To the diminution in payments in cash, the majority of refugees preferring to pay in bonds of the 6 % Loan of 1923 and the 8 % Loan of 1926;
- (b) To the fact that, as we mentioned in our previous report, up to July 1st, 1927, the Commission only collected interest on the advances granted to refugees and consequently all collections made up to that date were treated as if they had been repayments of capital;
- (c) To the tendency on the part of the refugees to postpone the payment of their debts until the question of their indemnification and eventual compensation is settled.

The bonds above mentioned are actually quoted below par and are retained until they are redeemed at par. After their redemption, 75 per cent of the cash received will be paid to the International Financial Commission.

#### B. FINANCIAL SITUATION AT DECEMBER 31ST, 1927.

The balance-sheet annexed to the present report indicates the position of our treasury on December 31st, 1927. Nevertheless, in order to arrive at an accurate knowledge of the sum available for new expenditure from the point of view of the budget, notice has also to be taken of the balance of credits already opened by the Commission for the different services which are available for expenditure already undertaken.

After a deduction of the above-mentioned sums, the balance actually available for new expenditure is as follows, the £ sterling being taken at 350 drachmas, the rate adopted for the 1928 budget:

<i>Assets.</i>	£	s.	d.
Balance available at Head Office at December 31st, 1927 . . . . .	1,040,309	5	5½
Cash in provincial bureaux at December 31st, 1927 (in which is not included cash in the bureaux of Macedonia, except that of the central office at Salonika; the figures for other offices will be communicated in the next report) . . . . .	73,647	0	0
Recoverable advances . . . . .	5,293	10	9
	<hr/>		
	£1,119,249	16	2½
<i>Liabilities.</i>	£	s.	d.
Deposits repayable . . . . .	62,632	0	0
Balance of credits opened in 1927 . . . . .	608,806	0	0
Sum actually available for new expenditure (including reserve of £270,000)	447,811	16	2½
	<hr/>		
	£1,119,249	16	2½

C. NEW CREDITS.

During the quarter October to December, the following supplementary credits were granted, being met from economies in the budget and from extraordinary income derived from the difference between the budget rate of exchange and that actually obtained in the market.

	Drachmas
1. Various urgent requirements at Aetolo-Acarnania . . . . .	250,000
2. Supplementary provision for the colonies in Macedonia . . . . .	10,000,000
3. Construction of 110 urban houses at Naoussa (Macedonia) . . . . .	4,000,000
4. Advances to the Institut Patriotique in Athens to complete the building of infant nursery at New Ionia . . . . .	50,000
5. Transferred to reserve for survey . . . . .	6,637,500

D. RESERVE.

The reserve of £270,000 for general expenses in 1928 has remained intact. With reference to the reserve for survey, which amounted on October 1st to £90,000, the Council has divided it as follows:

	£
Macedonia . . . . .	62,000
Thrace . . . . .	19,000
Old Greece, etc . . . . .	9,000
	<hr/>
	£90,000

The necessary credits have already been placed at the disposal of the services in Thrace and Old Greece, where the survey is being carried out by the ordinary method of survey parties working with tachymeters.

As to Macedonia, the Council is still examining the possibility of preparing a map by aerial photography. A decision on this point will be taken shortly.

E. BUDGET 1928.

The Commission is engaged in working out the new budget, which will be based on a programme for two years, utilising the funds obtained from the new loan of three millions. It is obvious that the Commission cannot undertake new liabilities before funds are actually placed at its disposal. It is hoped, therefore, that funds will be available in time to allow the new agricultural programme to be instituted before the most important months of the agricultural year have passed.

F. COLLECTIONS.

The total payments made by agricultural and urban refugees in 1927 in cash and in bonds amounted to £148,284 14s. 11d. The following table compares the amount collected with those of the previous year:

	1926			1927		
	£	s.	d.	£	s.	d.
<i>Payments by agricultural refugees:</i>						
In cash . . . . .	66,028	5	11	31,111	11	2
In bonds . . . . .	—			57,717	10	0
<i>Payments by urban refugees:</i>						
In cash . . . . .	35,754	4	7	10,820	13	9
In bonds . . . . .	—			48,635	0	0
<b>Total . . . . .</b>	<hr/>			<hr/>		
	£101,782	10	6	£148,284	14	11

Payments by non-refugees as price of land amounted in 1926 to £634 18s. 7d. No sales of land were made in 1927 and consequently no sums were received under this head.

G. THE DIME.

In accordance with the agreement concluded with the Government in September 1927 at Geneva, the total of the dime collected in 1926 from the refugee cultivators (53 million drachmas) will be paid to the Commission from the amount of the new loan, of which one portion (£3,000,000)

is specially applied to repayment of floating debt. According to the terms of the agreement, the Commission has promised to pay this portion of its revenues to the International Financial Commission to be employed for the ordinary service of the 1924 7 per cent Loan.

#### H. INDEMNIFICATION OF URBAN REFUGEES.

No decision has yet been taken by the Government with regard to the issue of the supplementary bonds to which reference was made in our last report. The bonds of the first issue have risen considerably, being actually quoted at about 780, to which point they have fallen from a maximum of 830.

#### I. INDEMNIFICATION OF AGRICULTURAL REFUGEES.

In our last report, we gave detailed information with regard to the agreement concluded between the Government and the Commission for the indemnification of agricultural refugees. At the moment the Commission is co-operating with the Government to organise the details of the execution of the agreement. It would probably take a period of at least six or seven months to arrange the accounts so as to be able to issue certificates of indemnification and to enter them to the credit of the refugees. The Commission has undertaken to collect by its own services the declarations of those entitled, and these declarations will contain the particulars which will form the basis of the operation of indemnification.

#### J. SERVICE OF THE 1924 7 PER CENT LOAN.

The amount of State revenues applied to the service of the Refugee Loan for the budget year 1927 has been as follows:

	Drachmas
Receipts specially applied to the loan . . . . .	884,681,394
Excess of receipts, being secondary guarantee for the service of the loan . . . . .	2,900,000,000
	3,784,681,394

The sum demanded for the service of interest and ordinary amortisation during the year was 339,611,154 drachmas. Thus the revenues applicable have been sufficient to cover the service of the loan more than eleven times.

In addition to the ordinary amortisation, which amounted to £55,000 and \$61,000, the International Financial Commission has applied for extraordinary amortisation the sum of £52,000 and \$60,000 from the 75 per cent of payments by refugees which the R.S.C. has handed over.

#### AGRICULTURAL SETTLEMENT.

*Inspections by Members of the Council.* — The Vice-President of the Commission, Sir John Hope Simpson, made a tour of inspection of the urban and agricultural colonies in Epirus. Among other results of the inspection, there was a reduction in the personnel of the Commission in that province.

*Situation in the Region of the Nestos.* — Sir John Hope Simpson, during the course of an inspection of the work in Macedonia, took the opportunity of visiting the colonies close to the Bulgarian frontier in the region of the Nestos. A large number of these colonies have been created in villages evacuated by the Turks, in the Drama district north of the River Nestos. There the Commission had established about 2,000 families, of whom only 1,000 are now to be found in that region. The object of the tour was to ascertain the reasons for the failure of colonisation in that part of the country. The soil is fertile, water abundant and climatic conditions good, besides which the Turkish houses in which the refugees were installed are more spacious and more comfortable than the maisonettes built by the Commission in the new villages. There does seem every reason to expect successful establishment.

The cause of failure was immediately apparent. The district was found to be entirely isolated from social and commercial centres. For the whole length of the River Nestos, the only bridge is the railway bridge at Bukia, which is impassable for carts and on which foot passengers are not allowed. In the mountain regions the river is crossed on foot by stepping stones, and lower down by ferry boats, of which the one at Papaskeui transports both animals and merchandise. At the moment, and until the bridge which has been for a long time under construction at this spot is completed, the ferry boat is the only means of transport; the road from Drama to the river is in a very bad condition and during the winter is scarcely passable even for light vehicles. On the other side of the river up to Osenitza (8 kilometers), it is in better condition; but, in fact, in the absence of a bridge, it is impossible for motors to travel north of the Nestos. It is this lack of communications which has induced many of the refugees to remove with their families from the country north of the Nestos to the plain of Drama on this side of the river. Everywhere the enquiry was made as to what would be done to remedy this state of affairs. Complaints were made, among others,

of the difficulty which this absence of communications presents to successful commerce, and of the rise in the price of food which it causes. An oke of wheat costing 6.65 drachmas at Drama is sold in the village of Borovo, north of the Nestos, for 13 drachmas. The same is the case with tobacco. Dealers declare that, having on one occasion undertaken to buy tobacco in that region, they met with such difficulties in its transport that they have decided not to repeat the experiment before the construction of a road and of a bridge. This last point is of first importance, as the tobacco grown north of the Nestos has proved to be one of the best cultivated in Greece after that grown at Xanthe in Thrace.

From the point of view of the work of the Commission, the question is of particular importance, as it affects a wide, unoccupied, and most fertile region. It would be difficult to fix exactly the number of families which could be established in the region north of the Nestos, but it cannot be doubted that the number would exceed 10,000 families. When one considers the scarcity of cultivable land in Greece, one realises the great desirability that this vacant region should be made available for cultivation.

Throughout the tour, Sir John Hope Simpson was accompanied by the Director of Public Works in Eastern Macedonia and Thrace and by the Civil Engineer of Drama, both officers of the Ministry of Communications. They agree that there would be no difficulty in preparing a new tracée for the Drama-Osenitza road or in constructing a road from Zirnovo on to Borovo with a bridge at Borovo, and in this way to facilitate traffic during all the seasons of the year. In this way it would be possible to transform the country, which is at present looked upon as a place of exile, into a region which would attract settlers and which appears to promise certain prosperity.

*Pastures.* — In our thirteenth report, mention was made of the difficulty which has arisen on the subject of communal pastures ceded to the Commission. At the moment the question is the subject of negotiations between the Government and the Commission.

About three-quarters of the claims regarding the administration of these pastures are justified. The Minister of the Interior maintains that, as they are by nature, according to his view, communal, they should be administered by his Department in favour of the communes. The Aerial Defence again, to which have been ceded unoccupied pastures with the exception of those belonging to exchangeable Turks, which are claimed by the National Bank, claims a portion of those held by the Commission, alleging that they are not needed for the establishment of refugees. The claims of the National Bank, to which the Government ceded the unoccupied pastures of exchangeable Turks, have been arranged and the causes of conflict with the Bank have disappeared.

The Commission, basing its claim on the Protocol and Statutes, claims absolute right to dispose of those pastures which have been handed over to it and which are administered on behalf of the communities to which they are respectively attached.

Nevertheless, certain difficulties still exist between the Departments concerned and the Commission, and efforts continue to overcome them.

*Crops.* — The experiments mentioned in our previous reports made with the Canberra wheat of Australia have been crowned with success. It has been proved that the introduction of this variety of wheat, which is very suitable to the climatic conditions of the country, constitutes a marked advance in the cultivation of wheat. The Commission has now ordered 400 tons of this seed and the State 2,000 tons.

It is interesting here to note the increase in the production of cereals in the country (wheat, barley, oats, maize, rye) side by side with the progress of crops of other kinds. This increase has rapidly become more marked since the establishment of the refugees:

<i>Cereals.</i>		
Year		Tons
1924	. . . . .	294,120
1925	. . . . .	434,460
1926	. . . . .	478,580

The figures for 1927 are at the moment in course of preparation, but are expected to show a production of cereals of about 630,000 tons. It may also be noted that the cultivation by indigenes does not seem to have increased in the same proportion as that of the refugees. In places, owing to the expropriation of the large estates, the production by the indigene cultivators has indeed suffered from temporary diminution. The following figures show the progress in the production of wheat in Greece during the last four years:

<i>Wheat (production)</i>		
Year		Tons
1924	. . . . .	118,286
1925	. . . . .	171,824
1926	. . . . .	189,927
1927	. . . . .	246,637

The increase in the production of wheat corresponds with the diminution of imports of the same:

<i>Wheat (imports.)</i>		
Year		Tons
1924	. . . . .	407,161
1925	. . . . .	364,367
1926	. . . . .	313,605

*Clearance of Land for Cultivation.* — In order to exploit the soil on mountain slopes where cultivation by motors is impracticable, the Commission has authorised the D.G.C.M. to make experiments in breaking up the land by means of dynamite, a method which has been successfully employed in Germany and Italy.

*Arboriculture and Viticulture.* — The Commission has imported from abroad 80,000 fruit trees and two million vine plants, and has distributed a million mulberry trees, both imported and from local sources.

*Harvests.* — In our last report, we mentioned the damage which had been done to crops both by drought and by hail in Macedonia. There is now reason to believe that the information given as to the extent of this damage was exaggerated. More recent information is less pessimistic. From certain tracts, indeed, reports are very encouraging. In Eastern Macedonia, for instance, it would be true to say that the majority of the refugees are well on their way to a standard of real comfort.

These cases are mentioned by way of example. A colony of refugees established between Drama and Cavalla has organised itself as an agricultural co-operative society and for the year 1927 has subscribed one and a-half million drachmas for its shares in cash. Another considerable colony of about 400 families has sold its production of tobacco for the year for 18 million drachmas, notwithstanding the damage caused by hail.

*Survey.* — The Commission continues to negotiate with the Minister for Agriculture on the subject of the cadastre, but meanwhile the work continues, and 500,000 hectares have been measured and 100,000 distributed.

#### URBAN SETTLEMENT.

The last quarter of 1927 has been spent by the Urban Department mainly in preparation for the work which it will have to undertake as soon as the credits which will be allocated to the Department from the loan of £3,000,000 are voted by the Council. This work will specially concern the most pressing needs as they are shown by the recent census of urban refugees carried out under the orders of the Commission.

In expectation that the termination of the discussion on the budget will allow of preparation of a complete statement of those towns where the Commission will build houses and will prepare and sell plots for building, and where in consequence it will be necessary to demand from the State the cession of the necessary areas, the Urban Department has employed the credits accorded to it in 1927 in continuing or completing work already in progress or in undertaking new works. In a certain number of towns where we were in possession of land and where conditions seemed of a nature to ensure the future of the urban refugees, the Council has decided to plant new quarters.

#### I.

The credits voted in the course of the last quarter for the Urban Department are as follows:

	Drachmas
For completion of the quarter of Edessa . . . . .	400,000
For construction of 25 houses at Vertékop . . . . .	750,000
For construction of 40 houses at Yanizza . . . . .	1,850,000
For construction of 110 houses at Naoussa . . . . .	4,000,000

These four towns are close to one another in Central Macedonia, and occupy the centre of a region where the Colonisation Department has utilised all the cultivable land and where the population has been seriously densified by the influx of agricultural refugees. Vertékop is on the line from Salonika to Edessa and is an urban centre in process of formation which will certainly show rapid progress. The surrounding country has been so well cultivated that the malaria has disappeared. Yanizza will always remain a large country town, where the 12,000 inhabitants require the leaven of refugees who exercise urban arts and crafts. In Naoussa, the manufacture of cloth increases from day to day and new factories are being opened. Both Edessa and Naoussa are settled on the slopes of Mt. Vermion, and, owing to the presence of water-power, look to a promising industrial and agricultural future. The water of the falls, after having furnished the motive power for the factories, irrigates the gardens which surround these towns and which furnish the Salonika market with fruit and vegetables in large quantities.

#### II.

Of the works which had been approved previous to the commencement of the quarter, and of which execution has now begun, we note the following:

(i) The calling for tenders for the construction of:

80	habitations at	Lamia,
40	»	» Styli,
35	»	» Corinth,
200	»	» Volo,
68	»	» Larissa,
80	»	» Chanea.

Stylys and Lamia, with which perhaps Livadia and Thebes will soon be joined, are situated in the fertile valleys of the Spercheios and the Cephisos. The size of the towns in this part of Eastern Greece was not in accordance with the importance of the agricultural population and of its production. The emigrants who sought a refuge in these towns created for themselves the means of existence, including the cultivation of tobacco in the fields which they rent at the gates of the towns. Their example has been followed by the old residents.

At Corinth, where commerce is very active and about 500 refugee families find employment, the houses which we are building will only suffice for the removal of 35 families who still lodge in the central hall of the market. It is essential that this should be evacuated and restored to the town.

It is unnecessary to say anything about Volo, which is both an industrial centre and a port where the whole agricultural produce of the plains of Larissa and Triccala is concentrated.

The towns of Crete have been abandoned during the past years by thousands of Mussulmans, who have been replaced by refugees.

(ii) The continuation of the construction of 350 habitations at Xanthe and 150 at Komotini.

As has already been reported, the construction of these houses in Thrace will permit the Hellenic Government to complete the restoration of properties which have long served as lodgings for the refugees to their Mussulman owners.

(iii) At the Piræus: the contract for the construction of the boulevard of 6 kilometers in length, running from the crossing of the Thebes Boulevard with the Piræus Boulevard to the Bay of St. George (December 10th, 1927).

We refer the reader to our fourteenth quarterly report, where the importance of the works of which the quarter of Kokkinia will be the centre was explained. This new road will join Athens to Kokkinia and will be prolonged to the Bay of St. George, where the Power and Traction Co. are erecting their factories in the surroundings of a busy port. St. George's will undoubtedly become an important industrial centre. The advantage of this will be felt in our quarter, which will furnish the man-power necessary for the factories, and which it is hoped will have a prosperous future in view of its expansion by the area of the plots which the Commission is preparing to sell to those families who cannot find building sites elsewhere.

(iv) The initial work of the establishment of the survey on lands expropriated and ceded by the State to the Commission for the extension of the quarters of Byron and Kokkinia (27 hectares near Byron and 400 hectares near Kokkinia).

The Council has always been alive to the necessity for the extension of these quarters in Athens and Piræus. These new quarters will enable the Commission to provide sites close to Byron and Kokkinia for those inhabitants of the quarters who are in excess of the numbers for whom accommodation is available. It is hoped to make the same arrangement in the near future for Cesariani and Ionia.

It will not, however, be sufficient to provide building sites in order to remove the difficulty of this excess population. In addition it will be necessary for the Commission to build a large number of houses in view of the fact that a large majority of the refugees in question are financially unable to undertake the construction of their houses. This is one of the points which will form the subject of a careful examination when the employment of the new money is in question. It is necessary, we repeat, to provide a wider area for the families lodged in these quarters, not only to remedy the moral and material discomfort of too close proximity, but also in order to render possible the sale of new houses already built.

### III.

1. Our new urban houses will not differ materially from the model adopted by the Commission after a careful comparison of the respective merits of about 100 different types which from time to time it has built in its quarters. The standard house is usually built in masonry with a floor area of about 36 square metres roofed with tiles, and providing as accommodation a vestibule, two rooms of equal size — of which one serves as cook-house — and a w.c., the cost being about £80; but when it is a question of a whole quarter and the houses are charged with general expenses — *i.e.*, levelling expenses, roads, provision of water, drains, etc. — the price reaches £100.

2. It is not always easy to make the choice of those families which should occupy our habitations. Two extremes have equally to be avoided. If the Commission were guided in its choice solely by a desire to recover sums spent, it would be impossible to provide houses except for those refugees who offer serious guarantees of payment, and, indeed, who would be able to do without the assistance of the Commission. If one were to build for this class of refugee, the criticism which would be encountered would not be devoid of foundation.

If, on the other hand, it confines its houses to the most necessitous refugees, it will be necessary to abandon all hope of repayment — at least, for a long period; and we should find that we had ignored throughout that period one of the essential conditions on which the loan was contracted. The policy which the Commission has followed up to date and from which it does not propose to depart in the future consists in holding an equal balance between these two classes of refugees, and thus to reconcile the advance of the financial interests for which it is responsible with the duties which



are imposed upon it by its relation to the refugees. The Commission is glad to report that the receipts from the urban refugees show a slow but perceptible increase, and this when the Commission has never departed in order to obtain this result from its policy of moderation towards the refugees — a policy to which they are well entitled.

In Thrace and Macedonia, the system of construction with the help of advances in money and in kind granted to the refugees by the Commission has given excellent results, and it would without doubt be advantageous to extend this system to those quarters elsewhere which the Commission is about to construct.

#### IV.

In the quarters of Athens and Piræus, dispensaries render services to the people of which the excellent monthly bulletins of the Hellenic Red Cross express the importance. The buildings for these dispensaries have been constructed by the Commission, and ceded at nominal rents either to the medical service of the State or to the Hellenic Red Cross, which administer them and undertake their expenses. The same plan has been followed in the case of the Ionia Hospital of 100 beds which the Commission constructed. The Kokkinia Hospital functions under the direction and at the cost of the American Women's Hospitals, and it is thanks to their valuable assistance that the most populated of our quarters is also the one where medical assistance is most generously offered.

Notwithstanding the deplorable conditions under which the refugees have lived for a long time, they have escaped epidemic disease. It may well be that the Attic sun is responsible for this miracle and it is not without reason that Ancient Greece made Apollo the father of Æsculapius.

The sanitary condition of our colonies and of our quarters would present no reason for criticism were it not for malarial fever in the country and tuberculosis in the towns, evils which cause terrible ravages. To combat the former the Commission has created a service which gives excellent results, as is well known, while awaiting the day when the drainage of the marshes which cover a considerable area of this country will remove the cause of this scourge. There is reason to believe that the Government of the day is firmly resolved to undertake these important works, which will not only release for cultivation hundreds of thousands of hectares of most fertile land, but which will also ensure within a limited time the health and prosperity of the inhabitants of the several provinces of the country.

On the other hand, it must be said that the struggle against tuberculosis is completely neglected while the evil finds a milieu exceedingly favourable to its expansion in those refugee quarters where overcrowding is extreme. Four, five or six persons, sometimes more, pass their days and nights in rooms which rarely exceed 16 square metres, so that contagion is bound to spread with terrible rapidity, especially among young people and children. The Commission regrets that the means placed at its disposal have not permitted it to carry out its wish to contribute to the foundation of a sanatorium for tuberculous refugees. A hospital of 200 beds with the necessary installations, heating, lighting and water, etc., would cost about five and a-half million drachmas.

#### V.

The position of the Armenians who are housed in the urban quarters of the Commission has always received the attention of the Council. When the Christian populations were forced to abandon Asia Minor precipitately in 1922, the Armenians, in common with refugees of Greek nationality, sought a refuge in Greek territory. The Government gave them the same welcome as to its Greek refugees and, as the urban quarters were completed, Greeks and Armenians were installed there without distinction. Since then, those organisations which deal with the Armenian problem have attempted to induce a considerable portion of the Armenian refugees to emigrate to other countries which offer a more promising field for their establishment than Greece with its one and a-half million of refugees. Notwithstanding these efforts, there are still about 30,000 Armenian refugees in Greece; in the quarters of the Commission, there are 741 Armenian families which are about to be replaced by Greek refugee families.

*The President:*

Charles B. EDDY.

---



Geneva, March 10th, 1928.

**LEAGUE OF NATIONS****FINANCIAL COMMITTEE****REPORT TO THE COUNCIL ON THE WORK OF THE THIRTIETH  
SESSION OF THE COMMITTEE,***held in Geneva from February 27th to March 7th, 1928,*

AND

**RESOLUTIONS ADOPTED BY THE COUNCIL AT ITS  
FORTY-NINTH SESSION.****A. REPORT OF THE FINANCIAL COMMITTEE.**

## INTRODUCTION.

The Financial Committee has the honour to submit to the Council the following report on the work of its thirtieth session, held in Geneva from February 27th to March 7th, 1928.

The following members were present:

Sir Otto NIEMEYER (Chairman).  
M. ARMANNI (in place of M. BIANCHINI).  
M. DE CHALENDAR.  
M. DUBOIS.  
M. JANSSEN.  
M. MELCHIOR.  
M. TER MEULEN.  
M. POSPISIL.  
Mr. Jeremiah SMITH.  
Sir Henry STRAKOSCH.  
M. TSUSHIMA.  
M. Marcus WALLENBERG.

The following also attended part of the meetings:

1. M. ADOR, Chairman of the Economic and Financial Committee.
2. *For Bulgarian questions:*
  - M. MOLLOFF, Minister of Finance.
  - M. BOUROFF, Minister for Foreign Affairs.
  - M. Assen IVANOFF, Governor of the Bulgarian National Bank.
  - M. CHARRON, Commissioner of the League of Nations in Sofia.
3. *For the question of the financial reconstruction of Portugal:*
  - General Ivens FERRAZ (Minister for the Colonies), Acting Minister of Finance.
  - M. I. CAMACHO RODRIGUES, Governor of the Bank of Portugal.
  - M. A. J. MALHEIRO, Director-General of Public Accounting.
  - Dr. A. F. Carneiro PACHECO, Professor of Law.
  - M. R. DA CARMO, of the General Bank of Deposits.
  - M. H. DA FONSECA, Director-General of Taxation.
  - M. J. BARTOLOMEU, Secretary to the Finance Minister.

4. *For Greek questions:*  
M. DENDRAMIS, Greek Minister at Berne.  
Sir John Hope SIMPSON, Vice-Chairman of the Greek Refugee Settlement Commission.
5. *For the Estonian Loan:*  
Sir Walter J. F. WILLIAMSON, C.M.G., Adviser to the Bank of Estonia.
6. *For the Mixed Greco-Bulgarian Emigration Commission:*  
Colonel CORFE, Chairman.  
Colonel DE REYNIER, neutral Member.  
M. LAGRANGE, General Secretary.
7. *For questions relating to the balance of the Hungarian Reconstruction Loan:*  
Mr. Royall TYLER, representative in Budapest of the Trustees of the Loan.

---

SUMMARY.

---

	Page
I. GENERAL . . . . .	3
II. BULGARIA:	
(a) Settlement of Refugees . . . . .	3
(b) Stabilisation Loan . . . . .	3
III. FINANCIAL RECONSTRUCTION OF PORTUGAL . . . . .	6
IV. GREECE:	
(a) Settlement of Refugees . . . . .	7
(b) Stabilisation Loan . . . . .	7
V. ESTONIAN LOAN . . . . .	8
VI. MIXED GRECO-BULGARIAN EMIGRATION COMMISSION . . . . .	8
VII. BALANCE OF AUSTRIAN RECONSTRUCTION LOAN . . . . .	8
VIII. BALANCE OF HUNGARIAN RECONSTRUCTION LOAN . . . . .	8
* * *	
APPENDIX A: PROTOCOL signed at Geneva on March 10th, 1928, by the Bulgarian Minister of Finance . . . . .	9
<i>Annex I.</i> — Amendments to the present Statutes of the Bulgarian National Bank . . . . .	13
<i>Annex II.</i> — Transformation of the Bulgarian National Bank . . . . .	20
<i>Annex III.</i> — Statement showing Budget Liabilities to be repaid out of the Proceeds of the Loan . . . . .	20
<i>Annex IV.</i> — Funds which may be exempted from Incorporation in the Budget under Article VI, 6 (a) . . . . .	21
APPENDIX B: Note from the President of the Mixed Greco-Bulgarian Emigration Commission to the Financial Committee, dated March 2nd, 1928 . . . . .	21

---

## I. GENERAL.

The Committee learnt with great regret that, for reasons of health, M. BIANCHINI, who has been a member of the Committee since June 1921, has felt obliged to resign <sup>1</sup>.

At the request of the Committee on Arbitration and Security, the Financial Committee chose three of its members — M. DE CHALENDAR, M. MELCHIOR, and Sir Henry STRAKOSCH — to represent it on a Mixed Committee (composed of members of the Committee on Arbitration and Security and members of the Financial Committee) appointed to discuss in detail the plan for financial assistance to States victims of aggression.

The Financial Committee appointed M. Léopold DUBOIS to represent it on the Consultative Committee of the Economic Organisation.

## II. BULGARIA.

### (a) SETTLEMENT OF REFUGEES <sup>2</sup>.

The Committee considered the sixth quarterly report by M. René Charron, League of Nations High Commissioner for the Settlement of Bulgarian Refugees, covering the period November 15th, 1927, to February 15th, 1928 (document C.45.M.22.1928.II). The questions dealt with in this report were examined with M. Charron.

The Committee noted that progress in the work of settlement had necessarily been somewhat slower during the winter, but that arrangements had been made by M. Sarafoff, Director of the Settlement Organisation, and the League Commissioner, to push forward the work with all necessary speed during 1928. These arrangements, particularly those relating to the transfer of land and the methodical exploitation of the forests, can, however, only be carried through with the support of certain Bulgarian Government Departments, more especially the Ministry of Agriculture. A number of difficulties have been experienced in this quarter which, if not removed, might affect the success of the work of settlement. The Committee points out that in a letter dated May 3rd, 1926, from the Bulgarian Chargé d'Affaires at Berne to the Secretary-General of the League of Nations, the Bulgarian Government itself stated that "it is desirable to use for the purposes of the loan the organisations already existing in Bulgaria . . . and the organisations of the Ministry of Agriculture". The Committee hopes that the assistance of these bodies will be forthcoming in future.

The Committee was gratified to hear that the International Health Division of the Rockefeller Foundation had decided to assist in the malaria campaign which has been undertaken in Bulgaria, and that it proposes to set up for this purpose a health centre in the Petrich district.

The sixth report of the League Commissioner does not call for any decision by the Council.

### (b) BULGARIAN STABILISATION LOAN.

As stated in the last report of the Financial Committee (document C.643.M.211.1927.II), the request of the Bulgarian Government of September last for an examination of the financial position of Bulgaria was followed by a visit of a League delegation to Sofia.

On the basis of the information so obtained, a scheme of reconstruction has been discussed with the Bulgarian representatives, both at the last session of the Committee and at the present one. The scheme is described below, and the obligations it involves are specified in a Protocol (see Appendix A, page 9). The Bulgarian representatives are in agreement with the scheme and with the terms of the Protocol, which it is understood that they are ready to sign on approval by the Council <sup>3</sup>.

By way of preface to the scheme, it is enough to recall that, the leva having been stable and the budget in approximate equilibrium for some years, the League in 1926 authorised the issue of a loan under its auspices solely for the purpose of refugee settlement without at that time undertaking a responsibility for general financial reconstruction. Subsequent experience showed that, if the financial position was to remain on a safe basis and if the stability of the currency was to be maintained, it was necessary for the refugee scheme to be supplemented by one of financial reconstruction.

---

<sup>1</sup> After the close of the Financial Committee's session, the Council appointed M. Fulvio SUVICH, Under-Secretary of State in the Italian Ministry of Finance, as a Member of the Financial Committee (see Paragraph IV, page 23).

<sup>2</sup> The Council took note of this part of the Financial Committee's report at its meeting of March 10th, 1928.

<sup>3</sup> This Protocol (see page 9) was signed at Geneva by the Bulgarian Minister of Finance on March 10th, 1928.

The present scheme is the result.  
It will be seen that it contemplates a loan of £4½ millions sterling, to be used for the following purposes:

National Bank . . . . .	£1,500,000
Agricultural Bank . . . . .	500,000
Central Co-operative Bank . . . . .	150,000
Budget Arrears . . . . .	1,100,000
Roads and Railways . . . . .	1,250,000
	<hr/>
	£4,500,000

The loan is to be secured by a first charge on the Customs revenues if this security can be released for the purpose. The independence of the Bank is to be assured; it is to be transformed, under the conditions described below, into a private share bank; and a foreign bank adviser, with extensive powers, is to be appointed and to remain for at least two years after this transformation has been effected. The sums devoted to roads and railways will be expended in accordance with a plan drawn up with the aid of a foreign expert, who will make a survey in the country, and both this expenditure and that upon budget arrears will be supervised by the present League Commissioner in charge of the Refugee Settlement, M. René Charron.

*The Reconstruction Scheme.*

With this preface, the problem and the solution recommended may be described in more detail.

The exchange rate of the leva has been approximately stable for over four years. There would appear to be a *prima facie* sufficient basis for proceeding now to a definite legal stabilisation of Bulgarian currency, provided that the measures described later in this report are adopted.

*Budget.*

When the Financial Committee considered the question of the issue of the refugee loan in 1926, the latest available results were those for the financial year 1924-25, which gave a surplus of 548 million levass. In the following financial year, characterised by a severe economic crisis, revenue collections were reduced, while the expenditure figure was increased, the accounts closing with a deficit of 741 million levass<sup>1</sup>. As the result of a compression of expenditure effected by the newly instituted Budget Commission, the deficit was reduced to 393 million levass in the year 1926-27, making a total for two years of 1,134 million levass. This deficit was partly met by surpluses from previous years; but on April 1st, 1927, the budget arrears amounted to 767 million levass (about £1,100,000).

The budget estimates 1927-28 were: revenue, 6,993 million levass; expenditure, 7,085 million levass. But, on the basis of the results of the period April-December 1927, the actual results for the year 1927-28 may be estimated at: revenue, 6,600 million levass; expenditure, 6,540 million levass; or a surplus of 60 million levass. This result has been obtained by a stringent control over expenses; and it is very necessary that this should continue.

In the next two years there will be certain increases in expenditure, partly for liquidation of outstanding pre-war and war charges and for the considerable sums due in respect of compensation payable under the awards of the Mixed Greco-Bulgarian Emigration Commission, but the Bulgarian Finance Minister has informed the Committee that in his opinion the ordinary and extraordinary budget expenditure (including any new loan service) can be kept approximately within 6,750 million levass in 1928-29 and 7,000 millions in 1929-30, excluding in both cases receipts and expenditure accounted for in special funds and such capital outlay as is met from the loan. The Committee believes that these results should be realised but that they will need certain financial reforms, including a reduction in the number of officials by 10,000 to be effected over the next two financial years.

But it will be necessary to clear off from special resources derived from the proposed external loan the existing dead weight of past arrears and some of the temporary borrowings from which such arrears have been for the moment met. The Committee proposes that a sum of £1,100,000 should be devoted to these purposes. It considers that with this assistance any other arrears can be met from the budget within the limits indicated above.

Supervision over the expenditure of any loan monies for the payment of arrears as well as for other purposes should, in the opinion of the Committee, be exercised by the League Commissioner for the Settlement of Refugees.

Certain other technical measures are also essential: *inter alia*, complete unity of the budget (including the incorporation therein of a large number of the existing funds); maintenance of the system of monthly budgets and of the present Budget Commission, and establishment of a complete

<sup>1</sup> £ = 675 levass; \$ = 138 levass; 1 Sw. fr. = 26.70 levass.

and permanent system of Treasury control; regular publication every month, under appropriate heads, of returns of actual receipts and expenditure; centralisation of cash balances in the Treasury account; control by the Minister of Finance, after consultation with the Governor of the National Bank, over borrowings by public authorities.

#### *National Bank.*

A considerable sum will be required from the loan to reduce the liabilities of the State to the Bank and to relieve it of various other illiquid assets, as well as to increase its unencumbered foreign exchange reserve to a more satisfactory percentage of its total sight liabilities.

The Committee proposes that a sum of £1,500,000 shall be devoted to paying off in part the advances of the National Bank to or on behalf of the State and to relieving the National Bank of the advances to the two other State Banks, namely, the Agricultural Bank and the Central Co-operative Bank.

Various changes will also be required immediately in the Bank's statutes to define more accurately its proper sphere of action and to establish its complete independence on surer foundations. These changes are shown in Annex I to the Protocol (page 13).

Independence is above all essential. On this depends the prospect of monetary stabilisation which is necessary for any sound scheme of financial reform. In the opinion of the Committee, independence can be best secured by constituting the Bank as an independent corporation with shares carrying a limited dividend as widely distributed as possible throughout all classes of the population. This is the solution which has been adopted in the case of all recently founded Central Banks and will enable the National Bank of Bulgaria to take its proper position among the Central Banks of the world to-day. The Committee annexes an outline of a scheme embodying this principle, by which it thinks, taking into consideration the special conditions of Bulgaria, such a reorganisation could be secured.

It will be observed that the scheme does not contemplate that the shares or voting power should be in the hands of persons other than Bulgarian nationals. Nor would the National Bank be dominated by any particular group or class or by a few persons only, the share units being intentionally fixed at a low figure and the maximum voting power of the holder of any number of shares being strictly limited. The National Bank of Bulgaria would remain in the truest sense the property of all classes of the Bulgarian people. Further, the Committee realises that, as in other cases, a certain lapse of time will be necessary before the proposed reorganisation can be fully completed.

The Bulgarian Government fully recognises the desirability of the proposed reform and has undertaken to safeguard the complete independence of the National Bank. In all the circumstances, the Committee agrees that, subject to the appointment forthwith of an expert adviser at the National Bank with the powers indicated in Annex II of the Protocol (page 20), the final decision as to the date of transformation may be deferred.

The Committee is glad to record that agreement on this question has been reached. It is embodied in the following passage of the Protocol (Article IV, paragraph 1):

“ The Bulgarian Government undertakes to safeguard the independence of the Bulgarian National Bank from any political influence whatsoever.

“ The Bulgarian Government agrees, with this intention and for this purpose, to the appointment by the Council of the League of Nations of a technical adviser to the Bulgarian National Bank, whose powers shall be those defined in the amendments to the Statutes of the National Bank (Annex I).

“ The Bulgarian Government fully recognises that for the definite consolidation of the financial situation of Bulgaria it is important to transform the Bulgarian National Bank in accordance with the plan laid down in Annex II, in order to bring it into conformity with the other Central Banks, and undertakes to effect this transformation at a date to be fixed by agreement between the Council of the League of Nations and the Bulgarian Government. The details of this transformation shall be fixed by agreement between the Council and the Bulgarian Government on the advice of the Financial Committee.”

#### *Agricultural and Central Co-operative Banks.*

It will, moreover, be desirable to provide new working capital for these two Banks: to the extent of £500,000 for the Agricultural Bank and £150,000 for the Central Co-operative Bank.

#### *Communications.*

The position of the State railways requires very careful consideration, and the Committee thinks that the Bulgarian Government has been wise in securing, on the advice of the Transit Organisation of the League, a foreign expert to advise them on this problem. This expert will doubtless advise on the relative economic advantages to Bulgaria of railway or road construction; on the degree to which repairs are essential on the existing railway system; on the railway

accounting system; and on the desirability or otherwise of reorganising the railways on an autonomous basis.

The Committee proposes that a sum of £1,250,000 should be provided in the loan for expenditure on communications, in accordance with a programme to be approved after the advice of the expert has been received.

#### *Amount of Loan.*

The Financial Committee is of opinion that Bulgaria should not at present borrow any sum that is not absolutely indispensable. The present resources of the country are limited, and its foreign liabilities are relatively considerable, though the present foreign payments do not, including reparation charges, exceed in gold value the pre-war budget charge for foreign debts. The Committee thinks it would be unwise to expect that a larger sum than £4,500,000 could now be raised; and it believes that the necessary requirements outlined above could be met within that sum.

Provided that adequate measures are taken to establish budget equilibrium and monetary stabilisation is carried out and maintained by the working of a satisfactory Central Bank, a loan of this size does not exceed the financial capacities of the country.

#### *Securities.*

The Committee has discussed at length what revenues could be pledged for the service of such a loan. After examining in detail the various possibilities, the Committee has been forced to the conclusion that the charge which, from a market point of view, would justify confidence in a successful issue of the loan would be a first lien on the Customs revenues. These are at present subject to a first lien for reparation and other treaty charges. There may also be certain private claims on these revenues. But it might be possible to arrange that the Inter-Allied Commission at Sofia (whose assent in any case would be necessary for a release from the *general* charge for reparations on all Bulgarian revenues and assets) should allow the Customs revenues now specifically pledged for reparations to be pledged in the first place for the service of the contemplated new loan, and, while retaining a second charge on the Customs, accept an alternative charge for what they release on some other satisfactory revenue.

These are the general aspects of the scheme which is embodied in the attached Protocol and which the Committee submits for the approval of the Council.

The Committee wishes to draw attention to the importance for the success of this scheme of an early settlement of certain outstanding questions, such as the possibility of securing a first charge on the Customs revenues and sufficient progress in the settlement of various pre-war private debts of the Bulgarian State.

### III. FINANCIAL RECONSTRUCTION OF PORTUGAL <sup>1</sup>.

On November 24th last, the Finance Minister of the Portuguese Republic informed the Council that the Portuguese Government desired to carry out a scheme of financial reconstruction, currency stabilisation and economic development, and asked that the Financial Committee should examine the question, in conformity with the decision of the Council. A delegation has since visited Lisbon, and the whole situation has been carefully examined with the help of representatives of the Government, of the Government Departments, the National Bank, and others, both there and at Geneva.

The Committee, under the authority of the Committee of the Council appointed by the Council at this session, has endeavoured to elaborate a reconstruction scheme in agreement with the Government.

The technical problem presented is in principle similar to that presented by some of the other schemes which have been recently before the Council. The currency of Portugal has been seriously depreciated since the war. An effort to arrest depreciation was made, which maintained a *de facto* stability for some years; but the general financial position has made this stability precarious and prevented a legal stabilisation. In these circumstances, the Portuguese Government, anxious to achieve permanent reform by means of a comprehensive scheme, including an external loan, has applied for the assistance of the League.

The first results of the Committee's study involve the establishment of budget equilibrium, the legal stabilisation of the currency, the consolidation of the floating debt and the reduction of the State debt to the Bank of Portugal, and, finally, the issue of an external loan, a portion of which could be devoted to public works which are economically essential. With the aid of these measures, and under the other conditions discussed with the Government, the Committee consider that the finances of Portugal and its currency could be placed on a sound basis.

It has not yet been possible to complete the scheme, and the Committee is still in discussion with the Government on some features in it.

<sup>1</sup> The Council took note of this part of the Financial Committee's report at its meeting of March 10th, 1928.



#### IV. GREECE.

##### (a) SETTLEMENT OF REFUGEES.

The Financial Committee has considered the Seventeenth Quarterly Report of the Settlement Commission <sup>1</sup>, supplemented by oral explanations from Sir John Hope Simpson, the Vice-President of the Commission.

It recommends the Council to adopt the report and only has the following observations to offer on it.

The Committee is impressed by the remarks made in the Settlement Commission's report, paragraph IV, page 9, regarding the prevalence of tuberculosis among the refugees. It suggests that contact might be established between the Refugee Settlement Commission and the Health Organisation of the League of Nations with a view to the latter rendering assistance to the public health authorities of Greece and to the Settlement Commission in dealing with this situation.

The Committee has also considered two notes <sup>2</sup> which contain a request from the Settlement Commission, made in agreement with the Greek Government, that authority may be given by the Council, in accordance with Article VI of the Protocol signed on September 15th, 1927, for the sums of £150,000, £100,000 and £29,000 to be earmarked respectively for the construction of certain roads and bridges in Macedonia, and the promotion of the carpet industry and arts and crafts, out of the £3,000,000 sterling assigned under the Protocol for settlement work.

The Committee recommends that the Council should give authority for these allocations to be made and for the Settlement Commission to expend the sums mentioned on the objects specified, when the total of £3,000,000 sterling contemplated in the Protocol has been made available for the settlement of refugees.

##### (b) STABILISATION LOAN.

Since the last session of the Committee, a net sum equivalent to £6,500,000 sterling out of the £9,000,000 sterling contemplated in the Protocol signed on September 15th, 1927, has been raised by the issue of loans for public subscription in London and New York, a portion of the sterling bonds being taken in Italy and Sweden, and of the dollar bonds in Switzerland.

The loan was issued at 91, carrying 6 per cent interest.

The member of the Financial Committee (Sir Henry STRAKOSCH) appointed in accordance with paragraph 4 of Article I of the Protocol signed on September 15th, 1927, approved the loan contracts as conforming to the provisions of this paragraph, and also approved the reference to the League of Nations in the prospectuses of the sterling and dollar blocks issued in London and New York.

In the prospectuses it was stated that power had been formally reserved by the Greek Government to raise a further effective amount of £2,500,000 sterling under the Protocol signed on September 15th, 1927, ranking equally with the public issues which have been made. The Hellenic Government, however, has concluded an agreement with the State and Treasury Departments of the United States of America, which has been ratified by the Greek Parliament and which has also been submitted to Congress for ratification, for an advance of 12,167,000 U.S.A. gold dollars (£2,500,000) at 4 per cent per annum, redeemable in 20 years, and to be secured by the same securities as the public issues which have been made. This advance is to be turned over in its entirety to the Refugee Settlement Commission to be expended by the Commission for its settlement work.

In these circumstances the President of the Financial Committee, in pursuance of the powers conferred upon him under paragraph 1 of Article VII of the Protocol signed at Geneva on September 15th, 1927, approved an arrangement whereby the proceeds of the public issues which have been made should be allocated as to one-third for the purposes described in Article IV (Bank of Issue), one-third for the purposes described in Article V (Liquidation of Treasury Liabilities), £500,000 sterling to the Refugee Settlement Commission to be expended in accordance with Article VI, the remainder being retained by the issuing houses until such time as the balance of the total loan of £9,000,000 sterling contemplated under the Protocol should have become available.

The Financial Committee congratulates the Greek Government on the successful issues which have taken place.

The Committee has considered the First Quarterly Report on the Budget Situation<sup>3</sup> transmitted by the Greek Government to the Council in accordance with paragraph 7 of Article V of the Protocol signed on September 15th, 1927.

It has no observations to offer upon this report, and recommends the Council to take note of it.

<sup>1</sup> Document C.51.M.25.1928.VI.

<sup>2</sup> Documents C.62.1928.II (F.494), and C.67.1928.II (F.500).

<sup>3</sup> Document C.65.1928.II (F.495).

## V. ESTONIAN LOAN<sup>1</sup>.

The Financial Committee has interviewed M. Albert Janssen, Trustee for the Estonian Loan, and Sir Walter Williamson, Adviser to the Bank of Estonia.

As a result, it finds that the currency and banking reform in Estonia has been satisfactorily carried out, in accordance with the Protocol signed at Geneva on December 10th, 1926.

Of the loan of £1,350,000, a sum of £1,000,000 was paid to the Eesti Pank at the end of December 1927, so that the legal stabilisation of the Estonian currency became effective as from January 1st, 1928.

The Estonian *Official Journal* of December 30th, 1927, published the Statutes, adopted by Parliament, of the National Mortgage Bank of Estonia, and on February 27th, 1928, the balance of the loan was paid over to that institution, which has thus begun its activities.

## VI. MIXED GRECO-BULGARIAN EMIGRATION COMMISSION.

I. By a resolution of December 12th, 1927, the Council of the League took note of the Agreement<sup>2</sup> signed at Geneva on December 9th by the representatives of the Bulgarian and Greek Governments and the President of the Mixed Greco-Bulgarian Emigration Commission, and accepted this Agreement as far as the League of Nations was concerned.

This Agreement has so far not been ratified either by Bulgaria or by Greece. The attention of the Financial Committee has been drawn by the President of the Mixed Commission, in a note which is attached (see Appendix B, page 21), to the serious obstacles to the progress of the work of the Mixed Commission created by this non-ratification. As the President of the Mixed Commission states, it will be impossible for the Commission to accomplish its task if the Agreement is not executed.

The Financial Committee has heard the representatives of the Bulgarian and Greek Governments on this matter. The Bulgarian representatives informed the Committee that the necessary law was to be deposited on March 7th with the Bulgarian Parliament and that they anticipated that ratification would be obtained before Easter. The Greek representative informed the Committee that the law will be deposited with the Greek Chamber at once and that the Government would ask for its ratification, but he was unable to indicate a date.

The Financial Committee is of opinion that ratification of this Agreement is in the interests of both countries. Moreover, ratification should be immediate if very regrettable delay in the work of the Mixed Commission is to be avoided, from the effects of which the exchanged populations would be the first to suffer.

The Committee therefore ventures to recommend that the Council should strongly urge upon the two Governments the desirability of ratifying the Agreement at the earliest possible moment.

II. Under Article 5 of the Agreement, the Council has to appoint a neutral bank to receive certain bonds to be deposited by the debtor Government. In order that the Agreement, when it is ratified, may be carried out at once in this respect also, the Financial Committee recommends that the Council should make arrangements that authority be given on its behalf for the designation of such a bank.

III. In the note of the President of the Mixed Commission, attention is also drawn to the fact that the Agreement of September 12th, 1927<sup>3</sup>, between the Bulgarian and the Greek Governments with regard to cash payments to be made in connection with the work of the Mixed Commission, is not being strictly carried out—in particular, not by the Greek Government. In the opinion of the Financial Committee, this Agreement should be strictly adhered to in the future.

IV. The Financial Committee expresses the hope that at its next session the President of the Mixed Commission will be able to report to it that satisfactory progress has been made in all respects.

## VII. BALANCE OF THE AUSTRIAN RECONSTRUCTION LOAN<sup>1</sup>.

M. Dubois gave information to the Committee in regard to the situation of the balance of the Austrian reconstruction loan.

He communicated to the Committee a letter from the Austrian Government<sup>4</sup>, asking that the remainder of the balance which is not earmarked for any specific purpose, and which amounts to approximately 3.7 million schillings, should be liberated for productive investments during the year 1928. The Committee agreed in principle to this request, subject to the exact purposes for which the money was to be employed being approved by M. Dubois.

## VIII. BALANCE OF THE HUNGARIAN RECONSTRUCTION LOAN<sup>1</sup>.

The Financial Committee was informed by M. ter Meulen and Mr. Royall Tyler of the present position as regards this balance.

---

<sup>1</sup> The Council took note of this part of the Financial Committee's report at its meeting of March 10th, 1928.  
<sup>2</sup> Document C.641.1927.II.  
<sup>3</sup> Document F.437.  
<sup>4</sup> Document F.491.

APPENDIX A.

PROTOCOL

SIGNED AT GENEVA BY THE BULGARIAN MINISTER OF FINANCE  
ON MARCH 10TH, 1928

Whereas the Bulgarian Government desires to issue, under the auspices of the League of Nations, a loan the yield of which shall be applied for the purposes of stabilising the Bulgarian currency and improving the situation of the Bulgarian National Bank, the Agricultural Bank and the Central Co-operative Bank, of liquidating budget arrears of the Bulgarian State and for certain urgent expenditure on means of transit;

And whereas the Council has approved for this purpose the provisions of the present Protocol,

The undersigned, duly authorised for the purpose, accepts on behalf of Bulgaria the following provisions:

*Article I. — Issue of a Loan.*

1. The Bulgarian Government may issue a loan yielding an effective sum equivalent to not more than four and a half millions sterling for the purpose of providing the means to carry out the plan of financial and monetary reconstruction set out in the report of the Financial Committee to the Council annexed hereto<sup>1</sup>. The whole of this amount shall be integrally made available as hereinafter provided. The expenses of issue negotiation and delivery shall be added to the capital of the loan as fixed above.

2. The capital and interest of the loan mentioned in paragraph 1 above shall be paid by the Bulgarian Government free of all deductions in respect of taxes, dues or charges present and future for the benefit of the Bulgarian State or of any municipal or local authority.

3. The conditions of the loan, the method of issue, the issue price, the rate of interest, the amortisation, and the expenses of issue, of negotiation and of delivery shall be submitted for approval on behalf of the Financial Committee of the League of Nations to a person or persons appointed by the Committee for this purpose; the amount of the annuity necessary for the service of interest and amortisation of the loan shall likewise be so approved. He shall also approve the terms of reference to the League of Nations in any prospectus of the loan.

*Article II. — Securities.*

1. The Bulgarian Government will furnish as securities for the loan the following revenues:

(a) Receipts obtained from all import and export duties, including *ad valorem* taxes, bonding, statistical and sealing charges and other Customs charges;

(b) Such other revenue or revenues (if any) as may from time to time be assigned in accordance with paragraph 6 below.

2. The amounts required for the service of the loan shall be, and shall remain, a first charge upon the revenues mentioned in paragraph 1 above, and the Bulgarian Government acknowledges that such revenues shall stand charged accordingly.

3. The revenues mentioned in the preceding paragraph shall not be used as security for any new loan without the consent of the Trustees of the loan.

4. The Bulgarian Government will not take any measures which, in the opinion of the Trustees, would be such as to diminish the aggregate value of the revenues mentioned in paragraph 1 to such an extent as to threaten the security of the bondholders.

5. All decisions taken by the Trustees in virtue of paragraphs 3 and 4 shall require confirmation by the Council if within fourteen days of the notification of any such decision by the Trustees to the Bulgarian Government the latter shall have lodged an appeal against it with the Council.

6. If at any time the total yield of the revenues referred to in paragraph 1 should fall below 150 per cent of the annual sum required to meet the service of the loan, the Trustees may request the Council to call upon the Inter-Allied Commission established under Article 130 of the Treaty of Neuilly to release from the charge laid down in Article 132 of the said Treaty such additional revenues as may be sufficient to assure the immediate restoration of the yield to the above percentage, and such additional revenues so released, shall be forthwith assigned to the service of the loan.

*Article III. — Employment of the Loan.*

The Bulgarian Government undertakes that the yield of the loan shall be applied only for the purposes and in strict accordance with the procedure set out in Articles IV, V, VI, VII and VIII below.

<sup>1</sup> The Financial Committee's Report on the Bulgarian Stabilisation Loan (see page 3) is an annex to the original signed text of the Protocol.

*Article IV. — Bulgarian National Bank.*

1. The Bulgarian Government undertakes to safeguard the independence of the Bulgarian National Bank from any political influence whatsoever.

The Bulgarian Government, with this intention and for this purpose, agrees to the appointment by the Council of the League of Nations of a technical adviser to the Bulgarian National Bank, whose powers shall be those defined in the amendments to the Statutes of the National Bank (Annex I).

The Bulgarian Government fully recognises that, for the definite consolidation of the financial situation of Bulgaria, it is desirable to transform the Bulgarian National Bank in accordance with the plan laid down in Annex II in order to bring it into conformity with other Central Banks, and undertakes to effect this transformation at a date to be fixed by agreement between the Council of the League of Nations and the Bulgarian Government. The details of this transformation shall be fixed by agreement between the Council and the Bulgarian Government on the advice of the Financial Committee.

2. The existing Statutes of the Bulgarian National Bank shall be amended forthwith in conformity with the provisions contained in Annex I, subject to the final text for this purpose being approved by the Financial Committee or by such members as the Committee may nominate for the purpose. The amendments to the Statutes shall enter into force on the date on which the payment mentioned in paragraph 5 below has been completed.

The Bulgarian National Bank shall perform the functions assigned to it in the Statutes, as amended, and, in particular, it shall effect and maintain the stabilisation of the Bulgarian currency in relation to gold and the centralisation at the Bank of all the receipts and payments of the State and the State enterprises.

3. The Bulgarian Government shall appoint as Adviser, under paragraph 1 above, to the Bulgarian National Bank such person as may be nominated by the Council of the League of Nations.

The functions of the Adviser shall continue until such time as the Council shall have ascertained that the financial and monetary stability of Bulgaria is assured, and in any case, for not less than two years after the transformation of the Bulgarian National Bank shall have been completed in the manner described in paragraph 1 above.

4. For the purpose of stabilising the Bulgarian currency, a sum of £1,500,000 from the yield of the loan shall be employed by the Bulgarian Government for strengthening the position of the Bulgarian National Bank in the manner stated in paragraph 6 below.

5. The Bulgarian Government shall, in accordance with Article VIII below, request the issuing houses to pay the said sum directly to the Bulgarian National Bank.

6. The said sum shall be allocated:

(a) To the repayment of such part of the advances made by the Bulgarian National Bank to the Agricultural Bank and the Central Co-operative Bank respectively as the Bulgarian National Bank may decide, in agreement with the Adviser to the Bulgarian National Bank;

(b) To the repayment of all advances, other than those made to the Agricultural Bank and the Central Co-operative Bank, made by the Bulgarian National Bank under the guarantee of the State, such advances to be thereupon transferred to the Agricultural Bank; and

(c) To the repayment of part of the State debts to the Bulgarian National Bank, to be applied in the first place to the immediate repayment of three Treasury bills of 50 million levas each.

7. The State will further apply the undermentioned funds annually towards the extinction of the remainder of its debt to the National Bank of Bulgaria:

(a) The sum of 100 million levas from its current budget resources;

(b) All seignorage profits of the State derived from the issue of subsidiary coinage;

(c) The whole of the State's participation in the profits of the National Bank.

8. The Bulgarian Government will take all necessary steps to effect the legal stabilisation of the Bulgarian currency in relation to gold as from the day on which the payment mentioned in paragraph 5 above has been completed.

9. The decisions fixing the maximum amount of subsidiary coinage which may at any time be in circulation, the method of its issue, and the amount for which such coins shall be legal tender, shall be taken by the Government in agreement with the National Bank of Bulgaria, provided that no such decisions shall be in contravention of the provisions of the Statutes of the National Bank as amended by this Protocol, and provided that such coinage shall be put into circulation only through and at the request of the National Bank.

10. All restrictions upon the purchase or sale of foreign exchange shall be abolished within six months of the day mentioned in paragraph 8 of this article or within such further period as may be approved by the Adviser to the Bulgarian National Bank.

*Article V. — Agricultural and Central Co-operative Banks.*

1. The Central Co-operative Bank shall remain under the direct authority of the Minister of Finance, and the general financial policy of the Agricultural Bank shall be determined by agreement between the Minister of Finance and the Minister of Agriculture.

2. For the purpose of providing new working capital for the said banks, the Bulgarian Government shall pay out of the yield of the loan £500,000 to the Agricultural Bank and £150,000 to the Central Co-operative Bank.

3. The Bulgarian Government shall, in accordance with Article VIII below, request the issuing houses to pay the sums mentioned in paragraph 2 above directly to the Bulgarian National Bank. The Bulgarian National Bank shall transfer the counter-value of the said sums in Bulgarian currency to the Agricultural Bank and the Central Co-operative Bank, respectively.

4. With the exception of a sum of 100 million levas which shall constitute permanently a share of the State in the capital of the Central Co-operative Bank, the sums received by the Agricultural and Central Co-operative Banks, in accordance with Article IV, paragraphs 6 (a) and (b), and Article V, paragraphs 2 and 3, shall be reimbursed to the State by the said Banks in accordance with an agreement to be made between them and the State.

*Article VI. — Budget.*

1. The Bulgarian Government undertakes to make, and to persist in making, every effort to keep the ordinary and extraordinary budget for 1928-29 within the limit of 6,750 million levas, and that for 1929-30 within the limit of 7,000 million levas, excluding in both cases such capital outlay as is met out of the loan and receipts and expenditure accounted for in special funds, and to maintain thereafter a complete equilibrium between the current revenue and current expenses of the State, current expenses being taken to mean all expenditure except such capital outlay for productive purposes as may be provided for from sources other than current revenue.

2. The Bulgarian Government undertakes to reimburse forthwith out of the loan the budget liabilities set out in Annex III.

3. The Bulgarian Government shall, in accordance with Article VIII below, request the issuing houses to pay the part of the loan mentioned in paragraph 2 above directly to the Bulgarian National Bank for the account of the Bulgarian Government.

4. The Bulgarian National Bank shall hold the sums to be used in accordance with paragraph 2 above in a special account for the Bulgarian Government. All drawings from this account shall require the counter-signature of the Commissioner appointed in accordance with Article I of the Protocol signed at Geneva on September 8th, 1926.

The Commissioner shall satisfy himself that such drawings are in respect of and are used for paying the liabilities described in paragraph 2 above.

5. The Bulgarian Government undertakes to transmit, every three months during a period of five years after the date of the signature of this Protocol, to the Council of the League of Nations, a report on its budget situation and Treasury liabilities, and in particular, as to the employment of the proceeds of the loan.

6. The Bulgarian Government undertakes:

(a) To proceed to the creation of a new system of public accounting in conformity with the principle of the unity of the State budget, and to include in the budget all special funds except those described in Annex IV;

(b) To maintain the existing system of monthly budgets;

(c) To establish a complete and permanent system of Treasury control, and until such system is established to maintain the existing system of control by the Budget Commission;

(d) To publish regularly every month under appropriate heads returns of receipts and expenditure provided for in the budget, the cash position and the liabilities of the Treasury and the position of the public debt.

The form of these returns shall be determined by agreement between the Bulgarian Government and the Commissioner of the League of Nations.

7. The Bulgarian Government will make every effort to reduce the employees of the State and of State undertakings within a period of two years from July 1st, 1928, by at least 10,000.

8. The Minister of Finance shall co-ordinate and approve all borrowings, whether external or internal, on the part of all public authorities. He shall ask the advice of the Governor, and, during the term of his office, of the Adviser of the Bulgarian National Bank on these questions and on all legislative and other measures of a general character in matters of money and credit.

*Article VII. — Means of Transit.*

1. A sum not exceeding £1,250,000 out of the proceeds of the loan may be employed for means of transit. The purposes for which it is to be employed and a general scheme of expenditure for these purposes shall be submitted for the approval of the Council of the League of Nations, after the report of the railway expert to be appointed by the Bulgarian Government has become available.

2. The Bulgarian Government shall, in accordance with Article VIII below, request the issuing houses to pay the part of the loan mentioned in paragraph 1 above into a special account or accounts as directed by the Commissioner appointed in accordance with Article I of the Protocol signed at Geneva on September 8th, 1926.

3. All drawings from such special account or accounts shall require the counter-signature of the said Commissioner and shall be made only for the purposes mentioned in paragraph 1 above and in conformity with detailed plans approved by him, within the general scheme contemplated in paragraph 1. The Commissioner shall satisfy himself that such payments are used only for the purposes for which he has authorised them to be made.

#### *Article VIII. — Miscellaneous.*

1. The several instalments of the loan issues shall be allocated for the purposes contemplated by the present Protocol in agreement with the President of the Financial Committee, and instructions to the issuing houses shall be given accordingly by the Bulgarian Government.

2. If any balance remains under either Article VI or Article VII, the Financial Committee may authorise a transfer from one head to the other.

3. Any sums which have become available from the yield of the loan and have not been allocated shall be temporarily retained on a blocked account or accounts, as the Commissioner, appointed in accordance with Article I of the Protocol signed at Geneva on September 8th, 1926, may decide in agreement with the National Bank of Bulgaria, and under the control of the said Commissioner.

#### *Article IX. — Issue of Treasury Bills.*

The Bulgarian Government undertakes not to seek short-term advances or to issue Treasury bills or other similar short-term obligations in excess of 600 million levas.

Nothing in this article shall prejudice the existing rights of the Inter-allied Commission established under Article 130 of the Treaty of Neuilly.

#### *Article X. — Trustees.*

1. The Council of the League of Nations will appoint Trustees to represent the interests of the bondholders of the loan, and the Bulgarian Government accepts that the Trustees shall fulfil the functions and perform the acts assigned to them in this Protocol until the loan, and every part thereof, and every claim in respect thereof, shall have been completely discharged.

2. The revenues mentioned in Article II, paragraph 1, will be paid into a special account, as and when collected for the purpose of assuring the service of the loan. The Commissioner appointed in accordance with Article I of the Protocol signed at Geneva on September 8th, 1926, and, after the termination of his functions, the Trustees, may alone control this account.

Any balance of the account not retainable in accordance with the following provisions or with the terms of issue of the loan shall be reimbursed to the Bulgarian Government, subject, however, to the powers conferred on the Trustees in the event of a default under paragraph 3 (b) below.

3. The terms on which the loan is issued shall include, among other provisions:

(a) Provisions as to amounts which, at the intervals fixed by such terms, shall be paid out of the special account provided for in the preceding paragraph by the Commissioner to the Trustees, and during such times as the Trustees may be in control of the account, set aside by the Trustees themselves and retained for the service of the loan, including interest, amortisation and all charges, commissions or other payments to be met by the Bulgarian Government in connection therewith.

(b) Power for the Commissioner at the request of the Trustees, or for the Trustees themselves if they shall be in direct control of the account mentioned in paragraph 2 of this article, to retain, collect or otherwise provide out of the said revenues (including such other revenues as may be brought into charge under the provisions of Article II) sufficient sums to remedy and make good any default of the Bulgarian Government in whole or in part in carrying out any of its obligations contained in the conditions of the loan.

#### *Article XI. — Commissioner.*

1. The Commissioner appointed in accordance with Article I of the Protocol signed at Geneva on September 8th, 1926, shall, in the reports submitted by him to the Council of the League of Nations in accordance with paragraph 3 of Article I of the said Protocol, report also as to the progress made in the execution of the present Protocol, and the Bulgarian Government shall furnish him with all information necessary for this purpose.

2. Notwithstanding the provisions of Article I, paragraph 6, of the Protocol signed at Geneva on September 8th, 1926, the functions of the Commissioner under the present Protocol shall continue until the Council is satisfied that his services are no longer required for the purposes specified in Articles VI and VII of the present Protocol.

*Article XII. — First Charge.*

The obligations assumed by the Bulgarian Government under the provisions of this Protocol shall not become effective unless and until the Bulgarian Government is able to give the first charge contemplated under Article II.

*Article XIII. — Protocol Article.*

1. Any differences as to the interpretation of this Protocol shall be settled by the Council of the League of Nations.

2. All decisions to be taken by the Council under the terms of this Protocol shall be taken by a majority vote.

3. This Protocol, of which the French and English texts are both authentic, shall be ratified by Bulgaria, and the ratification shall be deposited at the Secretariat of the League of Nations as soon as possible, and in any case not later than three months from the date of its approval by the Council of the League of Nations.

In faith whereof the undersigned, duly authorised for the purpose, has signed the present Protocol.

Done at Geneva on the 10th day of March, 1928, in a single copy, which shall be deposited with the Secretariat of the League of Nations and be registered by it without delay.

(Signed) Wl. MOLLOFF,  
*Bulgarian Minister of Finance.*

---

**Annex I<sup>1</sup>.**

**AMENDMENTS TO THE PRESENT STATUTES OF THE BULGARIAN NATIONAL BANK<sup>2</sup>.**

I. Article 2: the words " The convertibility into gold of paper money (banknotes) will be governed by a special law " to be deleted.

II. The following article to be inserted after Article 2:

*Article A.*

To ensure the convertibility of its notes:

1. The Bank, on the requisition of any person who makes a demand or offer to that effect at the head office of the Bank in Sofia, shall be bound to sell to, or to purchase from, such person in exchange for legal-tender currency of Bulgaria, at the rates defined in Sections 2 and 3 of this article, respectively, the legal-tender currency of such foreign gold standard country or countries as is by law and in practice convertible into exportable gold, and such as may be notified in the *Official Gazette*, for immediate delivery in such foreign country or countries.

Provided that no person shall be entitled to demand or offer an amount of foreign currency of less value than 50,000 levas of legal-tender money of Bulgaria.

2. For the purpose of determining the rate applicable to the *sale* of foreign currency under this article, the amount in levas which represents 1,000 grammes of fine gold in accordance with the stabilisation rate shall be deemed to be equivalent to such sum in that foreign currency as is required to purchase 1,000 grammes of fine gold in that foreign country, at the rate at which the principal currency authority of that country is bound by law to sell gold in exchange for currency, after deduction from such of an amount to be fixed by the Bank representing the normal cost per 1,000 grammes of transferring gold bullion in bulk from Sofia to that foreign country, including interest and insurance of its value during transit.

3. For the purpose of determining the rate applicable to the *purchase* of foreign currency under this article, the amount in levas which represents 1,000 grammes of fine gold in accordance with the stabilisation rate shall be deemed to be equivalent to such sum in that foreign currency as

---

<sup>1</sup> The final text of this Annex is to be approved by the Financial Committee or such members as the Committee may nominate for the purpose, in accordance with Article IV, paragraph 2, of the Protocol.

<sup>2</sup> It is understood that the articles of the Statutes will have to be renumbered in connection with these amendments.

is realised by the sale of 1,000 grammes of fine gold in that foreign country at the rate at which the principal currency authority is bound by law to purchase gold in exchange for currency, after addition to such sum of an amount to be fixed by the Bank representing the normal cost per 1,000 grammes of transferring gold bullion in bulk from that foreign country to Sofia, including interest and insurance on its value during transit.

4. On the date on which the provisions of this law become operative, the Bank shall notify in the *Official Gazette* at least one foreign gold standard country for the purposes set forth in Section 1 of this article. The Bank shall similarly notify any additions or changes of the foreign gold standard countries to which Section 1 of this article is to apply. The Bank shall also from time to time determine the equivalent rates in accordance with the provisions of Sections 2 and 3, and shall notify in the *Official Gazette* the rates so determined.

III. Articles 8, 9 and 10 to be replaced by the following articles:

*Article B.*

The Bank shall maintain a reserve of not less than  $33\frac{1}{3}$  per cent of the amount of its notes in circulation and other demand liabilities. By banknotes in circulation are to be understood all banknotes issued to the public and not returned to the offices of the Bank.

*Article G.*

The term "reserve" in the preceding article shall include only:

(a) Gold coin and bullion<sup>1</sup> in the unrestricted ownership of the Bank, and either in the custody of the Bank or deposited in another Central Bank, or in any Mint, or in transit;

(b) Net foreign gold exchange in the unrestricted ownership of the Bank, provided that it be either:

(i) On a country the currency of which by law and in practice is convertible on demand at a fixed price into exportable gold; or

(ii) On a country the currency of which by law and in practice is convertible on demand at a fixed price into foreign exchange as defined in (i).

For the purpose of this article the term "net foreign gold exchange" shall be taken to consist of the following kinds of claims on the currency of a country as defined in the preceding paragraph (b):

(1) Balances standing to the credit of the Bank at the Central Bank of such a foreign country.

(2) Bills of exchange drawn on and payable in the currency of such a foreign country, maturing within three months and bearing at least two good signatures.

(3) Treasury Bills, Treasury Certificates of indebtedness or similar obligations of the Government of such a foreign country maturing within three months:

*Less all* liabilities in foreign exchange. All such liabilities shall be included in the figures of the weekly statement.

In calculating the amount of the reserve, should it be found that the liabilities in foreign exchange exceed the total of the assets enumerated in the paragraphs numbered (1), (2) and (3) of this article, the excess shall be deducted from the total of the other assets of the reserve.

*Article D.*

At the request of the Bank, the Government may suspend the operation of Article B subject to the payment by the Bank to the Government of a tax.

Suspension may be granted for a period of not more than thirty days in the first instance and may be renewed for further periods not exceeding fifteen days at a time. The tax shall be levied on the amount by which the note circulation and other demand liabilities of the Bank exceed the maximum sum which would be admissible under Article B.

The tax shall be calculated on the daily amount of the excess at the following rates:

1  $\frac{1}{2}$  per cent per annum above the published minimum current discount rate of the Bank for three-months bills if the reserve, while less than  $33\frac{1}{3}$  per cent, is not less than 30 per cent.

2 per cent per annum above such minimum current discount rate if the reserve, while less than 30 per cent, is not less than 25 per cent.

3 per cent above such minimum current discount rate if the reserve is less than 25 per cent.

*Article E.*

Before applying to the Government for the suspension of Article B, the Board of Directors shall raise the Bank's rate for discounts by not less than one per cent per annum.

<sup>1</sup> See also transitory Article P for silver.



IV. Article 13, paragraph 2, to be replaced by the following paragraphs:

The Governor and the Deputy-Governors shall be appointed by Royal Decree on the recommendation of the Minister of Finance, the Governor for seven years, the Deputy-Governors for five years. These terms of office may be renewed.

If the Governor, any Deputy Governor or any Director be guilty of a breach of these Statutes, or abuse his position for private or business purposes, he can be removed from office by a decision of the Sobranie, to whom the Minister of Finance shall submit a reasoned report, to which should be annexed a statement by the Governor, the Deputy Governor or the Director in question of their point of view.

V. Articles 34 to 37 inclusive, Article 38, paragraph 1, Article 39, Articles 40, 43 to 45 inclusive, Article 46, paragraphs 2 and 3, Articles 47, 53, 54 and 55, paragraph 1, to be deleted. The following articles to be inserted after Article 33:

*Article F.*

The business of the Bank shall be restricted to the following operations. The Bank may:

- (1) Make and issue banknotes.
- (2) Issue demand drafts and bank post bills made payable at the Bank's head office or branches. No such drafts or bills drawn by the Bank on itself shall be made payable to bearer.
- (3) Buy and sell gold coin or bullion.
- (4) Deliver cheques, drafts and letters of credit to order or to bearer, payable in levas at sight and effect transfers by telegram, by letter or otherwise.
- (5) Accept money on current or deposit account.
- (6) Discount, purchase or sell inland bills of exchange and promissory notes arising out of bona-fide commercial transactions bearing not less than two good signatures and maturing within three months.
- (7) Discount bonds and coupons of loans of the State or of loans guaranteed by the State, provided that these bonds and coupons mature within three months.
- (8) Discount, purchase or sell bona-fide inland agricultural bills and notes bearing not less than two good signatures and maturing within nine months, provided that this category of bills and notes does not exceed 25 per cent of the Bank's portfolio of inland bills and notes acquired by discount or purchase.
- (9) Discount for the temporary requirements of the State for expenditure authorised in the Annual State Budget, Treasury Bills of the Bulgarian State with a maturity of not more than three months, up to an amount of 400 million levas, provided that the whole amount be repaid not later than at the end of the quarter following the close of the fiscal year in respect of which such accommodation is afforded. The rate of discount for such Treasury Bills to be 2 per cent below the current bank rate for the discount of three months' bills with a maximum of 7 per cent.
- (10) Discount, purchase or sell Treasury Bills of the Bulgarian State with a maturity of not more than three months which are endorsed by a bank, person or firm whose name has been approved by the Board of Directors. Provided that the total amount of Treasury Bills acquired in accordance with this paragraph or accepted as collateral in accordance with paragraph (14) (c) below may not together at any time exceed 200 million levas.
- (11) Undertake the issue and management of the State Debt and loans of other public bodies and such other services as are laid down in Articles 68, 69 and J.
- (12) Buy and sell at home and abroad, for immediate or forward delivery, foreign currencies stabilised on gold, telegraphic transfers, cheques, bills of exchange (including Treasury Bills) and drafts drawn in or on any place in a country whose currency is stabilised on gold, and maturing within three months, and keep balances with banks in such currencies.
- (13) Act as agent for or correspondent of any other bank in Bulgaria or abroad.
- (14) Grant advances for fixed periods not exceeding three months against the following security:
  - (a) Gold coin and bullion.
  - (b) Bulgarian State Bonds or bonds guaranteed by the Bulgarian Government quoted on the Sofia Stock Exchange, provided that no advance shall exceed 80 per cent of the market value of any such bonds.
  - (c) Treasury Bills of the Bulgarian State within the limitations specified in paragraph (10) of this article.
  - (d) Warehouse certificates (warrants) expressed in Bulgarian currency, on condition that these certificates bear the signatures of two persons well known to be solvent, and

that they be payable in Bulgaria within a maximum period of three months. The warehouses whose warrants may be accepted as security for an advance at the Bank shall be selected by the Board of Directors, who will also determine the nature of the commodities to which the warrants may relate. The Board of Directors will also fix the amounts which may be pledged. No advance, however, shall exceed 50 per cent of the current value of the commodities in question. All stipulations set out above regarding commercial bills shall apply equally, *mutatis mutandis*, to warrants.

(e) Bills of exchange payable in Bulgaria or abroad in the national currency or foreign gold exchange with not more than three months to run, and conforming to the stipulations of paragraphs (6) and (12) above, but only up to 80 per cent of their face value.

(f) Certificates of deposits at the National Bank for fixed periods not exceeding six months and repayable in the national currency or foreign gold exchange.

(g) Other forms of foreign gold exchange as defined in Article C.

The rate of interest on all advances shall be not less than 1 per cent above the Bank's current official discount rate for three-months bills.

(15) Accept the custody and management of monies, securities and other articles of value.

(16) Undertake on behalf of third parties the purchase and sale, collection and payment of securities, currencies and credit instruments at home and abroad and the purchase or sale of gold and silver.

(17) Invest an amount not exceeding 20 per cent of the paid-up capital and reserves in Bulgarian State Bonds or bonds guaranteed by the Bulgarian Government quoted on the Sofia Stock Exchange.

(18) Deliver guarantee certificates for use with departments of the public service. These certificates to be delivered against payment or against promissory notes payable to order or on demand signed by the debtor and by two solvent persons as guarantors. The maximum amounts of these certificates and the conditions of issue shall be determined by the Board of Directors. The Bank may, when it thinks necessary, demand a replacement of the promissory note by a marketable security authorised by these Statutes or may enforce the payment of the note by the process of forced execution. Certificates of guarantee may also be delivered against securities or commercial bills surrendered in pledge.

(19) Do all such things as may be incidental to the transaction of the Bank's legitimate business, as defined in these Statutes.

#### Article G.

In the case of advances against bills of exchange, the Bank shall have the right to examine the books and also the portfolio of the depositor when it thinks necessary.

#### Article H.

The Bank shall not:

- (1) Issue notes of a denomination less than 200 levas;
- (2) Directly or indirectly make advances to the State except as provided in Article F or undertake any transactions for the State not specified in Article F;
- (3) Directly or indirectly make advances, in any circumstances whatever, to departments, municipalities or other bodies of the same nature;
- (4) Engage in trade or otherwise have a direct interest in any commercial or industrial undertaking;
- (5) Make unsecured loans or advances;
- (6) Advance money on mortgage or engage in any similar transactions, or in general make advances for periods longer than those specified in Article F;
- (7) Become the possessor of immovable property except so far as is necessary for its own business and with the exception provided for in Article 42;
- (8) Purchase its own shares or the shares of any other bank or of any company;
- (9) Pay interest on money placed on deposit or current account with the Bank except as provided in Article J, and that interest at the rate of not more than 1 per cent per annum may be paid on the deposit or current accounts of other banks;
- (10) Draw or accept bills payable otherwise than on demand;
- (11) Discount or accept from any one party (unless from the Government under Article F) as security, without a special resolution adopted by a three-quarters majority vote of a meeting of the Board of Directors, bills exceeding one-tenth of the paid-up capital of the Bank, taking into consideration the liabilities of the party to the Bank as a bill acceptor, drawer or endorser;
- (12) Allow the renewal of maturing bills of exchange purchased or discounted by the Bank.

VI. After Article 60, sub 1, add:

These statements shall be in the form set out in the Annex to these Statutes and shall include all foreign exchange engagements.

Delete Article 61.

---

VII. After Article 69 insert the following articles:

*Article I.*

No interest shall be paid by the Bank on such accounts, except that the Bank may pay on funds held abroad interest at a rate lower by not less than one per cent per annum than the average rate earned by the Bank on such funds.

*Article J.*

The Government shall entrust the Bank with all their money, remittance, exchange and banking transactions in Bulgaria and elsewhere.

---

VIII. After Article 71, insert the following article:

*Article K.*

The Bank shall not grant accommodation to the State, State undertakings or public authorities, directly or indirectly, by way of discounts, loans, advances or overdrafts, otherwise than is provided in Article F. The Bank shall not guarantee Treasury Bills or other obligations of the State undertakings or any public authorities, neither shall the Bank effect payments for the State, State undertakings, or any public authorities for which funds are not immediately available at the Bank, nor enter into contracts in the name of the Bank for their account.

---

IX. Add to Article 74 the following sentence:

“ The Government Commissioner shall observe strict secrecy in regard to the affairs of the Bank. ”

---

X. The second sentence of Article 76 to be replaced by the following:

“ Any such objection shall have the force of a suspensive veto until the question in dispute has been decided by a Commission of three persons to be named within seven days on a request to that effect being made either by the Bank or the Government Commissioner, and to report within seven days of nomination. The Commission shall be composed of one nominee of the Government, one nominee of the Board of Directors and a chairman who shall be chosen by the Government and the Board of Directors, or who, failing agreement between the parties, shall be the President of the High Court of Administration. ”

---

XI. After Article 76 add the following article:

*Article L.*

Any question in dispute between the Government and the Bank other than those leading to a suspensive vote of the Government Commissioner shall also be settled by arbitration in the same manner as is laid down in Article 76.

---

XII. After Article 77, insert the following article:

*Article M.*

The Bulgarian Government binds itself not to issue or re-issue money of any type whatever other than subsidiary coins of denominations not higher than 100 levas, and these only to the Bank and at its request and in accordance with the law.

---

XIII. After Article 79 insert the following article:

*Article N.*

The Bank shall be exempt from all taxes or duties levied by the State; in particular, from the payment of any tax or duty on its note issue other than the tax to be imposed in certain contingencies as provided in Article D.

---

XIV. After Article 80 insert the following articles:

TRANSITORY ARTICLES.

*Article O.*

The Bank shall use every endeavour to free itself as quickly as possible from its mortgage business, and, within three years from the coming into force of these Statutes, shall free itself from all other business of a nature contrary to the provisions of the Statutes.

*Article P.*

Within a period not exceeding three years from the date of signature of the Protocol to which these amendments to the Statutes are annexed, the Bank shall sell the silver in its possession; but in the meantime such silver may be included in the Bank's reserve (Article C) at its market value.

Before disposing of its silver elsewhere, the Bank shall offer the Bulgarian Government the opportunity of purchasing such amount as it may require in respect of silver coinage. The Bank shall be permitted by the Bulgarian Government to export any balance which it may desire to dispose of on the open market.

*Article Q.*

During the first three years from the date on which these Statutes come into force, the Bank may issue notes of a denomination less than 200 levas, notwithstanding the provisions of Article H.

---

XV. At the end of the Statutes add the following chapter:

APPOINTMENT OF AN ADVISER.

*Article R.*

An adviser to the National Bank of Bulgaria shall be appointed by the Government on the nomination of the Council of the League.

On entering on his office, the Adviser will give an undertaking in writing to perform his duties faithfully in the interests of the Bank and in conformity with its Statutes, and to preserve secrecy with regard to the business of the Bank.

*Article S.*

In exercising his functions, the Adviser shall as far as possible work through, and in consultation with, the Board of Management. The governors, managers and all employees of the Bank, whether at the head office or at the branches, shall render the Adviser all the assistance in their power, as well as furnish him with any information or documents which he may require.

*Article T.*

The Adviser shall have the right to attend all meetings of the Board of Directors, Executive Committee and Board of Management in a consultative capacity. In the event of his being of the opinion that a decision taken by the Board of Management is contrary to these Statutes, he may require that the question be submitted forthwith to a meeting of the Board of Directors.

Should he be of the opinion that a decision taken by the Governor, by the Board of Directors, or by the Executive Committee is contrary to the provisions of these Statutes, he shall exercise a suspensive veto, and no action shall be taken on the decision until either an agreement has been reached between the Board of Directors and the Adviser on the question or it has been decided by a third party to be mutually agreed upon, or, failing such agreement, by the Chief Justice.

*Article U.*

Any alteration of this law shall require the specific approval of the Adviser.

---

XVI. At the end of the Statutes add the following annex:

*Annex.*

NATIONAL BANK OF BULGARIA: WEEKLY RETURN.

*Assets.*

- I. Gold coin and bullion.
- I(a). Silver <sup>1</sup>.
2. Foreign gold exchange (Article C of Statutes).
3. Other foreign exchange.
4. Subsidiary Bulgarian coins.
5. Inland bills and notes:
  - (a) Commercial bills and notes:
  - (b) Treasury bills.
6. Advances:
  1. Repayable in levas:
    - (a) Government;
    - (b) Others.
  2. Repayable in foreign exchange.
7. State debt.
8. Investments.
9. Bank buildings and equipment.
10. Other assets.

*Liabilities.*

11. Capital paid up.
12. Reserve funds:
  - (a) General Reserve Fund;
  - (b) Other Reserve Funds.
13. Banknotes in circulation.
14. Other sight liabilities in levas:
  1. Current and deposit accounts:
    - (a) Government accounts;
    - (b) Bankers' accounts;
    - (c) Other accounts.
  2. Bank post bills and demand drafts.
15. Deposits in levas at notice:
  - (a) Government accounts;
  - (b) Bankers' accounts;
  - (c) Other accounts.
16. Foreign exchange liabilities:
  - (a) Foreign gold exchange (Article C of Statutes);
  - (b) Other foreign exchange.
17. Other liabilities.

*Proportion of gold, silver and net foreign gold exchange to sight liabilities.*

Gold.

Silver.

Net foreign gold exchange (No. 2 less No. 16)

Reserve (as laid down in Article C of Statutes)

Notes

Other sight liabilities in levas

Proportion of Total (a) to Total (b) =

<i>Total (a)</i>
<i>Total (b)</i>
%

<sup>1</sup> See Article P.

Annex II.

TRANSFORMATION OF THE BULGARIAN NATIONAL BANK.

1. The Bank to have a paid-up capital of 500 million levass, divided into 500,000 shares of 1,000 levass each, carrying a limited dividend.
2. The whole of the shares to be offered for public subscription through the National Bank. The allotment to be made by the National Bank and, in the case of over-subscription, preference to be given to small subscribers. Shares which have not been subscribed to be sold by the National Bank whenever application is made for their purchase.
3. All monies obtained by the issue and sale of the shares to be used for the reduction of the State debt to the National Bank.
4. The shares to be registered in the name of the holder. Only Bulgarian nationals to be allowed to register as shareholders. Ten shares to entitle their owner to one vote, but a grouping of shareholders holding less than ten shares to make up this number for the purpose of exercising their vote at the General Meeting to be permissible.  
No shareholder to be entitled to more than twenty-five votes in respect of shares registered in his own name. As proxy, his right to be limited to another twenty-five votes.
5. The General Meeting of shareholders to be the supreme authority of the Bank and represent the whole body of shareholders.
6. The Board of the Bank to consist of eleven members, namely, the Governor, two Vice-Governors and eight other Directors.  
The Governor of the Bank to be appointed by the King, on the recommendation of the Minister of Finance, for a period of seven years. The Vice-Governors to be similarly appointed, but for five years each. These terms of office to be renewable for like periods. The Governors to be of recognised competence in financial and monetary affairs.  
Four of the remaining eight directors to be elected freely by the General Meeting of shareholders. The other four to be elected by the General Meeting, one from each of four panels containing three names each. The four panels to be established respectively by bodies representative of commerce, of industry, of agriculture and of urban co-operative societies.
7. After making provision for bad and doubtful debts, depreciation in assets and such other contingencies as are usually provided for by bankers, and appropriations to the Staff Pension Fund, a dividend not exceeding a fixed percentage to be paid to the shareholders. Of the surplus, one-half to be allocated to the General Reserve Fund and the other half to the Government. After the Reserve Fund has become equal to the capital, one-quarter of the surplus to be paid to the shareholders and the balance to the Government.
8. In the event of liquidation of the Bank, its assets and liabilities to be valued by three experts to be appointed — one by the Government, one by the Bank and one in agreement by the Government and the Bank. The nominal value of the shares to be paid to the shareholders and any surplus to be divided in the proportion of one-third to the shareholders and two-thirds to the Government.

Annex III.

STATEMENT SHOWING BUDGET LIABILITIES TO BE REPAID OUT OF THE PROCEEDS OF THE LOAN.

	Levas (000,000's omitted)
1. Debt to the National Bank arising from the fact that the amount due to the Bank under the Statutes was not paid in the financial year 1927-28 . . . . .	150.-
2. Repayment of loans from special funds:	
Social insurance fund . . . . .	56
Fund to provide loans to Municipalities for irrigation works, electricity works . . . . .	40
Municipal roads fund . . . . .	40
Fund for housing, hospitals and pensions of railway employees . . . . .	12
Fund for war victims, etc. . . . .	10
3. Payment in respect of the debt due to the Pension Fund on account of non-payment of subsidy in past years . . . . .	158.-
4. Arbitral tribunals, internal liability to railway contractors. . . . .	100.-
5. Arrears of interest due to Agricultural Bank. . . . .	160.-
6. Payment in respect of supplementary guarantee for the refugee loan . . . . .	90.- 84.2
Total . . . . .	742.2
	= (say) £1,100,000

Annex IV.

FUNDS WHICH MAY BE EXEMPTED FROM INCORPORATION IN THE BUDGET UNDER ARTICLE VI, 6 (a):

1. Donation funds;
2. State Officials' Pension Fund;
3. Social Insurance Fund;
4. Fund to cover losses by the State on loans for refugees;
5. Fund to supply loans to Municipalities for irrigation and electricity works;
6. Municipal roads fund;
7. Funds for housing, hospitals and pensions of railway employees;
8. Construction and upkeep of sanatoria and health resorts for postal employees;
9. Construction of offices and purchase of postal vehicles;
10. Epizootic Fund.

Funds which are merely suspense accounts — *i.e.*, accounts through which revenue only passes to the general budget — are not contemplated by Article VI.

---

APPENDIX B.

NOTE FROM THE PRESIDENT OF THE MIXED GRECO-BULGARIAN EMIGRATION COMMISSION TO THE FINANCIAL COMMITTEE.

Geneva, March 2nd, 1928.

In September 1927, the Council of the League of Nations, on the proposal of the Rapporteur, Sir Austen Chamberlain, requested the Financial Committee to be good enough to advise the President of the Mixed Commission on any technical questions connected with the compensation of Greek and Bulgarian emigrants, concerning which the President of the Commission might wish to consult the Committee.

As the result of this Council resolution, the President of the Commission was able in September to explain to the Financial Committee all the questions raised by the compensation of the emigrants.

The Chairman of the Financial Committee kindly undertook to study the problem in detail, and, on September 17th, the Bulgarian Minister of Finance and representatives of the Greek Minister of Finance signed at Geneva a first Agreement on the subject of the *cash payments* to be made to the emigrants.

In December, the Financial Committee resumed its consideration of the problem and, in consultation with the Finance Ministers of the two States, drew up a second Agreement under which all questions still outstanding, in particular *deferred payments* and guarantees, were settled. This Agreement was signed by the Greek and Bulgarian Ministers of Finance and by the President of the Mixed Commission on behalf of Greece, Bulgaria and the Emigration Commission respectively.

When, on December 12th last, the Council of the League of Nations noted the Agreement which had been signed on the ninth day of the same month, the President of the Mixed Commission asked the Council to convey most hearty thanks to the Financial Committee for its valuable help, which would very materially assist the Mixed Commission to terminate its work.

The President of the Commission and his neutral colleague now venture to draw the Committee's attention to the manner in which the agreements signed through its good offices are being carried out in the two countries, and the consequences which will follow if this situation is prolonged.

1. *Cash Payments.* — The sums paid in by the Bulgarian Government to the National Bank, though not up to the amount due under the September Agreement, have nevertheless been sufficient to pay claims on the drafts issued by the Commission up to February 20th last. On the Greek side, the payments have not been sufficient to meet the drafts issued up to the same date, and the total liability on unpaid drafts reaches a high figure.

2. *Deferred Payments.* — (a) The Agreement of December 9th has not yet been submitted to the Greek Parliament for the ratification specified in Article 10. On the Bulgarian side, the Commission has been informed that, although the Agreement has not yet been ratified, it will be applied without waiting for ratification.

(b) Article 3 of the Agreement laid down that any *titres provisoires* which it might be necessary to issue after January 1st, 1928, would be worded in accordance with the new formulas appended to the Agreement. On the Greek side, persons who have emigrated are still given *titres provisoires* in the old form; on the Bulgarian side, no *titres provisoires* have been distributed since January 1st owing to lack of funds.

(c) Under paragraph 3 of Article 4, the Greek Government was requested to pay to the Bulgarian Government, before January 31st, a sum of about 18 million levas as interest on account of its debt. As far as the Commission is aware, this sum has not been paid.

\* \* \*

The Mixed Commission has now reached a point in its work where it can: (1) contemplate the liquidation of the emigrants' property before the end of the present year; (2) plan (as it has already informed the Governments) to reduce its working expenses for the financial year 1928-29 by about 60 per cent.

It is absolutely essential, if the Mixed Commission is to achieve its purpose, that the Agreements concluded through the good offices of the Financial Committee should be strictly carried out by the two contracting parties.

If these signed Agreements are allowed to remain inoperative, it will be impossible for the Mixed Commission to do its work. Consequently, the Members of the Commission appointed by the Council feel bound to report these facts to the Financial Committee, with a request that the Committee will give its opinion as to the steps which might be taken to remedy the situation.

They would be glad if the Financial Committee would also consider whether the Council should not forthwith appoint the neutral bank referred to in Article 5 of the December Agreement.

Finally, the President desires to assure the Financial Committee once more that he and his neutral colleague have only one end in view — to bring their work to a speedy and successful termination. But — as the Financial Committee can see — the task is an arduous one, bristling with fresh difficulties at every turn.

The President therefore ventures to appeal most earnestly to the Committee, asking that now, as in the past, it will afford its valuable assistance to the Mixed Commission with a view to ensuring the strict application of the Agreements signed.



## B. RESOLUTIONS ADOPTED BY THE COUNCIL.

### I. GREECE: SETTLEMENT OF REFUGEES AND STABILISATION LOAN.

*Resolution adopted March 5th, 1928.*

The Council:

1. Takes note of the Seventeenth Quarterly Report of the Refugee Settlement Commission <sup>1</sup>;
2. Approves and adopts the report of the Financial Committee, and in particular approves, in accordance with Article VI of the Protocol signed at Geneva on September 15th, 1927, the allocation of approximately £150,000, £100,000 and £29,000 respectively:
  - (a) To the construction of certain roads and bridges in Macedonia connected with the settlement of refugees,
  - (b) To promoting the productive development of the domestic carpet industry, and
  - (c) Village arts and crafts among refugees,these sums to be expended when the total of £3,000,000 sterling contemplated in the Protocol has been made available for the settlement of refugees;
3. Takes note of the First Quarterly Report on the Budget Situation transmitted by the Hellenic Government to the Council in accordance with paragraph 7 of Article V of the Protocol signed on September 15th, 1927 <sup>2</sup>.

### II. BULGARIAN STABILISATION LOAN.

*Resolution adopted March 10th, 1928.*

The Council:

- (1) Approves the Financial Committee's report and the draft Protocol attached thereto concerning the Bulgarian Stabilisation Loan;
- (2) Congratulates the Bulgarian Government and the Financial Committee on the preparation of this plan and hopes that it can be put into operation very shortly;
- (3) Appoints the Chairman of the Financial Committee to discharge temporarily the duties of the Trustees as specified in Article X of the Protocol, until the Council session following the issue of the loan.

### III. MIXED GRECO-BULGARIAN EMIGRATION COMMISSION.

*Resolution adopted March 10th, 1928.*

The Council:

1. Approves the Financial Committee's report on the Mixed Greco-Bulgarian Emigration Commission;
2. Urges strongly the two Governments to ratify as soon as possible the Agreement <sup>3</sup> signed at Geneva on December 9th, 1927;
3. Empowers its President, in consultation with the Rapporteur to the Council and on the advice of the Financial Committee, to designate, as soon as the Agreement is ratified, the neutral bank which is to act as provided in Article 5 of the Agreement.

### IV. NEW MEMBER OF THE FINANCIAL COMMITTEE.

The Council, on March 10th, 1928, appointed M. Fulvio SUVICH, Under-Secretary of State at the Italian Ministry of Finance, a Member of the Financial Committee.

---

<sup>1</sup> Document C.51.M.25.1928.VI (F.474).

<sup>2</sup> Document C.65.1928.II (F.495).

<sup>3</sup> Document C.641.1927.II.

Geneva, March 16th, 1928.

LEAGUE OF NATIONS

**INTERNATIONAL CONVENTION FOR THE ABOLITION  
OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS, NOVEMBER 8th, 1927**

EXECUTION OF RECOMMENDATION No. 3 OF THE FINAL ACT  
OF THE CONFERENCE, SIGNED NOVEMBER 8TH, 1927

**PROTOCOLS**

**CONCERNING THE EXPORT OF HIDES, SKINS AND BONES**

Drawn up by the Meeting of Representatives of States interested,  
signatories to the International Convention of November 8th, 1927  
held at Geneva from March 14th to 16th, 1928.

CONTENTS.

	Page
1. NOTE BY THE SECRETARY-GENERAL . . . . .	2
2. REPORT TO THE PRESIDENT OF THE COUNCIL BY M. SERRUYS, CHAIRMAN OF THE MEETING OF REPRESENTATIVES OF STATES INTERESTED . . . . .	2
3. Protocol regarding the Export of Hides and Skins . . . . .	4
4. Protocol regarding the Export of Bones . . . . .	6

Publications of the League of Nations  
II. ECONOMIC AND FINANCIAL  
1928. II. 11.

## I. NOTE BY THE SECRETARY-GENERAL.

In order to give effect to Recommendation No. 3 of the Final Act of the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, signed on November 8th, 1927, the Council, after hearing the views of the Economic Committee, decided to convene a meeting at Geneva of all States concerned. The following Governments were invited to send representatives:

Austria	Hungary
Belgium	India
Czechoslovakia	Italy
Denmark	Netherlands
France	Poland
Germany	Roumania
Greece	Kingdom of the Serbs, Croats and Slovenes

The Council asked M. SERRUYS, Chairman of the Economic Committee, to preside over this meeting.

With the exception of Greece and India, all the States invited sent representatives to the meeting, which took place at Geneva from March 14th to 16th, 1928, and the two Protocols reproduced in this document were established.

The present document also contains the report by M. Serruys to the Council on the results of the meeting.

## 2. REPORT TO THE PRESIDENT OF THE COUNCIL BY M. SERRUYS, CHAIRMAN OF THE MEETING OF REPRESENTATIVES OF STATES INTERESTED.

Geneva, March 16th, 1928.

[*Translation.*]

In accordance with a resolution of the Council of the League of Nations and in virtue of Article 6 of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, a meeting was held at Geneva from March 14th to 16th, 1928, to consider the best means of obtaining the withdrawal of certain claims to exceptions in respect of the export of hides, skins and bones. On behalf of that meeting, I have the honour to report on its work and to request you to be so good as to take the action required to ensure the continuation of this work until the desired results have been achieved.

As regards the export of hides, skins and bones, the meeting has decided to recommend the Governments represented on it to adopt an agreement providing for the abolition of all export prohibitions and for the immediate or gradual abolition of all export duties on these products.

I have the honour to submit to you two Protocols drafted by the meeting defining the obligations which the Governments would have to assume if they acted upon the recommendation of their delegates, and the steps which the latter are requesting the Secretariat of the League of Nations to take.

Action by the Governments signatories to these protocols, which is clearly defined therein, requires to be supplemented, in the opinion of the meeting, by action to be taken by the Secretary-General of the League of Nations, who should be asked to approach Governments not represented at the meeting which are nevertheless interested in the question. As regards the export of hides, skins and bones, there are a certain number of States signatory to the Convention for the Abolition of Import and Export Prohibitions and Restrictions which, without enforcing actual prohibition in regard to these articles, nevertheless levy export duties upon them.

The delegates of the States represented at the meeting rightly consider that their resolutions concerning the abolition of export duties on hides and skins and concerning the gradual reduction of the duties on bones would be likely to remain inoperative if other States which had not been represented, and which levy similar duties, did not assume the same obligations.

The meeting therefore asked the Secretary-General to forward the text of the Protocols annexed hereto to the States signatory to the International Convention of November 8th, 1927, with the request that they should state whether they are prepared to accede to them, and ultimately to communicate these replies, in the same way as those of the Governments represented at the meeting.

The two Protocols which the latter has the honour to submit to you also provide for the possibility of another meeting being held after May 15th, 1928. The Secretary-General might, after consulting the Economic Committee, invite delegates to this second meeting from States which signed the Convention of November 8th, 1927, but were not represented at the present meeting.

The meeting was unanimous in urging the necessity of re-establishing freedom of trade in these raw materials and has endeavoured to free this trade from all export duties; at the same time, in accordance with sub-paragraph 2 of paragraph 5 of the Final Act of the International Convention for the Abolition of Prohibitions and Restrictions, it has sought to draw attention to the relation which exists between improved conditions for the supply of raw materials and the system in force regarding import duties on manufactured products made from such materials.

In order to give additional weight to these considerations, it has adopted the Declaration the text of which is attached hereto.

Nevertheless, it desires to stress the fact that, in considering the question of the re-establishment of freedom of trade in skins, hides and bones, and of the duties which may be levied on these products, it was not its intention to create a precedent or to invalidate the declaration contained in Article 5, paragraph 1, of the Final Act of the Conference for the Abolition of Prohibitions.

The text of the Protocols which I have the honour to forward to you does not apply to the regime in force in certain countries placed under the sovereignty or authority of certain States which were represented at the meeting. As regards the special Agreement on skins, hides and bones, the meeting was of opinion that there was no need to establish a different procedure from the one provided for in Article 10 of the International Convention for the Abolition of Prohibitions.

I am forwarding herewith the decisions and recommendations of the meeting over which the Council asked me to preside.

(Signed) D. SERRUYS,  
*Chairman of the meeting,  
Chairman of the Economic Committee.*

---

**Annex.**

**DECLARATION.**

In recommending the re-establishment of freedom of trade in skins, hides and bones, the delegates would draw the attention of their Governments to the importance they attach to the principle laid down in the second paragraph under No. 5 of the Final Act of the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, in virtue of which the re-establishment of free export of certain specified raw materials should bring about an improvement of the regime applied to the import of products manufactured from such raw materials.

---

### 3. PROTOCOL

#### Regarding the Export of Hides and Skins.

DRAWN UP WITH A VIEW TO THE CONCLUSION OF AN AGREEMENT  
SUPPLEMENTARY TO THE INTERNATIONAL CONVENTION OF NOVEMBER  
8TH, 1927, FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS  
AND RESTRICTIONS.

[*Translation.*]

The undersigned delegates of Signatory States of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, having met at the invitation of the Council of the League of Nations in pursuance of Recommendation No 3 of the Final Act of November 8th, 1927, for the purpose of conferring together upon the means of renouncing all requests for exceptions under Article 6 of the above-mentioned Convention regarding the free export of fresh or prepared hides, skins and pelts,

Have decided to recommend that their respective Governments should conclude an Agreement based substantially on the following provisions:

#### *Article 1.*

The Contracting States undertake not to render the export of fresh or prepared<sup>1</sup> hides, skins or pelts, subject to any prohibition or restriction, under whatever form or denomination, and accordingly renounce in respect of these products all claims to exceptions under Article 6 of the International Convention of November 8th, 1927.

#### *Article 2.*

They similarly undertake not to maintain or establish, on fresh or prepared hides or skins or pelts, any export duty or any charge — except a statistical fee — which under their respective laws would not be applicable to all commercial transactions in respect of these products.

#### *Article 3.*

The provisions of the above articles shall come into force on the expiration of the period laid down in Article 2 of the International Convention of November 8th, 1927, and shall remain in force on the same terms as that Convention.

#### *Article 4.*

If a request for the revision of Article 2 of the above-mentioned Convention is sent to the Secretary-General of the League of Nations by at least one-third of the States parties to the present Agreement, the other Contracting States undertake to participate in any consultation which may take place for that purpose.

If, as a result of such consultation, the revision of Article 2 demanded by a State party to the Convention is refused, or if that State cannot accept Article 2 as revised, it may resume its freedom of action, in regard to the subject of Article 2 six months after the refusal of the revision requested, or from the date of the entry into force, as between the other Signatory States, of the revised Article 2, provided that such State notifies the Secretary-General of the League of Nations, who will communicate their denunciation to the other Contracting States.

If, in consequence of denunciations communicated in accordance with the preceding paragraph, one-third of the States which have not denounced the present Agreement demand a fresh consultation, all States parties to the Agreement undertake to participate in such consultation.

\* \* \*

The undersigned delegates shall request their Governments to inform the Secretary-General of the League of Nations before May 15th, 1928, of their decision regarding the Agreement the bases of which are indicated above. The acceptance of their Governments may be subject to acceptance by a minimum number of other States or of certain States mentioned by name.

The undersigned delegates request the Secretary-General of the League of Nations to communicate immediately after May 15th, 1928, all decisions notified to him in accordance with the preceding paragraph to all Governments whose delegates took part in the meeting which has resulted in the establishment of the present Protocol.

<sup>1</sup> The term "prepared hides, skins and pelts" in the present Agreement is taken to mean hides or skins or pelts prepared solely for the purpose of preservation.

The undersigned delegates agree to request their Governments to take part in any further meeting which the Secretary-General may summon, after consulting the Economic Committee, with a view to ascertaining the situation created by the notifications provided for above.

The undersigned delegates further beg the Secretary-General to bring to the notice of the Signatory States of the Convention of November 8th, 1927, the present Protocol, the decisions notified by May 15th, 1928, and the results of any further meeting which may be held in the circumstances provided for in the preceding paragraph.

Done in a single copy at Geneva on March 16th, 1928.

<i>Austria:</i>	Dr. Richard SCHÜLLER.	<i>Hungary:</i>	NICKL.
<i>Belgium:</i>	J. BRUNET.	<i>Italy:</i>	E. CARVALE.
<i>Czechoslovakia:</i>	Dr. Emanuel KUSŤ-DŮBRÁV.	<i>Netherlands:</i>	
<i>Denmark:</i>	I. CLAN.	<i>Poland:</i>	E. TREPKA.
<i>France:</i>	LECUYER.	<i>Roumania:</i>	
<i>Germany:</i>	Adolf REINSHAGEN.	<i>Kingdom of the Serbs, Croats and Slovenes:</i>	Const. FOTITCH

---

## 4. PROTOCOL

### Regarding the Export of Bones.

DRAWN UP WITH A VIEW TO THE CONCLUSION OF AN AGREEMENT SUPPLEMENTARY TO THE INTERNATIONAL CONVENTION OF NOVEMBER 8TH, 1927, FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS.

[*Translation.*]

The undersigned delegates of Signatory States of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, having met at the invitation of the Council of the League of Nations in pursuance of Recommendation N° 3 of the Final Act of November 8th, 1927, with a view to conferring together upon means of renouncing all requests for exceptions under Article 6 of the above-mentioned Convention in respect of the export of raw or dried bones and waste thereof, horns and hoofs and waste thereof, and glue-stock hide:

Have decided to recommend their respective Governments to conclude an Agreement based substantially on the following provisions:

#### *Article 1.*

The Contracting States undertake not to render the export of raw or dried bones and waste<sup>1</sup> thereof, horns and hoofs and waste thereof and glue-stock hide, subject to any prohibition or restriction, under whatever form or denomination, and accordingly renounce as regards these products all requests for exceptions under Article 6 of the International Convention of November 8th, 1927.

#### *Article 2.*

The Contracting States reciprocally agree to recognise the right to maintain or establish, on exported products enumerated in the preceding article, an export duty not exceeding three gold francs per hundred kilogrammes, but to exclude any charge — apart from a statistical fee — which, under their respective laws, would not be applicable to all commercial transactions in respect of these products.

The maximum duty established by the preceding paragraph may only be levied for a period of two years from the expiration of the period laid down in Article 2 of the International Convention of November 8th, 1927.

The Contracting States undertake to meet during the six months immediately preceding the expiration of the above-mentioned period of two years, with the object of abolishing all export duties or reducing the maximum rate indicated above.

#### *Article 3.*

The provisions of Articles 1 and 2 shall remain in force on the same terms as the International Convention of November 8th, 1927.

#### *Article 4.*

If any States parties to the International Convention of November 8th, 1927, but not signatory to the present Agreement, were led to make it a pretext for establishing or raising export duties on the products enumerated in Article 1, so that States parties to the present Agreement would be faced by a new situation, and if at least one-third of the latter States demand that a conference should be held, the other signatory States agree to take part in such conference. Any States not parties to the present Agreement which, after its entry into force, establish or raise export duties on the articles to which it relates shall also be invited to such conference.

The conference might, by a two-thirds majority of the Signatory States of the present Agreement, revise Article 2 thereof.

Should the conference not adopt revisions proposed by Signatory States, or should it adopt a modification of Article 2 such as could not be accepted by some of them, the States unable to accept the conference's decisions may resume their freedom of action in regard to the subject of Article 2 six months after the refusal of the revision requested, or from the date of the entry into force, as between the other Signatory States, of the revised Article 2, provided that such States notify the Secretary-General of the League of Nations, who will communicate their denunciation to the other Contracting States.

<sup>1</sup> Bone waste includes parings (commonly known as "dentelles") of bone used in the manufacture of buttons and similar articles.

If, as a result of denunciations communicated in accordance with the preceding paragraph, one-third of the States which have not denounced the present Agreement demand a fresh consultation, all the States parties to the Agreement undertake to participate in such consultation.

\* \* \*

The undersigned delegates shall request their Governments to inform the Secretary-General of the League of Nations before May 15th, 1928, of their decision regarding the Agreement the bases of which are indicated above. The acceptance of their Governments may be made subject to acceptance by a minimum number of other States or of certain States mentioned by name.

The undersigned delegates request the Secretary-General of the League of Nations to communicate immediately after May 15th, 1928, all decisions notified to him in accordance with the preceding paragraph to all Governments whose delegates took part in the meeting which has resulted in the establishment of the present Protocol.

The undersigned delegates agree to request their Governments to take part in any further meeting which the Secretary-General may, at the instance of the Economic Committee, be required to summon with a view to ascertaining the situation created by the notifications provided for above.

The undersigned delegates further beg the Secretary-General to bring to the notice of the Signatory States of the Convention of November 8th, 1927, the present Protocol, the decisions notified by May 15th, 1928, and the results of any further meeting which may be held in the circumstances provided for in the preceding paragraph.

Done in a single copy at Geneva on March 16th, 1928:

*Austria*: Dr. Richard SCHÜLLER.

*Belgium*: J. BRUNET.

*Czechoslovakia*: Dr. Emanuel KUSY-DÚBRAV.

*Denmark* (ad referendum): I. CLAN.

*France*: LECUYER.

*Germany*: Adolf REINSHAGEN.

*Hungary*: NICKL.

*Italy*: (ad referendum): E. CARVALE.

*Netherlands*:

*Poland*:

*Roumania*:

*Kingdom of the Serbs, Croats and*

*Slovenes*:



Geneva, April 10th, 1928.

**LEAGUE OF NATIONS**

**FINANCIAL COMMITTEE**

**FINAL TEXT OF AMENDMENTS TO THE STATUTES  
OF THE BULGARIAN NATIONAL BANK**

*Note by the Secretariat.*

Article IV, 2, of the Bulgarian Protocol, signed at Geneva on March 10th last, stipulates that "the existing Statutes of the Bulgarian National Bank shall be amended forthwith in conformity with the provisions contained in Annex I, subject to the final text for this purpose being approved by the Financial Committee or by such members as the Committee may nominate for the purpose".

The following revised text of the proposed amendments to these Statutes has now been approved, in agreement with the Governor of the National Bank of Bulgaria, by members of the Financial Committee nominated for the purpose<sup>1</sup>, and should be substituted for the present Annex I to the Protocol (document C.116.M.30.1928.II (F.507 (1)),\* page 13).

**AMENDMENTS TO THE PRESENT STATUTES OF THE BULGARIAN NATIONAL BANK  
AS DEFINITELY APPROVED ON BEHALF OF THE FINANCIAL COMMITTEE IN  
ACCORDANCE WITH ARTICLE IV, 2, OF THE PROTOCOL SIGNED AT GENEVA  
ON MARCH 10TH, 1928<sup>2</sup>.**

I. Article 2: The words "The convertibility into gold of paper money (banknotes) will be governed by a special law" to be deleted.

II. The following article to be inserted after Article 2:

*Article A.*

To ensure the convertibility of its notes:

1. The Bank, on the requisition of any person who makes a demand or offer to that effect at the head office of the Bank in Sofia, shall be bound to sell to, or to purchase from, such person in exchange for legal-tender currency of Bulgaria, at the rates defined in Sections 2 and 3 of this article respectively, the legal-tender currency of such foreign gold-standard country or countries as is by law and in practice convertible into exportable gold, and such as may be notified in the *Official Gazette*, for immediate delivery in such foreign country or countries.

Provided that no person shall be entitled to demand or offer an amount of foreign currency of less value than 50,000 levas of legal-tender money of Bulgaria.

2. For the purpose of determining the rate applicable to the *sale* of foreign currency under this article, the amount in levas which represents 1,000 grammes of fine gold in accordance with the stabilisation rate shall be deemed to be equivalent to such sum in that foreign currency as is required to purchase 1,000 grammes of fine gold in that foreign country, at the rate at which the principal currency authority of that country is bound by law to sell gold in exchange for currency, after deduction from such of an amount to be fixed by the Bank representing the normal cost per 1,000 grammes of transferring gold bullion in bulk from Sofia to that foreign country, including interest and insurance of its value during transit.

3. For the purpose of determining the rate applicable to the *purchase* of foreign currency under this article, the amount in levas which represents 1,000 grammes of fine gold in accordance with the stabilisation rate shall be deemed to be equivalent to such sum in that foreign currency as is realised by the sale of 1,000 grammes of fine gold in that foreign country at the rate at which the principal currency authority is bound by law to purchase gold in exchange for currency, after

<sup>1</sup> M. Janssen and Sir Henry Strakosch.

<sup>2</sup> It is understood that the articles of the Statutes will have to be renumbered in connection with these amendments.

\* Financial Committee's report on the work of its thirtieth session.

addition to such sum of an amount to be fixed by the Bank representing the normal cost per 1,000 grammes of transferring gold bullion in bulk from that foreign country to Sofia, including interest and insurance on its value during transit.

4. On the date on which the provisions of this law become operative, the Bank shall notify in the *Official Gazette* at least one foreign gold-standard country for the purposes set forth in Section 1 of this article. The Bank shall similarly notify any additions or changes of the foreign gold-standard countries to which Section 1 of this article is to apply. The Bank shall also from time to time determine the equivalent rates in accordance with the provisions of Sections 2 and 3, and shall notify in the *Official Gazette* the rates so determined.

---

III. Article 3, 2nd sentence:

"The original capital of the Bank amounts to 1,000 million levas" to be replaced by: "The capital of the Bank amounts to 500 million levas. The amount by which the capital exceeds this sum, at the time when this amendment comes into force, shall be carried to the reserve."

---

IV. Article 7: 2nd and 3rd paragraphs to be replaced by:

"So long as the debt due by the State to the Bank has not been repaid in its entirety, that portion of the net profits of the Bank which is due to the State Treasury shall be retained and used for the amortisation of the debt. Furthermore, the Minister of Finance shall provide annually in the Budget of the State Expenditure a sum amounting to 100 million levas to be applied to the repayment of the debt and shall devote all seignorage profits of the State to this purpose."

---

V. Articles 8, 9 and 10 to be replaced by the following articles:

*Article B.*

The Bank shall maintain a reserve of not less than  $33\frac{1}{3}$  per cent of the amount of its notes in circulation and other demand liabilities. By banknotes in circulation are to be understood all banknotes issued to the public and not returned to the offices of the Bank or written off under Article 59.

*Article C.*

The term "reserve" in the preceding article shall include only:

(a) Gold coin and bullion<sup>1</sup> in the unrestricted ownership of the Bank, and either in the custody of the Bank or deposited in another Central Bank, or in any Mint, or in transit;

(b) Net foreign gold exchange in the unrestricted ownership of the Bank, provided that it be either:

(i) On a country the currency of which by law and in practice is convertible on demand at a fixed price into exportable gold; or

(ii) On a country the currency of which by law and in practice is convertible on demand at a fixed price into foreign exchange as defined in (i).

For the purpose of this article the term "net foreign gold exchange" shall be taken to consist of the following kinds of claims on the currency of a country as defined in the preceding paragraph (b):

(1) Balances standing to the credit of the Bank at the Central Bank of such a foreign country.

(2) Bills of exchange drawn on and payable in the currency of such a foreign country, maturing within three months and bearing at least two good signatures.

(3) Treasury Bills, Treasury Certificates of indebtedness or similar obligations of the Government of such a foreign country maturing within three months:

*Less all liabilities in foreign exchange.* All such liabilities shall be included in the figures of the weekly statement.

In calculating the amount of the reserve, should it be found that the liabilities in foreign exchange exceed the total of the assets enumerated in the paragraphs numbered (1), (2) and (3) of this article, the excess shall be deducted from the total of the other assets of the reserve.

*Article D.*

At the request of the Bank, the Government may suspend the operation of Article B subject to the payment by the Bank to the Government of a tax.

---

<sup>1</sup> See also transitory Article Q for silver.

Suspension may be granted for a period of not more than thirty days in the first instance and may be renewed for further periods not exceeding fifteen days at a time. The tax shall be levied on the amount by which the note circulation and other demand liabilities of the Bank exceed the maximum sum which would be admissible under Article B.

The tax shall be calculated on the daily amount of the excess at the following rates:

1 ½ per cent per annum above the published minimum current discount rate of the Bank for three-months bills if the reserve, while less than 33<sup>1</sup>/<sub>3</sub> per cent, is not less than 30 per cent.

2 per cent per annum above such minimum current discount rate if the reserve, while less than 30 per cent, is not less than 25 per cent.

3 per cent above such minimum current discount rate if the reserve is less than 25 per cent.

*Article E.*

Whenever the reserve falls below the 33<sup>1</sup>/<sub>3</sub> per cent referred to in Article B, the Bank shall immediately add to its minimum current discount rate a percentage at least equal to the percentage of tax leviable in accordance with Article D above.

---

VI. Article 11: Delete all words after "media of exchange" and add: "otherwise than as provided for in Article M".

---

VII. Article 12 to be deleted.

---

VIII. Article 13, paragraph 2, to be replaced by the following paragraphs:

"The Governor and the Deputy-Governors shall be appointed by Royal Decree on the recommendation of the Minister of Finance, the Governor for seven years, the Deputy-Governors for five years. These terms of office may be renewed.

"If the Governor, any Deputy Governor or any Director be guilty of a breach of these Statutes, or abuse his position for private or business purposes, he can be removed from office by a decision of the Sobranie, to whom the Minister of Finance shall submit a reasoned report, to which should be annexed a statement by the Governor, the Deputy Governor or the Director in question of their point of view."

The following paragraph to be inserted at the end of Article 13:

"Persons who come within the categories mentioned in Article 25 shall not be eligible for election as Directors."

---

IX. Article 15, 1st paragraph: Delete "to a plenary session".

---

X. Article 17: 1st sentence to read: "The Board of Directors shall administer the affairs of the Bank and lay down the general principles of its policy".

From clauses 1, 2, 3 and 4 delete: "in plenary session".

---

XI. Article 18: The first words to read:

"The Governor manages the affairs of the Bank."

---

XII. Article 28: Delete 2nd sentence and substitute:

"Members of the Discount Committees may receive in return for their services a remuneration to be fixed at the discretion of the Board of Directors."

---

XIII. Article 29: 2nd sentence to be replaced by the following:

"The Discount Committees fix the total amount of credit which may be accorded in any form to each customer of the Bank and from time to time revise these limits."

---

XIV. Article 32: 1st sentence to be replaced by the following:

"The President of a Discount Committee has the right to veto any decision of the Discount Committee."

---

XV. Articles 34 to 37 inclusive, Article 38, paragraph 1, Article 39, Articles 40, 43 to 45 inclusive, Article 46, paragraphs 2, 3 and 4, Articles 47, 53, 54 and 55, paragraph 1, to be deleted.

The following articles to be inserted after Article 33:

*Article F.*

The business of the Bank shall be restricted to the following operations. The Bank may:

- (1) Make and issue banknotes.
- (2) Issue demand drafts made payable at the Bank's head office or branches. No such drafts drawn by the Bank on itself shall be made payable to bearer.
- (3) Buy and sell gold coin or bullion.
- (4) Deliver cheques, drafts and letters of credit to order or to bearer, payable in levas at sight and effect transfers by telegram, by letter or otherwise.
- (5) Accept money on current or deposit account.
- (6) Discount, purchase or sell inland bills of exchange and promissory notes arising out of bona-fide commercial transactions bearing not less than two good signatures and maturing within three months.
- (7) Discount bonds and coupons of loans of the State or of loans guaranteed by the State, provided that these bonds and coupons mature within three months.
- (8) Discount, purchase or sell bona-fide inland agricultural bills and notes bearing not less than two good signatures and maturing within nine months, provided that at the time of discount or purchase this category of bills and notes does not exceed one-third of the Bank's portfolio of inland bills and notes acquired by discount or purchase. In the case of agricultural bills discounted for the Agricultural Bank and Central Co-operative Bank, the National Bank of Bulgaria shall have the same special rights of recourse against the parties to the bills as those possessed by the Agricultural Bank and Central Co-operative Bank.
- (9) Discount for the temporary requirements of the State for expenditure authorised in the Annual State Budget, Treasury Bills of the Bulgarian State with a maturity of not more than three months, up to an amount of 400 million levas, provided that the whole amount be repaid not later than at the end of the quarter following the close of the fiscal year in respect of which such accommodation is afforded. The rate of discount for such Treasury Bills to be 2 per cent below the current bank rate for the discount of three months' bills with a maximum of 7 per cent.
- (10) Discount, purchase or sell Treasury Bills of the Bulgarian State with a maturity of not more than three months which are endorsed by a bank, person or firm whose name has been approved by the Board of Directors. Provided that the total amount of Treasury Bills acquired in accordance with this paragraph or accepted as collateral in accordance with paragraph (14) (c) below may not together at any time exceed 200 million levas.
- (11) Undertake the issue and management of the State Debt and loans of a public utility character and such other services as are laid down in Articles 68, 69 and J.
- (12) Buy and sell at home and abroad, for immediate or forward delivery, foreign currencies stabilised on gold, telegraphic transfers, cheques, bills of exchange (including Treasury Bills) and drafts drawn in or on any place in a country whose currency is stabilised on gold, and maturing within three months, and keep balances with banks in such currencies.
- (13) Act as agent for or correspondent of any other bank in Bulgaria or abroad.
- (14) Grant advances for fixed periods not exceeding three months against the following security:
  - (a) Gold coin and bullion.
  - (b) Bulgarian State Bonds or bonds guaranteed by the Bulgarian Government quoted on the Sofia Stock Exchange, provided that no advance shall exceed 80 per cent of the market value of any such bonds.
  - (c) Treasury Bills of the Bulgarian State within the limitations specified in paragraph (10) of this article.
  - (d) Warehouse certificates (warrants) expressed in Bulgarian currency, on condition that these certificates bear the signatures of two persons well known to be solvent, and that they be payable in Bulgaria within a maximum period of three months. The warehouses whose warrants may be accepted as security for an advance at the Bank shall be selected by the Board of Directors, who will also determine the nature of the commodities to which the warrants may relate. The Board of Directors will also fix the amounts which may be pledged. No advance, however, shall exceed 60 per cent of the current value of the commodities in question. All stipulations set out above regarding commercial bills shall apply equally, *mutatis mutandis*, to warrants.

(e) Bills of exchange payable in Bulgaria or abroad in the national currency or foreign gold exchange with not more than three months to run, and conforming to the stipulations of paragraphs (6) and (12) above, but only up to 80 per cent of their face value.

The rate of interest on all advances shall be not less than 1 per cent above the Bank's current official discount rate for three-months bills.

(15) Accept the custody and management of monies, securities and other articles of value.

(16) Undertake on behalf of third parties the purchase and sale, collection and payment of securities, currencies and credit instruments at home and abroad and the purchase or sale of gold and silver.

(17) Invest an amount not exceeding 20 per cent of the paid-up capital and reserves in Bulgarian State Bonds or bonds guaranteed by the Bulgarian Government quoted on the Sofia Stock Exchange.

(18) Deliver guarantee certificates for use with departments of the public service. These certificates to be delivered against payment or against promissory notes payable to order or on demand signed by the debtor and by two solvent persons as guarantors. The maximum amounts of these certificates and the conditions of issue shall be determined by the Board of Directors. The Bank may, when it thinks necessary, demand a replacement of the promissory note by a marketable security authorised by these Statutes or may enforce the payment of the note by the process of forced execution. Certificates of guarantee may also be delivered against securities or commercial bills surrendered in pledge.

(19) Do all such things as may be incidental to the transaction of the Bank's legitimate business, as defined in these Statutes.

#### Article G.

In the case of advances against bills of exchange, the Bank shall have the right to examine the books and also the portfolio of the depositor when it thinks necessary.

#### Article H.

The Bank shall not:

- (1) Issue notes of a denomination less than 200 levas;
- (2) Directly or indirectly make advances to the State except as provided in Article F or undertake any transactions for the State not specified in Article F;
- (3) Directly or indirectly make advances, in any circumstances whatever, to departments, municipalities or other bodies of the same nature;
- (4) Engage in trade or otherwise have a direct interest in any commercial or industrial undertaking;
- (5) Make unsecured loans or advances;
- (6) Advance money on mortgage or engage in any similar transactions, or make advances for periods longer than those specified in Article F;
- (7) Become the possessor of immovable property except so far as is necessary for its own business and with the exception provided for in Article 42;
- (8) Purchase the shares of any bank or of any company;
- (9) Pay interest on money placed on deposit or current account with the Bank except as provided in Article I, and except that interest at the rate of not more than 1 per cent per annum may be paid on the deposit or current accounts of other banks;
- (10) Draw or accept bills payable otherwise than on demand;
- (11) Discount for or accept as security further bills from any one party (unless from the Government under Article F) whose total liabilities to the Bank as a bill acceptor, drawer or endorser already equal or exceed one-tenth of the paid-up capital of the Bank unless on the authority of a special resolution adopted by a three-quarters majority vote of a meeting of the Board of Directors.

(12) Allow the renewal of maturing bills of exchange purchased or discounted by the Bank.

Article 38: Last paragraph to be replaced by the following:

"The Bank's minimum current discount rate, which must be publicly displayed at the offices of the Bank and published in the *Official Gazette*, shall be the same at all the establishments of the Bank."

XVI. Article 58 to be replaced by:

"At the end of the financial year the accounts of the Bank, supported by the necessary vouchers, shall be verified by a committee appointed by the Minister of Finance and composed of a Counsellor of the High Court of Accounts, nominated by the President of the said Court,

an Accountant nominated by the Sofia Chamber of Commerce and a representative of the Ministry of Finance. This committee shall also make a special report to the High Court of Accounts on the general expenses of the Bank.”

---

XVII. Article 59: For “two years” substitute “five years”.

---

XVIII. After Article 60, *sub 1*, add:

“These statements shall be in the form set out in the Annex to these Statutes and shall include all foreign exchange liabilities valued at the market rate upon the day to which the statement relates.”

Delete Article 61.

---

XIX. Article 62: The words “the other gold assets or liabilities” to be replaced by the words “the other assets”.

---

XX. After Article 69, insert the following articles:

*Article I.*

No interest shall be paid by the Bank on such accounts, except that the Bank may pay on funds held abroad interest at a rate lower by not less than 1 per cent per annum than the average rate earned by the Bank on all funds held abroad.

*Article J.*

The Government shall entrust the Bank with all their money, remittance, exchange and banking transactions in Bulgaria and elsewhere.

---

XXI. After Article 71, insert the following article:

*Article K.*

The Bank shall not grant accommodation to the State, State undertakings or public authorities, directly or indirectly, by way of discounts, loans, advances or overdrafts, otherwise than is provided in Article F. The Bank shall not guarantee Treasury Bills or other obligations of the State, State undertakings or any public authorities, neither shall the Bank effect payments for the State, State undertakings, or any public authorities for which funds are not immediately available at the Bank, nor enter into contracts in the name of the Bank for their account.

---

XXII. Article 73: Replace 1st paragraph by the following:

“Together with the annual balance-sheet the National Bank shall submit to the Minister of Finance a report on the business transacted within the year. In order that he may have an opportunity of satisfying himself on any question arising out of the report, the Minister of Finance may take the advice of the Committee appointed in accordance with Article 58, but only as regards any questions as to whether the balance-sheet and the profit-and-loss account are in conformity with the books of the Bank.”

2nd paragraph: For “any questions” substitute “any such questions”.

---

XXIII. Add to Article 74 the following sentence:

“The Government Commissioner shall observe strict secrecy in regard to the affairs of the Bank.”

---

XXIV. Article 76 to be replaced by the following:

“The Government Commissioner has the right to protest against any decision of the Board of Directors or of the Executive Committee which he considers contrary to these Statutes.  
“Any such objection shall have the force of a suspensive veto until the question in dispute has been decided by a Commission of three persons to be named within seven days on a request to that effect being made either by the Bank or the Government Commissioner, and to report within seven days of nomination. The Commission shall be composed of one nominee of the Government, one nominee of the Board of Directors and a chairman who shall be chosen by the Government and the Board of Directors, or who, failing agreement between the parties, shall be the President of the High Court of Administration.”

---

XXV. After Article 76, add the following article:

*Article L.*

Any question in dispute between the Government and the Bank other than those leading to a suspensive veto of the Government Commissioner shall also be settled by arbitration in the same manner as is laid down in Article 76.

---

XXVI. Article 77 to be replaced by the following:

“The National Bank shall not be subject to any regulations made by the Government or its subordinate authorities except as provided in these Statutes. The Internal Regulations of the National Bank, drawn up by the Board of Directors in accordance with these Statutes, shall have full legal force as though they formed an integral part of these Statutes.”

---

XXVII. After Article 77, insert the following article:

*Article M.*

The Bulgarian Government binds itself not to issue or re-issue money of any type whatever other than subsidiary coins of denominations not higher than 100 levas, and these only to the Bank and at its request and in accordance with the law.

---

XXVIII. After Article 78, insert the following article:

*Article N.*

The Governor, Deputy Governors and the Directors shall give guarantees of an amount to be fixed by the Minister of Finance. These guarantees shall be retained and released by the Ministry of Finance.

The officials and employees of the Bank shall furnish guarantees, the nature and amount of which shall be fixed by the Board of Directors. These guarantees shall be retained and released by the Board of Directors. All existing guarantees of present and former officials and employees shall be transferred to the National Bank.

A special regulation approved by the Board of Directors shall determine the administration of the guarantees.

---

XXIX. After Article 79, insert the following article:

*Article O.*

The Bank shall be exempt from all taxes or duties levied by the State; in particular, from the payment of any tax or duty on its note issue other than the tax to be imposed in certain contingencies as provided in Article D.

---

*Transitory Articles.*

XXX. Add to Article 80 the following:

“Nevertheless, the Bank shall use every endeavour to free itself as quickly as possible from its mortgage business and, within three years from the coming into force of this amendment, shall divest itself of all other business of a nature contrary to the provisions of the Statutes.”

---

XXXI. After Article 80, insert the following articles:

*Article P.*

For a period not exceeding two years from the time this article shall come into force, the Bank may grant advances and open current accounts against the pledging of commodities for a period not exceeding nine months.

*Article Q.*

Within a period not exceeding three years from the date of signature of the Protocol to which these amendments to the Statutes are annexed, the Bank shall sell the silver in its possession; but in the meantime such silver may be included in the Bank's reserve (Article C) at its market value.

Before disposing of its silver elsewhere, the Bank shall offer the Bulgarian Government the opportunity of purchasing such amount as it may require in respect of silver coinage. The Bank

shall be permitted by the Bulgarian Government to export any balance which it may desire to dispose of on the open market.

*Article R.*

During the first three years from the date on which this article comes into force, the Bank may issue notes of a denomination less than 200 levas, notwithstanding the provisions of Article H.

---

XXXII. At the end of the Statutes, add the following chapter:

APPOINTMENT OF AN ADVISER.

*Article S.*

An Adviser to the National Bank of Bulgaria shall be appointed by the Government on the nomination of the Council of the League.

On entering on his office, the Adviser will give an undertaking in writing to perform his duties faithfully in the interests of the Bank and in conformity with its Statutes, and to preserve secrecy with regard to the business of the Bank.

*Article T.*

In exercising his functions, the Adviser shall as far as possible work through, and in consultation with, the Governor. The Governors, managers and all employees of the Bank, whether at the head office or at the branches, shall render the Adviser all the assistance in their power, as well as furnish him with any information or documents which he may require.

*Article U.*

The Adviser shall have the right to attend in a consultative capacity all meetings of the Board of Directors, the Executive Committee and the Bodies constituted under Article 21. In the event of his being of the opinion that a decision taken by the Governor, the Executive Committee or the Bodies constituted under Article 21 is contrary to these Statutes, he may require that the question be submitted forthwith to a meeting of the Board of Directors.

Should he be of the opinion that a decision taken by the Board of Directors is contrary to these Statutes, he shall exercise a suspensive veto, and no action shall be taken on the decision until either an agreement has been reached between the Board of Directors and the Adviser on the question or it has been decided by a third party to be mutually agreed upon, or, failing such agreement, by the President of the High Court of Administration.

*Article V.*

Any alteration of this law shall require the specific approval of the Adviser during the period of his office.

---

XXXIII. At the end of the Statutes, add the following annex:

*Annex.*

NATIONAL BANK OF BULGARIA: WEEKLY RETURN.

*Assets.*

1. Gold coin and bullion.
- 1(a). Silver <sup>1</sup>.
2. Foreign gold exchange (Article C of Statutes).
3. Other foreign exchange.
4. Subsidiary Bulgarian coins.
5. Inland bills and notes:
  - (a) Commercial bills and notes:
  - (b) Treasury bills.
6. Advances:
  - (1) Repayable in levas:
    - (a) Government;
    - (b) Others.
  - (2) Repayable in foreign exchange.
7. State debt.
8. Investments.
9. Bank buildings and equipment.
10. Other assets.

---

<sup>1</sup> See Article Q.



*Liabilities.*

- 11. Capital paid up.
- 12. Reserve funds:
  - (a) General Reserve Fund;
  - (b) Other Reserve Funds.
- 13. Banknotes in circulation.
- 14. Other sight liabilities in levas:
  - (1) Current and deposit accounts:
    - (a) Government accounts;
    - (b) Bankers' accounts;
    - (c) Other accounts.
  - (2) Demand drafts.
- 15. Deposits in levas at notice:
  - (a) Government accounts;
  - (b) Bankers' accounts;
  - (c) Other accounts.
- 16. Foreign exchange liabilities:
  - (a) Foreign gold exchange (Article C of Statutes);
  - (b) Other foreign exchange.
- 17. Other liabilities.

*Proportion of gold, silver and net foreign gold exchange to sight liabilities.*

Gold.

Silver.

Net foreign gold exchange (No. 2 less No. 16)

---

Total (a)

---

Reserve (as laid down in Article C of Statutes)

Notes

Other sight liabilities in levas

---

Total (b)

---

Proportion of Total (a) to Total (b) =

%

---

Geneva, April 16th, 1928.

**LEAGUE OF NATIONS**  
**ECONOMIC COMMITTEE**  
**COMMITTEE OF LEGAL EXPERTS ON BILLS  
OF EXCHANGE AND CHEQUES**

**REPORT TO THE ECONOMIC COMMITTEE**

The Committee of Legal Experts on Bills of Exchange and Cheques, which was convened by the Council of the League of Nations at the request of the Economic Committee, met at Geneva from November 21st to November 26th, 1927, from January 23rd to January 29th, 1928, and from April 11th to April 13th, 1928.

It held thirty meetings.

It was composed as follows :

M. J. PERCEROU (Chairman), Professor in the Faculty of Law, Paris University ;  
Dr. Hans v. FLOTOW, Geheimer Oberregierungsrat, Berlin ;  
M. Karel HERMANN-OTAVSKY, Professor, Prague University ;  
M. Xavier JANNE, Barrister-at-Law, Professor in the Faculty of Law, Liège University ;  
M. Joseph SULKOWSKI, Professor in the Faculty of Law, Posen University ;  
M. Max VISCHER, Barrister-at-Law and Notary, First Secretary of the Swiss Bankers' Association, Basle ;  
M. Edouard L. VIVOT, Doctor of Juridical Sciences of the Faculty of Buenos Aires<sup>1</sup> ;  
M. Auguste WEILLER, Barrister-at-Law, delegate of the Fascist General Banking Federation, Milan.  
Secretary : M. C. SMETS.

The Committee was also fortunate enough to obtain at its second session, when discussing cheque laws, the assistance of Mr. E. H. BARCHARD, Solicitor, Head of the Legal Department of Lloyds Bank.

I. GENERAL CONSIDERATIONS.

Before discussing in detail the problems submitted to them for solution by the Council of the League, the experts considered what methods they should adopt, since these methods were bound to have some effect on the solutions which would eventually be proposed.

The experts feel that there can be no doubt as to the desirability of convening an international Conference as soon as possible. They are also convinced that such a Conference might result in an agreement which would considerably reduce the difficulties caused by the divergences in the laws of the so-called "continental" type. In formulating this opinion, the experts are but echoing the resolution adopted by the Congress of the International Chamber of Commerce at Stockholm in June and July 1927.

The experts also believe that, in dealing with so complicated and delicate a question, it will be desirable to adhere to a method the value of which has already been demonstrated by long experience, namely, that representatives of the various countries should be convened only when a firm basis for discussion — the result of very detailed preparatory work — can be submitted to them, and only when these proposals have already been examined by the various Governments that will be invited to take part in the Conference.

The experts therefore decided that their first task would be to seek a basis on which, in their opinion, a draft could be prepared for the reduction of divergences in bills of exchange and cheque laws in the various bodies of law of the *Continental group*, including Latin America.

<sup>1</sup> M. Vivot was not present at the last session.

The experts devoted particular attention to the results obtained by the experts who met in December 1926 under the auspices of the Economic Committee. They adopted as the starting-point for their discussions the results of the Hague Conference of 1912, taking into account the observations put forward and the resolutions adopted by the International Chamber of Commerce.

The experts hold that the ideal solution of these difficult problems caused by the divergence of the various national laws on bills of exchange, promissory notes and cheques would be for all States of the Continental group to adopt a uniform Regulation which each would agree, under a Convention, to embody in its own legislation.

They are, however, fully aware that it would be a very difficult matter to secure the adoption, by the Parliaments of all countries concerned, of a uniform text accepted under an international Convention on bills of exchange, promissory notes and cheques — a text which the various Parliaments would have to adopt without any change and which, once adopted, they would be obliged to maintain unaltered during the period fixed under the Convention, as laid down in Article 28, paragraph 2, of the 1912 Hague Convention, the first article of which makes it obligatory for the contracting States to embody the uniform Regulation in their national laws.

They have thus prepared various drafts which they submit as a basis for discussion and for the establishment of rules likely to be accepted by all States taking part in the future Conference. They feel, however, that the only undertaking which these countries could be invited to assume would be to submit to the approval of their Parliaments, within a definite period, a draft law embodying the accepted solutions as provisions of their national laws.

The experts are of opinion that, with a view to securing definite progress the advantages of which would be felt in practice, an agreement should at least be reached between the greatest possible number of States on certain essential questions, the importance of which is demonstrated by difficulties of daily occurrence due to the divergence of laws on particular points — difficulties of which all persons who, by profession, habitually deal with bills of exchange and cheques are aware.

These essential questions are connected with the form of *bills of exchange*, acceptance, endorsement, maturity, loss of rights, *vis major* and, finally, penalties for non-compliance with the stamp laws.

## II. BILLS OF EXCHANGE AND PROMISSORY NOTES.

The proposals which the experts have the honour to submit to the Economic Committee are largely based on the work of the 1910 and 1912 Hague Conferences and, in certain respects, on the resolutions of the International Chamber of Commerce. It is not claimed for these proposals that they solve every question; the experts feel that, for the present at least; it would be extremely difficult — owing to the very nature of the problems — to secure uniformity on certain points. They have therefore agreed that laws must continue to differ in certain respects — though it is to be hoped that the number of differences will not be increased. The disadvantage of such divergences may be partially overcome by laying down definite rules to govern the conflict of laws.

The experts have therefore added to their proposals regarding bills of exchange and promissory notes a number of rules for the settlement of these conflicts.

Whatever may be the fate of the experts' proposals for the unification — or, at any rate, partial unification — of the laws on bills of exchange and promissory notes, the rules which they have put forward as a possible method for the settlement on uniform lines of conflicts of law arising in this connection could in any case be accepted as a remedy for the present situation. At present, indeed, owing to the absence of such rules, the Courts of various countries often arrive at very different conclusions. Even States which are not parties to the desired agreement for legislation unification might, however, adhere to such a Convention.

## III. CHEQUES.

The experts have endeavoured in the matter of cheques to follow a method similar to the one adopted by them in the case of bills of exchange.

Taking as their basis the Hague Resolutions regarding cheques — and once again in several respects the resolutions of the International Chamber of Commerce — they first of all prepared a series of rules regarding cheques which might, they think, be accepted by the various States invited to take part in the future Conference. As in the previous case, the Governments of these States would be called upon to submit to their Parliaments draft laws embodying the accepted solutions as provisions of their national law.

These rules, the object of which is to attain as far as possible legislative uniformity in the matter of cheques, are less comprehensive than those proposed for bills of exchange. The points on which States are allowed to exercise their own discretion in promulgating rules are more numerous; indeed, since they are so numerous and important, the reservations are included not in the form of a simple note (as in the draft Convention on bills of exchange) but as part of the actual text which embodies the suggested principles. There are two main reasons why assimilation is more difficult in the matter of cheques. The first is that cheques have been in common use for a shorter period than bills of exchange; consequently, laws concerning cheques are in general of fairly recent date. It

may also be added that in certain countries fiscal considerations in connection with cheques are a highly important factor. The second reason is that, in the Continental system of law, jurists at any rate, if not business men, are divided into two camps as regards their conception of the nature of a cheque.

Some hold that a cheque is merely one form of the bill of exchange and that, generally speaking, the technique of exchange law might be applied. In their opinion, the cheque is a non-acceptable draft, so that the drawer of the cheque is only regarded as a person who guarantees payment and is only subject to exchange recourse if the holder has presented the cheque for payment and has entered protest within the proper period.

Others, however, with a view to strengthening as far as possible the security of cheques, maintain that the issue of a cheque involves transfer of the covering funds to the holder, and that the holder has a direct right of action against the drawee who has received these funds. They say, further, that cheques should not be revocable; finally, in their opinion, a drawer issuing a cheque without funds to meet it is under an "obligation of exchange" ("est tenu cambiairement") to the holder, even when the latter has allowed the prescribed period to elapse without presenting or protesting the cheque. Such fundamental divergences of opinion regarding the very nature of the cheque obviously constitute a serious obstacle in the path of the unification of cheque law as between countries holding these opposite points of view. The experts were therefore unable to progress as far in the unification of cheque law as they have done in the matter of bills of exchange.

It was even more necessary in this case to provide definite and fairly detailed rules for the settlement of the conflict of laws in the matter of cheques. This the experts have endeavoured to do. They accordingly submit, as the second part of their proposals regarding cheques, a number of rules to govern the conflict of laws which the States participating in the future Conference might, they think, in all cases be able to accept.

#### IV. CONFLICT OF LAWS.

Certain of these rules — and this remark also applies in the case of bills of exchange and promissory notes — refer to the conflict of laws which will still subsist even between States accepting the proposed partial unification: indeed, these rules are an unavoidable corollary to partial unification. Other rules, however, refer to the conflict of laws which would be eliminated between all States adopting the partial unification, but which would still arise between these and other States, or between States not parties to the Convention.

The best solution of this problem would seem to be to apply a single law to the effects of all obligations arising under bills of exchange, promissory notes or cheques, viz., the law of the State in which the instrument is payable.

This solution has been adopted in certain cases (time for payment of the cheque, transfer of provision or cover, etc.), but most of the experts agree that it is not applicable in every instance. The principle has therefore been maintained<sup>1</sup> that the effects of obligations arising under bills of exchange, promissory notes or cheques shall be governed by the law of the place of residence of the person who signs the undertaking.

#### V. PROCEDURE.

As pointed out at the beginning of this report, the experts are convinced that a Conference should not be convened until the draft Conventions on which it is to work have been most carefully prepared. They would therefore suggest to the Economic Committee that their proposals should be communicated to the various Governments in order to ascertain the views of the latter. The drafts might then, in the light of these observations, be so modified or adapted as to make them more readily acceptable.

Only when the draft Conventions have reached this stage would it be advisable to invite the various Governments to a Conference to consider their adoption.

Geneva, April 13th, 1928.

(Signed) J. PERCEROU.  
Xavier JANNE.  
Auguste WEILLER.

Joseph SULKOWSKI.  
v. FLOTOW.

HERMANN-OTAVSKY.  
M. VISCHER.

---

<sup>1</sup> Article 6 of the draft Convention concerning the conflict of laws in the matter of bills of exchange and promissory notes, and Article 11 of the draft Convention on cheques.

# DRAFT REGULATION<sup>1</sup> ON BILLS OF EXCHANGE AND PROMISSORY NOTES.<sup>2</sup>

## CHAPTER I. — ISSUE AND FORM OF A BILL OF EXCHANGE.

### ARTICLE 1.

A bill of exchange contains :

- (1) The term " bill of exchange " inserted in the body of the instrument and expressed in the language employed in drawing up the instrument ;
- (2) An unconditional order to pay a determinate sum of money ;
- (3) The name of the person who is to pay (drawee) ;
- (4) A statement of the time of payment ;
- (5) A statement of the place where payment is to be made ;
- (6) The name of the person to whom or to whose order payment is to be made ;
- (7) A statement of the date and of the place where the bill is issued ;
- (8) The signature of the person who issues the bill (drawer).

### ARTICLE 2.

An instrument in which any of the requirements mentioned in the preceding article are wanting is invalid as a bill of exchange, except in the cases specified in the following paragraphs :

A bill of exchange in which the time of payment is not specified is deemed to be payable at sight.

In default of special mention, the place specified beside the name of the drawee is deemed to be the place of payment ; and at the same time the place where the drawee resides.

A bill of exchange which does not mention the place of its issue is deemed to have been drawn in the place mentioned beside the name of the drawer.

### ARTICLE 3.

A bill of exchange may be drawn payable to drawer's order.  
It may be drawn on the drawer himself.  
It may be drawn for account of a third person.

### ARTICLE 4.

A bill of exchange may be payable at the residence of a third person either in the *locality* where the drawee resides or in another *locality* (domiciled bill).

*Note.* — The word "locality" is inserted instead of "place" with a view to avoiding all interpretative errors regarding the meaning of "place".

### ARTICLE 5.

Where a bill of exchange is payable at sight, or at a certain time after sight, the drawer may stipulate that the sum payable shall bear interest. In the case of any other bill of exchange, this stipulation is deemed to be unwritten.

The rate of interest must be specified in the bill ; in default of specification, *the stipulation shall be deemed to be unwritten.*

Interest runs from the date of the bill of exchange unless some other date is specified.

*Note.* — It did not seem to be very practical to specify any definite rate of interest in the general Regulation, since the rate may vary considerably according to circumstances.

### ARTICLE 6.

Where the sum payable by a bill of exchange is expressed in words and also in figures, and there is a discrepancy between the two, the sum denoted by the words is the amount payable.

Where the sum payable by a bill of exchange is expressed more than once in words or more than once in figures, and there is a discrepancy, the smaller sum is the sum payable.

### ARTICLE 7.

If a bill of exchange bears the signature of persons incapable of contracting, the obligations of the other persons who have signed it are none the less valid.

<sup>1</sup> This Regulation does not include the rules for settling the conflict of laws, which are embodied in separate provisions.

<sup>2</sup> The experts have taken as their basis for discussion the Hague Uniform Regulation referred to hereinafter as the U.R. All changes made in the text of this Regulation are italicised.

ARTICLE 8.

Whoever puts his signature on a bill of exchange as representing a person for whom he had no power to act is bound himself as a party to the bill. The same rule applies to the representative who has exceeded his powers.

ARTICLE 9.

The drawer is the guarantor both of acceptance and payment.  
He may release himself from guaranteeing acceptance; every stipulation by which he releases himself from the guarantee of payment is deemed to be unwritten.

CHAPTER II. — ENDORSEMENT.

ARTICLE 10.

Every bill of exchange, even if not expressly drawn to order, may be transferred by means of an endorsement.

When the drawer has inserted in a bill of exchange the words "not to order", or any equivalent expression, the instrument can only be assigned according to the form, and with the effects of an ordinary cession.

The bill may be endorsed to the drawee, whether he has accepted or not, or to the drawer, or to any other party to the bill. These persons may endorse the bill afresh.

ARTICLE 11.

An endorsement must be unconditional. Any condition to which it is made subject is deemed to be unwritten.

A partial endorsement is null and void.

Also, an endorsement "to bearer" is null and void.

ARTICLE 12.

Every endorsement must be written on the back of the bill of exchange or of a slip attached thereto ("allonge"). It must be signed by the endorser.

An endorsement is valid even though the beneficiary is not specified, or the endorser has done nothing more than sign his name (endorsement in blank).

*Note.* — The experts have very carefully examined the proposal submitted by the International Chamber of Commerce<sup>1</sup> to the effect that a first paragraph should be inserted in Article 12 worded as follows:

"The signature of each endorser must agree with the name of the beneficiary which may be indicated by the drawer or by the preceding endorser, unless there can be no doubt as to the identity of the signature."

The experts, however, did not feel bound to accept this proposal: they doubt whether it would be of any practical utility, as difficulties might frequently arise in connection with the verification of signatures.

ARTICLE 13.

An endorsement transfers all the rights arising out of a bill of exchange.

If the endorsement is in blank, the holder may:

(1) Fill up the blank either with his own name or with the name of some other person;

(2) Endorse the bill again in blank, or to some other person;

(3) Transfer the bill to a third person without filling up the blank, and without endorsing it.

ARTICLE 14.

In the absence of any contrary stipulation, the endorser guarantees the acceptance and payment.

He may prohibit any further endorsement; in this case he gives no guarantee to the persons to whom the bill is subsequently endorsed.

ARTICLE 15.

The possessor of a bill of exchange is deemed to be the lawful holder if he shows his title through an uninterrupted series of endorsements, even if the last endorsement is in blank. *In this connection*, cancelled endorsements are deemed to be *null and void*. When an endorsement in blank is followed by another endorsement, the person who signed this last endorsement is deemed to have acquired the bill by the endorsement in blank.

<sup>1</sup> In the present report, to avoid repetition, resolutions adopted by the Congress of the International Chamber of Commerce at Stockholm in June-July 1926 will be referred to as "I.C.C. proposals".

Where a person has been dispossessed of a bill of exchange, in any manner whatever, the holder who shows his right thereto in the manner mentioned in the preceding paragraph is not bound to give up the bill unless he has acquired it in bad faith, or unless in acquiring it he has been guilty of gross negligence.

*Note.* — For the sake of clearness, the third sentence of the first paragraph of Article 15 (Uniform Regulation)<sup>1</sup> has been inserted as the second sentence in the present draft; for the same reason, the words "in this connection" have also been added.

#### ARTICLE 16.

Persons sued on a bill of exchange cannot set up against the holder defences founded on their personal relations with the drawer, or with previous holders, *unless the holder has acquired the bill in bad faith.*

*Note.* — The wording has been altered on account of the very limited force of the expression "fraudulent understanding", and also in order to bring the wording of this article into line with that of Article 15.

#### ARTICLE 17.

When an endorsement contains the stipulation "value in collection" ("valeur en recouvrement"), "for collection" ("pour encaissement"), "by procuration" ("par procuration") or any other phrase implying a simple mandate, the holder may exercise all rights flowing from the bill of exchange, but he can only endorse it in his capacity as agent.

In this case the parties liable can only set up against the holder defences which could be set up against the endorser.

*The mandate contained in an endorsement by procuration is not revoked by the death of the party giving the mandate or by the fact that he has become incapable.*

*Note.* — In certain countries, for instance in Belgium, endorsement in blank is at present held to be tantamount to endorsement by procuration; as the new draft makes endorsement in blank tantamount to an endorsement transferring rights, it must be understood that an endorsement is only an act of procuration when the will of the parties has been clearly expressed. The last paragraph has been inserted as an exception to ordinary law, with a view to increasing the credit of the bill of exchange and facilitating its circulation.

#### ARTICLE 18.

When an endorsement contains the stipulation "value in security", "value in pledge", or any other stipulation implying a pledge, the holder may exercise all the rights flowing from the bill of exchange, but an endorsement by him only avails as an agency endorsement, *without prejudice to the right of the creditor who holds the pledge to realise the pledge when the debt falls due.*

The parties liable cannot set up against the holder defences founded on their personal relations with the endorser, *unless the holder has acquired the bill in bad faith.*

*Note.* — The addition at the end of the first paragraph is intended to make it quite clear that a creditor to whom a bill of exchange has been made over as a pledge may, like any other creditors holding a pledge, realise his pledge in accordance with the law of the land.

The alteration in the second paragraph is intended to bring the wording into line with Articles 15 and 16.

#### ARTICLE 19.

An endorsement after maturity has the same effect as an endorsement before maturity. Nevertheless, an endorsement after protest for non-payment, or after the expiration of the limit of time fixed for drawing it up, operates only as an ordinary cession.

### CHAPTER III. — ACCEPTANCE.

#### ARTICLE 20.

Up to maturity, a bill of exchange may be presented to the drawer for acceptance at the place where he resides, either by the holder or by a simple possessor.

#### ARTICLE 21.

In any bill of exchange, the drawer may stipulate that it shall be presented for acceptance, with or without fixing a limit of time for presentment.

Except in the case of a domiciled bill, or a bill drawn payable at a certain time after sight, he may prohibit presentment for acceptance.

He may also stipulate that presentment for acceptance shall not take place before a certain date.

Every endorser may stipulate that the bill shall be presented for acceptance with or without fixing a limit of time for presentment, unless the drawer has prohibited acceptance.

<sup>1</sup> When the letters "U. R." (Uniform Regulation) are preceded or followed by a number, that number corresponds to the number of the article of the Hague Uniform Regulation.

ARTICLE 22.

Bills of exchange payable at a certain time after sight must be presented for acceptance within six months of their date.

The drawer may abridge or prolong this time.

These times may be abridged by the endorsers.

ARTICLE 23.

When a bill of exchange is presented for acceptance, the holder is not obliged to leave it in the hands of the drawee.

The drawee may demand that a bill shall be presented to him a second time on the day after the first presentment. Parties interested are not allowed to set up that the right to make this demand has not been exercised unless this fact is specified in the protest.

ARTICLE 24.

An acceptance is written on the bill of exchange. It is expressed by the word "accepted", or any other equivalent term. It is signed by the drawee. The mere signature of the drawee on the face of the bill constitutes an acceptance.

When a bill is payable at a certain time after sight, or when it must be presented for acceptance within a certain limit of time in accordance with a special stipulation, the acceptance must be dated as of the day when the acceptance is given, unless the holder requires that it should be dated as of the day of presentment. If it is undated, the holder, in order to preserve his right of recourse against the endorsers and the drawer, must authenticate the omission by a protest drawn up within the proper time.

ARTICLE 25.

An acceptance is unconditional, but *the drawee may restrict it* to part of the sum payable.

Every other modification introduced by an acceptance into the tenor of the bill of exchange operates as a refusal to accept. Nevertheless the acceptor is bound according to the terms of his acceptance.

*Note.* — Article 25 U.R., paragraph 1, reads as follows: "An acceptance is unconditional, but it may be restricted", etc. The wording has been changed in order to avoid all interpretative errors as to the meaning of the provision.

ARTICLE 26.

When the drawer of a bill has specified a place of payment, other than the residence of the drawee, without mentioning the domiciliary, the acceptance must specify the person who is to pay the bill. In default of this specification, the acceptor is deemed to have undertaken to pay the bill himself at the place of payment.

If a bill is payable at the residence of the drawee, he may in his acceptance specify an address in the same place where payment is to be effected.

ARTICLE 27.

By accepting, the drawee undertakes to pay the bill of exchange at its maturity.

In default of payment, the holder, even if he is the drawer, has a direct action on the bill of exchange against the acceptor for all that can be demanded in accordance with Articles 47 and 48.

ARTICLE 28.

Where the drawee who has put his acceptance on a bill has cancelled it before the bill has left his hands, acceptance is deemed to be refused; nevertheless, the drawee is bound, according to the terms of his acceptance, if he has cancelled it after he has in writing informed the holder or any other party who has signed the bill that he has accepted it.

CHAPTER IV. — "AVALS".

ARTICLE 29.

Payment of a bill of exchange may be guaranteed by an "aval".

This guarantee may be given by a third person, or even by a person who has signed as a party to the bill.

ARTICLE 30.

An "aval" is either given on the bill itself, or on an "allonge".

It is expressed by the words "good as aval", or by any other equivalent formula. It is signed by the giver of the "aval".

It is deemed to be constituted by the mere signature of the giver of the "aval" placed on the face of the bill, except in the case of the signature of the drawee or of the drawer.

An "aval" must specify for whose account it is given. In default of this, it is deemed to be given for the drawer.



ARTICLE 31.

The giver of an "aval" is bound in the same manner as the person whom he guarantees.

His engagement is valid even when the liability which he has guaranteed is inoperative for any reason other than defect of form.

He has, when he pays the bill of exchange, the right to go back on the person he has guaranteed, and the guarantors of the latter.

ARTICLE 31a (new).

*The above provisions do not apply to what is known as "aval by separate document" ("aval par acte séparé").*

*Note.* — The experts pointed out that an "aval" of this kind is not a document of exchange ("acte cambiaire"), but an ordinary document. Consequently, non-acceptance of the provision proposed by the I.C.C. (Article 30)<sup>1</sup> does not mean that the experts are opposed to the practice of "aval by separate document" which is customary in certain countries; they think, however, that it would be preferable to allow each country to regulate, as it prefers, an operation which is in reality a special kind of surety and not a true "aval" of exchange ("aval cambiaire").

This also seems to have been the opinion of the authors of the U.R., who were careful to insert in the Hague Convention an article (No. 5) to the effect that every Contracting State may provide that an "aval" (collateral guarantee) may be given in its own territory by a separate document.

CHAPTER V. — TIME OF PAYMENT.

ARTICLE 32.

A bill of exchange may be drawn payable :

- On a fixed day ;
- At a certain time after date ;
- At sight ;
- At a certain time after sight.

Bills of exchange at other maturities or payable by instalments are null and void.

*Note.* — Certain countries apparently are in favour of maintaining the option of issuing bills of exchange payable in market ("en foire"). The experts hold that this practice is not without inconvenience in that there may be uncertainty as to the exact date on which the bill is to mature.

ARTICLE 33.

A bill of exchange at sight is payable on presentment. It must be presented for payment within the legal or contractual limits of time fixed for the presentment for acceptance of bills payable at a certain time after sight.

*Note.* — It was suggested that the following phrase might be added at the end of this article : "or on one of the two business days following". As the bill may be protested (Article 37) two days after the date on which it should have been presented without there being any practical possibility of proving that the bill was presented within the period prescribed by law, the authors of this suggestion think that it would be simpler and more practical to increase the time for presentment by the time allowed for protesting the bill (two business days). A theoretical objection was, however, raised to this solution on the grounds that non-presentment for payment within the time prescribed by law should properly be penalised by loss of recourse. Under these circumstances, the wording of the U.R. has been retained.

ARTICLE 34.

The maturity of a bill of exchange payable at a certain time after sight is determined either by the date of the acceptance, or by the date of the protest.

In the absence of the protest, an undated acceptance is deemed so far as regards the acceptor to have been given on the last day of the limit of time for presentment either legal or contractual.

ARTICLE 35.

Where a bill of exchange is drawn at one or more months after date, or after sight, the bill matures on the corresponding date of the month when payment must be made. If there be no corresponding date, the bill matures on the last day of this month.

When a bill of exchange is drawn at one or more months and a half after date or sight, entire months must first be calculated.

If the maturity is fixed at the commencement or middle (mid-January or mid-February, etc.) or the end of the month, the 1st, 15th, or the last day of the month is to be understood.

The expressions "eight days" or "fifteen days" indicated not one or two weeks, but a period of eight or fifteen actual days.

The expression "half-month" means a period of fifteen days.

<sup>1</sup> The I.C.C. proposes that paragraph 1 of Article 30 should be worded as follows: "An 'aval' is given either on the bill itself or on an 'allonge' or in a separate deed".

ARTICLE 36.

When a bill of exchange is payable on a fixed day in a place where the calendar is different from the calendar of the place of issue, the date of maturity is deemed to be fixed according to the calendar of the place of payment.

When a bill of exchange drawn between two places having different calendars is payable at a certain time after date, the day of issue is referred to the corresponding day of the calendar in the place of payment, and the maturity is fixed accordingly.

The time for presenting bills of exchange is calculated in accordance with the rules of the preceding paragraph.

These rules do not apply if a stipulation in the bill or even the simple terms of the instrument indicate an intention to adopt some different rule.

CHAPTER VI. — PAYMENT.

ARTICLE 37.

The holder must present a bill of exchange for payment either on the day on which it is payable, or on one of the two business days which follow.

Presentment at a clearing-house is equivalent to a presentment for payment.

*The Contracting States shall themselves designate the institutions to be regarded as clearing-houses.*

*Note.* — The experts were of opinion that it would not be desirable to authorise the various countries to maintain or adopt different rules for times of presentment and payment, as the I.C.C. proposed. If certain countries refuse to adopt this uniform period, the resulting conflict of laws may be settled under an article in the draft Convention to the effect that the matter shall be dealt with according to the law of the place of payment.

ARTICLE 38.

The drawee who pays a bill of exchange may require that it shall be given up to him receipted by the holder.

The holder may not refuse partial payment.

In case of partial payment the drawee may require that mention of this payment shall be made on the bill, and that a receipt therefor shall be given to him.

*Note.* — The addition proposed by the I.C.C. has been rejected<sup>1</sup>. If the law of any one country prohibits partial payment, the effects elsewhere of such prohibition are regulated by Article 9 of the draft Convention on the conflict of laws.

ARTICLE 39.

The holder of a bill of exchange cannot be compelled to receive payment thereof before maturity.

The drawee who pays before maturity does so at his own risk and peril.

He who pays at maturity is validly discharged, unless he has been guilty of *bad faith* or gross negligence. He is bound to verify the regularity of the series of endorsements, but not the signature of the endorsers.

*Note.* — The experts desire to point out that absolute failure to verify the identity of the person presenting the bill for payment may, in certain circumstances, amount to gross negligence. The experts hesitated before adopting this wording of Article 39 because the rules it lays down may cause a certain amount of difficulty; for instance, Italian legal practice requires verification implying reasonable diligence.

The experts also hesitated for another reason: the drawee to whom the bill of exchange is presented for payment by a holder may not know how to act if the bill bears an illegible signature under the endorsement, so that the drawee is unable to ascertain whether this signature is really the name of the previous endorser.

The words "bad faith" have been inserted in the last paragraph instead of "fraud" in order to bring this article into line with Article 15. The change was not accepted unanimously; certain experts held that the expression "bad faith" was too comprehensive and less definite than "fraud".

ARTICLE 40.

When a bill of exchange is drawn payable in a currency which is not current in the place of payment, the sum payable may be paid according to its value, on the day when payment can be demanded, in the currency of the country, unless the drawer has stipulated that payment shall be made in the specified currency (stipulation for actual payment in foreign currency). The usages of the place of payment determine the value of foreign currency. Nevertheless, the drawer may stipulate that the sum payable shall be calculated according to the rate expressed in the bill, or to be determined by an endorser; in this case the sum payable must be paid in the currency of the country.

If the amount of the bill of exchange is specified in a currency having the same denomination, but a different value in the place of issue and the place of payment, reference is deemed to be made to the currency of the place of payment.

*Note.* — The experts consider that the rules laid down in this article are clear and equitable. At the same time they realise that difficulties may arise owing to monetary instability in certain countries; they feel, however that this is a question of financial policy outside their province.

<sup>1</sup> The I.C.C. proposed to add a last paragraph to Article 38 worded as follows: "However, each country has the right within its own territory to limit the obligation to accept partial payment to payments actually tendered ('paiement portable')".

ARTICLE 41.

When a bill of exchange is not presented for payment within the limit of time fixed by Article 37, every debtor is authorised to make a deposit of the amount with the competent authority at the charge, risk and peril of the holder.

CHAPTER VII. — RECOURSE FOR NON-ACCEPTANCE OR NON-PAYMENT.

ARTICLE 42.

The holder may exercise his right of recourse against the endorsers, the drawer and the other parties liable :

At maturity :

If payment has not been made.

Even before maturity :

(1) If acceptance has been refused ;

(2) Where the drawee, whether he has accepted or not, has failed, or has suspended payment, even if the suspension is not authenticated by a judgment ; or where execution has been levied against his goods without result ;

(3) Where the drawer of a non-acceptable bill has failed.

*Note.* — The French, Italian and Belgian experts strongly urged that the persons liable should be allowed to choose between providing surety or making immediate payment. They added that they considered the practice to be both customary and equitable.

ARTICLE 43.

Default of acceptance or payment must be evidenced by a formal document (protest for non-acceptance, or non-payment).

Protest for non-acceptance must be made within the limit of time fixed for presentment for acceptance. If in the case provided for by Article 23, paragraph 2, the first presentment takes place on the last day of that time, the protest may nevertheless be drawn up on the next day.

Protest for non-payment must be made either on the day when the bill is payable, or on one of the two following business days.

Protest for non-acceptance dispenses with presentment for payment and protest for non-payment.

*If the drawee, whether he be the acceptor or not, suspends payment, or if execution has been levied against his goods without result, the holder cannot exercise his right of recourse until after presentment of the bill to the drawee for payment, and after the protest has been drawn up.*

*If the drawee, whether he be the acceptor or not, becomes a declared bankrupt, or if the drawer of a non-acceptable bill becomes a declared bankrupt, the production of the judgment pronouncing the failure of the drawer suffices to enable the holder to exercise his right of recourse.*

*Note.* — (a) The second paragraph of the U. R. text has been inserted as the third paragraph for the sake of logical sequence ;

(b) It seemed reasonable to adopt, in the case of the declared bankruptcy of the drawee, the same solution as that adopted in the case of the declared bankruptcy of the drawer.

ARTICLE 44.

The holder must give notice of non-acceptance or non-payment to his immediate endorser, and to the drawer, within the four business days which follow the day for protest, or, in case of a stipulation "retour sans frais", those which follow the presentment.

Every endorser must, within two days, give notice to his immediate endorser of the notice which he has received, mentioning the names and addresses of those who have given the previous notices, and so on through the series until the drawer is reached. The limit of time mentioned above runs from the receipt of the preceding notice.

Where an endorser either has not specified his address or has specified it in an illegible manner, it is sufficient that notice should be given to the preceding endorser.

A person who must give notice may give it in any form whatever, even by the simple return of the bill of exchange.

He must prove that he has given notice within the time allowed. He shall be deemed to have given it if a letter giving the notice has been posted within the prescribed time.

A person who does not give notice within the limit of time mentioned above does not lose his right of recourse. He is responsible for the injury, if any, caused by his negligence, but the damages shall not exceed the amount of the bill of exchange.

*Note.* — The experts point out, with regard to the first paragraph, taking into account the I. C. C. 's proposal, that from a juridical point of view there would be no objection to reducing the limit of time from four days to two. Certain countries, however, would find it difficult to accept a two-day limit ; the period of four days has accordingly been retained.

With regard to the fourth paragraph, the experts point out that it is not necessary to give the names and addresses of the previous endorsers when the bill itself is returned.

It was also pointed out that, in accordance with the practice followed in certain countries, for instance in France, every State will be entitled, in addition to the notices referred to in Article 44, to lay down that the public officer charged with drawing up the protest shall give notice of non-payment to the drawer of the bill of exchange when the bill contains the name and address of the latter.

This meets the I. C. C. proposal, which reproduces Article 11 of the Hague Convention.

#### ARTICLE 45.

The drawer may, by the stipulation "retour sans frais", "sans protêt", or any other equivalent expression, allow the holder to dispense with a protest for non-acceptance or non-payment, in order to exercise his right of recourse.

*If the stipulation is inserted by an endorser it shall be deemed to be unwritten.*

This stipulation does not release the holder from presenting the bill within the prescribed time, nor from giving notice of dishonour to a preceding endorser or the drawer. The burden of proving the non-observance of the limits of time lies on the person who seeks to set them up against the holder.

This stipulation takes effect as regards all persons who have signed the bill. If, in spite of this stipulation, the holder has the protest drawn up, he must bear the expenses thereof.

*Note.* — The experts consider that an endorser should not be allowed to insert a stipulation "retour sans frais", "retour sans protêt", since if he were allowed to do so there might be some doubt as to whether this stipulation could be enforced against subsequent endorsers. Hence the words "or an endorser" in Article 45 of the U. R., paragraph 1, have been omitted in the first paragraph.

Consequently the words "inserted by the drawer" in the fourth paragraph have also been omitted, since the drawer alone is entitled to insert the stipulation.

For the same reason the last sentence of the last paragraph of Article 45 U. R. has been omitted.

#### ARTICLE 46.

All those who have drawn, accepted, endorsed or guaranteed by "aval" a bill of exchange are jointly and severally liable to the holder.

The holder has the right of proceeding against all these persons individually or collectively without being required to observe the order in which they have become bound.

The same right belongs to every person who has signed the bill and taken it up.

Proceedings against one of the parties liable do not prevent proceedings against others, though they may be subsequent to the person first proceeded against.

*Note.* — The change made only affects the French text; the word "solidairement" has been inserted instead of "à la garantie solidaire" in the U. R. text.

#### ARTICLE 47.

The holder may recover from the person against whom he exercises his right of recourse :

(1) The amount of the unaccepted or unpaid bill of exchange with interest, if interest has been stipulated for ;

(2) Interest at the rate of *six* per cent from the date of maturity ;

(3) The expenses of protest and of the notices given by the holder to his immediate endorser and the drawer, as well as other expenses.

If the right of recourse is exercised before maturity, the amount of the bill shall be subject to a discount. This discount shall be calculated according to the official rate of discount (bank rate) ruling on the date when recourse is exercised on the place where the holder resides.

*Note.* — The experts held that it was desirable to raise the rate of interest from five to six per cent, the latter rate being more in keeping with the present economic conditions in most countries. This was also the opinion of the I. C. C., which proposed a *minimum* rate of five per cent.

On a majority vote, the experts have omitted No. 4 of Article 47 U. R., dealing with the right to commission. They think that as this right to commission is only customary in a few countries and as it might be levied concurrently with the similar commission mentioned in Article 48, No. 4, it would be preferable not to mention this right as a matter of common usage, but to allow each country to decide as it thinks best.

The experts also felt that it would be desirable to omit, in the last paragraph of Article 47, the option under which the holder is allowed to calculate discount either according to the official rate of discount or according to the market rate. They point out that it is often difficult to determine the market rate in many countries, and that the decision might in any case be disputed. They admit that the market rate is more in keeping with economic conditions, but the official rate is certain, and consequently easy to determine. They do not think, therefore, that the option should be maintained.

#### ARTICLE 48.

A party who takes up and pays a bill of exchange can recover from the parties liable to him :

(1) The entire sum which he has paid ;

(2) Interest on the said sum calculated at the rate of *six* per cent, starting from the day when he made payment ;

(3) Expenses which he has incurred.

*Note.* — In conformity with the provisions of the previous article, the rate of interest has been raised to six per cent, and in conformity with the opinion of the majority, the right to commission has been omitted.

#### ARTICLE 49.

Every party liable against whom a right of recourse is, or may be, exercised can require, against payment, that the bill shall be given up to him with the protest and receipted account.

Every endorser who has taken up and paid a bill of exchange may cancel his own endorsement and those of subsequent endorsers.

ARTICLE 50.

In the case of the exercise of the right of recourse, after a partial acceptance, the party who pays the sum in respect of which the bill has not been accepted can require that this payment should be specified on the bill, and that he should receive a receipt therefor. The holder must also give him a certified copy of the bill, together with the protest, in order to allow the exercise of subsequent recourse.

ARTICLE 51.

Every person having the right of recourse may, in the absence of an agreement to the contrary, reimburse himself by means of a fresh bill (redraft) which is not domiciled, and which is drawn at sight on one of the parties liable to him.

The redraft includes, in addition to the sums mentioned in Articles 47 and 48, brokerage and the cost of the stamp of the redraft.

If the redraft is drawn by the holder, the sum payable is fixed according to the exchange for a sight draft drawn on the place where the original bill was payable, upon the place where the party liable resides. If the redraft is drawn by an endorser, the sum payable is fixed according to the exchange for a sight draft at the place where the drawer of the redraft resides, drawn upon the place where the party liable resides.

ARTICLE 52.

After the expiration of the limits of time fixed —

- (1) For the presentment of a bill of exchange at sight or at a certain time after sight ;
- (2) For drawing up the protest for non-acceptance or non-payment ;
- (3) For presentment for payment in the case of a stipulation "retour sans frais" ;

— the holder loses his rights of recourse against the endorsers, against the drawer, and against the other parties liable, with the exception of the acceptor.

In default of presentment for acceptance within the limit of time stipulated for by the drawer, the holder loses his right of recourse for non-payment, as well as for non-acceptance, unless it appears from the terms of the stipulation that the drawer only meant to release himself from the guarantee of acceptance.

If the stipulation for a limit of time for presentment is contained in an endorsement, the endorser only can avail himself of it.

*Note.* — The question whether the drawer is obliged to provide cover for the bill on maturity and whether the holder has any special rights on this cover is not discussed in these proposals.

The experts observe that in legislation which recognises the transferability of ownership in the "provision" or cover for the bill, or which lays down that the holder has an exclusive right over such cover, the loss referred to in this paragraph does not produce any effect as against the drawer who has not provided cover. Countries, therefore, which desire to maintain this rule could modify the last sentence of the first paragraph as follows: "the holder forfeits his right of recourse against the endorsers, against the drawer *who has not provided cover for the bill, and against*", etc. The meaning attributed by lawyers to the concept "provision" or cover varies from country to country ; it has not therefore been possible to combine the results of so many different conceptions with one text which could be accepted by all. Consequently the conflict of laws which may occur is dealt with in the draft Convention on this special subject.

ARTICLE 53.

*Should the accomplishment within the proper time of a proceeding necessary for the exercise or preservation of rights flowing from a bill of exchange be prevented by a legal provision enacted abroad or by an insurmountable obstacle (vis major), these rights shall, notwithstanding the expiration of the limit of time, still subsist, if the proceeding in question is accomplished as soon as possible after the obstacle has disappeared, and in any case within a period of thirty days.*

The holder is bound without delay to give notice of the case of *vis major* to his immediate endorser, and to specify this notice, which he must date and sign, on the bill or on an "allonge" ; as regards other matters, the provisions of Article 44 apply.

Facts purely personal to the holder or to the person whose duty it is to present the bill or draw up the protest are not deemed to constitute cases of *vis major*.

*Note.* — 1. To the solution proposed in Article 53 there attaches a reservation in countries in which the holder becomes owner of the cover ; in the absence thereof the holder might immediately go back on the drawer, notwithstanding the impediment of *vis major*.

2. This solution, which is not unlike that suggested by the I.C.C., differs from the solution adopted in the U.R. draft, in which it was laid down that when *vis major* continues to operate for more than thirty days after the maturity of the bill, recourse may be exercised, and neither presentment nor drawing up the protest shall be necessary. The system accepted at The Hague seemed to the experts to be overcomplicated and contrary to current practice in most countries.

CHAPTER VIII. — INTERVENTION FOR HONOUR.

ARTICLE 54.

The drawer or an endorser may specify a person who is to accept or pay in case of need. A bill of exchange may, under the conditions hereafter set forth, be accepted or paid by a person who intervenes for any person who has signed it.

The intervener may be a third person, even the drawee, or the person already liable on the bill, except only the acceptor.

The intervener is bound to give without delay notice of his intervention to the party for whom he has intervened.

## I. Acceptance by Intervention (for Honour).

### ARTICLE 55.

There may be acceptance by intervention in all cases where the holder has the right of recourse before maturity on a bill which is capable of acceptance.

The holder may refuse an acceptance by intervention, even when it is offered by a person designated to accept or pay in case of need.

If he permits the acceptance he loses his right of recourse before maturity against the parties liable to him.

*Note.* — Several experts would prefer that the rule laid down in the second paragraph should not apply when the person who is to accept or pay in case of need has been designated by the drawer, particularly when this person happens to be in the same place as the drawee. They think that, in this case, the holder should be bound rather than entitled to present the bill for acceptance by the person designated to act "in case of need", and that if this person accepts, the holder should lose all right of recourse on the grounds of non-acceptance.

### ARTICLE 56.

Acceptance by intervention is specified on the bill of exchange. It is signed by the intervener. It specifies for whose account it has been given, and in default of this specification the acceptance is deemed to have been given for the drawer.

### ARTICLE 57.

The acceptor by intervention is liable to the holder and to the endorsers subsequent to the party for whose account he intervened in the same manner as the latter.

In spite of an acceptance by intervention, the party for whose honour it has been given and the parties liable to him can require the holder, in exchange for payment of the sum mentioned in Article 47, to give up the bill, and the protest, if any.

## II. Payment by Intervention.

### ARTICLE 58.

Payment by intervention may take place in all cases where either at maturity or before maturity the holder has the right of recourse.

At the latest it must be made on the morrow of the last day allowed for drawing up the protest for non-payment.

### ARTICLE 59.

If a bill has been accepted by intervention, or if persons have been specified to pay it in case of need, the holder must at the place of payment present the bill to all these persons, and, if need be, cause a protest for non-payment to be drawn up at the latest on the morrow of the last day for drawing up the protest.

In default of protest within this limit of time, the party who has indicated the case of need, or for whose account the bill has been accepted, and the subsequent endorsers are discharged.

### ARTICLE 60.

Payment by intervention must include the whole sum which the party for whom it is made would have had to pay.

The holder who refuses this payment loses his right of recourse against those who would have been discharged thereby.

*Note.* — The last words of the first paragraph of Article 60 U. R. concerning the right to commission have been omitted in conformity with the alteration made in Articles 47 and 48.

### ARTICLE 61.

Payment by intervention must be authenticated by a receipt given on the bill of exchange specifying for whom payment has been made. In default of this specification, payment is deemed to have been made for the drawer.

The bill of exchange and the protest, if the protest has been drawn up, must be handed over to the person paying by intervention.

### ARTICLE 62.

The person who pays by intervention is subrogated to the rights of the holder against the party for whom he has paid, and against the parties liable to him. Nevertheless, he cannot endorse the bill of exchange afresh.

Endorsers subsequent to the party for whom payment has been made are discharged.

In case of competition for payment by intervention, the payment which effects the greater number of releases has the preference. *Any person who, with a knowledge of the facts, intervenes in a manner contrary to this rule* loses his right of recourse against those who would have been discharged.

*Note.* — The change has been made in the third paragraph with a view to making the corresponding U. R. text clearer.

CHAPTER IX. — PARTS OF A SET, AND COPIES.

I. Parts of a Set.

ARTICLE 63.

A bill of exchange can be drawn in two or more identical parts.  
These parts must be numbered *and*, in the body of the instrument itself, *the number of parts issued must be indicated*; in default of which, each part is considered as a separate bill of exchange.

*Note.* — The majority of experts hold that each part of a bill of exchange drawn in two or more parts should contain a statement as to the number of parts, in order to dispel any doubts which might be entertained by the drawee to whom it is presented for payment.  
They propose to omit the third paragraph of Article 63 U.R.; this paragraph is of no practical utility and its provisions increase the holder's risks.

ARTICLE 64.

Payment made on one part of a set operates as a discharge, even although there is no stipulation that this payment annuls the effect of the other parts. Nevertheless, the drawee is liable on each accepted part which he has not recovered.

An endorser who has transferred parts of a set to different persons, as well as subsequent endorsers, are liable on all the parts bearing their signatures which have not been restored.

ARTICLE 65.

A party who has sent one part for acceptance must indicate on the other parts the name of the person in whose hands this part will be found. That person is bound to give it up to the lawful holder of another part.

If he refuses, the holder cannot exercise his right of recourse until after he has a protest drawn up, specifying :

- (1) That the part sent for acceptance has not been given up to him on his demand ;
- (2) That acceptance or payment could not be obtained on another of the parts.

II. Copies.

• ARTICLE 66.

Every holder of a bill of exchange has the right to make copies of it.

The copy must reproduce the original exactly, with the endorsements and all other statements to be found thereon. It must specify where the copy ends.

It may be endorsed and guaranteed by "aval" in the same manner and with the same effects as the original.

ARTICLE 67.

The copy must specify the person in possession of the original instrument. This person is bound to hand over the aforesaid instrument to the lawful holder of the copy.

If he refuses, the holder cannot exercise his right of recourse against the persons who endorsed the copy, until he has had a protest drawn up specifying that the original has not been given up to him on his demand.

CHAPTER X. — FORGERY AND ALTERATIONS.

ARTICLE 68.

The forgery of a signature, even if it be that of the drawer or of the acceptor, in no wise affects the validity of the other signatures.

ARTICLE 69.

In case of alteration of the text of a bill of exchange, parties who have signed subsequent to the alteration are bound according to the terms of the altered text ; parties who have signed before the alteration are bound according to the terms of the original text.

CHAPTER XI. — PRESCRIPTION.

ARTICLE 70.

All actions arising out of a bill of exchange against the acceptor are barred after three years, counting from the date of maturity.

Actions by the holder against the endorsers and against the drawer are barred after one year from the date of the protest drawn up in proper time or from the date of maturity where there is a stipulation "retour sans frais".

Actions of recourse by endorsers against each other and against the drawer are barred after six months, counting from the day when the endorser took up and paid the bill, or from the day when he himself was sued.

*Note.* — It is understood that the pleas of prescription referred to in Article 70 must, in order to take effect, be put forward by the party who desires to avail himself of them; the magistrate cannot advance these considerations of his own motion.

As regards the rights of recourse of the holder against a drawer who has not provided cover for the bill, the laws of each country will apply in accordance with the note to Article 52.

#### ARTICLE 71.

Interruption of prescription only operates against the party with respect to whom the interrupting proceeding has been done.

*Note.* — As laid down in Article 16 of the Hague Convention, the legislation of each State shall determine the causes of interruption or suspension of prescription in the case of actions on bills of exchange.

### CHAPTER XII. — GENERAL PROVISIONS.

#### ARTICLE 72.

Payment of a bill of exchange which falls due on a legal holiday cannot be demanded until the next business day. So, too, all proceedings relating to a bill of exchange, notably presentment for acceptance and protest, can only be made on a business day.

Where any of these proceedings must be taken within a certain limit of time whereof the last day is a legal holiday, the limit of time is prolonged till the first business day which follows the expiration of that time. Intermediate legal holidays are included in computing limits of time.

#### ARTICLE 73.

Legal or contractual limits of time do not include the day which marks their point of departure.

*Note.* — The experts considered that paragraph 2 of this article should become a separate Article; 73 (a).

#### ARTICLE 73a.

No day of grace, whether legal or judicial, is permitted.

### Promissory Notes payable to order.<sup>1</sup>

#### ARTICLE 74.

A promissory note contains :

- (1) The denomination of the instrument inserted in the body of it, and expressed in the language employed for drawing up the instrument ;
- (2) An unconditional promise to pay a determinate sum of money ;
- (3) A specification of the time of payment ;
- (4) And of the place where payment must be made ;
- (5) The name of the person to whom, or to whose order, payment is to be made ;
- (6) Specification of the date and place where the promissory note is made ;
- (7) The signature of the person who issues the instrument (*maker*).

#### ARTICLE 75.

The instrument in which any of the requirements specified in the preceding article are wanting is invalid as a promissory note, except in the cases mentioned in the following paragraphs :

A promissory note in which no time of payment is specified is deemed to be payable at sight.

In default of special mention, the place where the instrument is issued is deemed to be the place of payment, and at the same time the residence of the maker.

A promissory note which does not specify its place of issue is deemed to have been made in the place designated beside the name of the maker.

<sup>1</sup> Articles 74 to 77 are Articles 77 to 80 of the U. R.



**ARTICLE 76.**

The following provisions relating to bills of exchange apply to promissory notes so far as they are not inconsistent with the nature of this instrument, namely :

Endorsement (Articles 10-19) ;  
Guarantee by "aval" (Articles 29-31) ;  
Time of payment (Articles 32-36) ;  
Payment (Articles 37-41) ;  
Recourse in case of non-payment (Articles 42-49, 51-53) ;  
Payment by intervention (Articles 54, 58-62) ;  
Copies (Articles 66 and 67) ;  
Forgeries and alterations (Articles 68 and 69) ;  
Prescription (Articles 70 and 71) ;  
Legal holidays, computation of limits of time ; and  
Prohibition of days of grace (Articles 72, 73 and 73a).

The following provisions are also applicable to a promissory note, namely : The provisions concerning the domicile of bills (Articles 4 and 26) ; stipulation for interest (Article 5) ; divergent statements of the sum payable (Article 6) ; consequences of signature by an incapable person (Article 7) or by a person who acts without authority or exceeds his authority (Article 8).

**ARTICLE 77.**

The maker of a promissory note is bound in the same manner as an acceptor of a bill of exchange.

Promissory notes payable at a certain time after sight must be presented for the visa of the maker within the limits of time fixed by Article 22. The limit of time runs from the date of the visa signed by the maker of the note. The refusal of the maker to give his visa with the date thereon must be authenticated by a protest (Article 24) the date of which gives the point of departure for the limit of time from sight.

---

## DRAFT ARTICLES OF A CONVENTION.

The aim of which is :

- (1) To render the validity and effects of undertakings entered into by means of bills of exchange and promissory notes independent of the observance of stamp laws ;
- (2) To lay down rules governing the conflict of laws in connection with bills of exchange and promissory notes.

### ARTICLE 1. — *Penalties for the Non-observance of Stamp Laws.*

If their laws do not already make provision to this effect, the Contracting States undertake to alter their laws so that the validity of obligations arising out of a bill of exchange or a promissory note or the exercise of the rights that flow therefrom shall not be subordinated to the observance of the provisions concerning the stamp.

Nevertheless, the Contracting States may suspend the exercise of these rights till the stamp laws have been complied with. They may also provide that the quality and effects of an instrument "immediately executory" which, according to their legislation may be attributed to a bill of exchange, shall be subject to the condition that the stamp law has, from the issue of the instrument, been duly complied with in accordance with their laws.

*Note.* — The above is a reproduction of Article 19 of the Hague Convention. All the experts, with one exception, recommend its adoption and emphasise the extreme importance of this question. The Committee of Experts which met in December 1926 was of the same opinion when it stated "that it attached the greatest importance to the adoption and application by the greatest possible number of countries of the provisions of Article 19 of the Hague Convention."

### ARTICLE 2. — *Conflict of Laws ; General Provision.*

The Contracting States undertake to apply *inter se*, for the settlement of the conflicts of laws hereinafter mentioned in connection with bills of exchange and promissory notes, the rules set out in the following articles.

### ARTICLE 3. — *Capacity.*

The capacity of a person to bind himself by a bill of exchange shall be determined by his national law. If this national law provides that the law of another State is competent to deal with the question this latter law shall be applied.

A person who lacks capacity according to the law specified in the preceding paragraph is nevertheless bound, if he entered into the obligation in the territory of a State according to whose law he would have the requisite capacity.

Every Contracting State may refuse to recognise the validity of an engagement by means of a bill of exchange entered into by one of its citizens which would not be deemed valid in the territory of the other Contracting States otherwise than under the application of the preceding paragraph of this article.

*Note.* — This proposal was only adopted by a majority vote. The experts had in view the necessity of establishing guiding principles for the settlement of conflicts of laws in this connection, and they hold that the rule laid down in the first paragraph of 74 U. R. should obviously be taken as a basis for the settlement of conflicts.

Moreover, they are of opinion that very special importance should be attached to strengthening the credit of the instrument with a view to ensuring and facilitating its circulation ; from this point of view they felt that the *lex loci contractus* could not be neglected.

They would be prepared to accept the rule already enunciated by the first Committee of Experts in December 1926, to the effect that every signature binds the signatory everywhere when it binds him in the country in which he signed. They feel, however, that the severity of this rule should be relaxed so as to prevent national laws for the protection of incapable persons being circumvented by the chance signing of an instrument in foreign territory. They have therefore inserted as a third paragraph in this article the text of Article 18 of the Hague Convention.

### ARTICLE 4. — *Form of Contracts.*

The form of any contract arising out of a bill of exchange or promissory note is regulated by the laws of the State within whose territory this contract has been made.

*If, however, the obligations entered into by means of a bill of exchange are not valid according to the provisions of the preceding paragraph, but are in conformity with the laws of the State in which a subsequent contract has been entered into, the circumstance that the previous contracts are irregular in form does not invalidate the subsequent contract.*

*Note.* — The experts think that it is desirable and necessary to add this condition to Article 75 U. R. so that a defect in form shall not endanger the circulation of the bill.

### ARTICLE 5. — *Nature and Effects of the Obligations entered into.*

The effects of the obligations entered into by means of a bill of exchange or promissory note are governed, without prejudice to the following articles, by the law of the residence of the signatory, unless some other place has been indicated in the instrument for the execution of the signatory's engagement.

The effects of the obligation entered into by the person giving an "aval" and by the acceptor for honour are governed by the laws applicable to the obligation entered into by the person on whose behalf the "aval" or acceptance for honour has been granted.

**ARTICLE 6. — *Transfer of the Cover for the Bill ("Provision")*.**

The question whether the beneficiary and succession holders of the bill have special rights on the cover ("provision") and the nature of these rights, is determined by the law of the country in which the bill of exchange is payable.

*Note.* — In enunciating this rule the experts had in mind the absolute necessity, in their opinion, of enhancing the credit of bills of exchange to the greatest possible extent. They hold that this object is attained by choosing the law of the country in which the bill of exchange is payable. Thus, from the very moment of its issue, all concerned know what law is applicable and are consequently able to ascertain the effects of the instrument as regards transfer of the cover. Moreover, in order to discover the person to whom he may rightly make payment, the drawee has only to consult the laws of the country in which he resides.

**ARTICLE 7. — *Partial Payment and Acceptance*.**

The question whether acceptance may be restricted to part of the sum or whether the holder is bound to accept partial payment is governed by the law of the country in which the bill of exchange is payable.

The same rule governs the payment of promissory notes.

*Note.* — This article comes into play only as between States which have not acceded to the unification or as between signatory and non-signatory States; as between signatory States the question is settled by Article 25 of the Regulation as regards acceptance, and Article 38 as regards payment.

**ARTICLE 8. — *Form and Time for protesting and other Proceedings*.**

The form of and the limits of time for protest, as well as the form of other proceedings necessary for the exercise or preservation of rights concerning bills of exchange or promissory notes, are regulated by the laws of the State within whose territory the protest must be drawn up or the proceeding in question taken.

*Note.* — The experts have adopted the wording of Article 76 of the draft Regulation. This article confirms the application of the *lex loci*, which is undoubtedly the most acceptable solution. They feel bound, however, to recommend that countries which, in spite of the experts' unanimous recommendation, retain a rather short period for the exercise of rights arising from protest (for instance, summons within fifteen days) should nevertheless fix adequate periods for cases in which the right of recourse is to be exercised against a person residing abroad.

**ARTICLE 9. — *Loss or Theft of Bill of Exchange or Promissory Note ; Holder's Bankruptcy*.**

The steps to be taken in case of the loss or theft of a bill of exchange or promissory note or in case of the holder's bankruptcy are determined by the law of the country in which the bill of exchange or promissory note is payable.

**ARTICLE 10. — *General Reservation*.**

The Contracting States reserve to themselves the right not to apply the principles of private international law contained in the present Convention so far as concerns :

- (1) An obligation undertaken outside the territories of the Contracting States ;
- (2) Any law which may be applicable in accordance with these principles, and which is not a law of one of the Contracting States.

*Note.* — The wording is that of Article 20 of the 1912 Hague Convention.

## DRAFT REGULATION<sup>1</sup> ON CHEQUES<sup>2</sup>.

### Issue and Form of Cheques.

#### ARTICLE 1.

A cheque contains :

- (1) *The term "cheque" inserted in the body of the instrument and expressed in the language employed in drawing up the instrument ;*
- (2) *An unconditional order<sup>3</sup> to pay a determinate sum of money ;*
- (3) *The name of the person who is to pay (drawee) ;*
- (4) *A statement of the place where payment is to be made ;*
- (5) *And of the place and date when the cheque is issued ;*
- (6) *The signature of the person who draws the cheque (drawer).*

*Note.* — (a) The change in No. (1) of Article 1 was adopted on a majority vote.

(b) The word "unconditional" in No. 2 does not exclude the possibility of making payment in currency other than that stipulated in the cheque.

(c) With regard to the formula adopted in Article 1, No. (4), the experts refer to the observation cited below which has been taken from the annex to the minutes of the ninth plenary meeting of the Hague Conference, 1912, page 197, Article 3 :

"The drawer may, however, indicate, in addition to the place for payment, other places at which the cheque may be cashed, without any charge, by the holder. This does not mean a change of drawee ; the place indicated for cashing the cheque does not replace the place of payment for all necessary proceedings connected with the preservation of rights arising under the cheque ; it is merely an understanding with the drawee on behalf of the holder to indicate the place at which the latter may cash the cheque."

(d) A mere error in the spelling of the word "cheque" ought not to invalidate the instrument as such.

#### ARTICLE 2.

An instrument in which any of the requirements mentioned in the preceding article are wanting is invalid as a cheque, except in the cases specified in the following paragraphs ;

In default of special mention, the place specified beside the name of the drawee is deemed to be the place of payment, and, at the same time, the residence of the drawee.

A cheque which does not mention the place of payment is deemed to be payable at the place of its issue.

A cheque which does not specify the place of its issue is deemed to have been drawn in the place specified beside the name of the drawer.

*Note.* — With regard to the third paragraph, the experts point out that naturally, if the drawee is resident at the place of issue, the cheque can only be paid at his place of residence. If the drawee cannot be found at the place of issue of the cheque, the protest must be drawn up according to the procedure followed in the case of a false address.

#### ARTICLE 3.

A cheque must only be drawn on a person holding funds at the disposition of the drawer, and in conformity with an agreement, express or implied, according to which the drawee is bound to pay the cheque.

Power is reserved to the Contracting States to regulate consequences, civil, penal and fiscal, where default is made in *complying with the provisions* specified in the preceding paragraph, or when a cheque, is issued post-dated, provided that the validity of the instrument as a cheque *be maintained in spite of this irregularity.*

*Note.* — The changes in wording have been introduced for the sake of clearness.

#### ARTICLE 4.

A cheque may be made payable to a specified person, or to his order.

It may be made payable to bearer.

A cheque made payable to a specified person with the words "or to bearer", or any equivalent words, is deemed to be payable to bearer.

A cheque which does not specify the payee is payable to bearer.

A cheque may be drawn payable to drawer's order.

*Nevertheless, power is reserved to the Contracting States to prohibit the issue of bearer cheques drawn on the drawer himself.*

*Note.* — The option of prohibiting the issue of bearer cheques drawn on the drawer himself has been inserted on account of the competition which might arise between these cheques and banknotes.

<sup>1</sup> This Regulation does not include rules for settling the conflict of laws ; these are embodied in separate provisions.

<sup>2</sup> The experts took as the basis for their discussions the Resolutions of the 1912 Hague Conference. All changes made in the text of these resolutions are italicised.

<sup>3</sup> The word "ordre" in the French text has been replaced by "mandat".

ARTICLE 5.

A cheque is drawn on a banker. *A cheque drawn on any person other than a banker is not valid as a cheque.*

Power is reserved to the Contracting States, so far as relates to cheques payable in their territories :

(a) To determine what persons shall be deemed to be bankers or what persons may in this respect be assimilated to bankers ;

(b) To regulate the civil, fiscal and penal consequences of drawing a cheque on a person on whom it ought not to be drawn.

*Note.* — 1. Differing from the solution contained in Article 5, paragraph 1 of the Hague Resolutions, the experts propose that, in principle, the only instrument to be regarded as a cheque should be one which is drawn on a banker. This is the rule admitted in most countries ; it is explained by the fact that funds must be available at sight.

2. However — and this is the reason for the addition in (a) — States should be allowed in this connection to treat as bankers persons engaged in very similar professions ; for instance, in France “agents de change” or “caisses publiques”.

3. The addition under (b) of the word “civil” is a consequence of excluding the possibility of drawing a cheque on a person who is not a banker. When such an instrument is no longer to be regarded as a cheque, its effects have still to be determined — a point which is left to the legislation of the individual countries. <sup>c</sup>

ARTICLE 6.

The drawer is the guarantor of the payment of a cheque. Any stipulation by which the drawer discharges himself from this guarantee is deemed to be unwritten.

ARTICLE 7.

The provisions of Articles 4, 6, 7 and 8 of the draft Regulation on bills of exchange and promissory notes (which relate to the issue and form of the instrument) shall apply to cheques.

*Nevertheless, the domicile, referred to in Article 4 of the Regulation on bills of exchange can only, in this case, be the domicile of a banker.*

*Note.* — The reference to Article 4 of the Regulation on bills of exchange and the addition of the last paragraph as a consequence thereof were made at the request of one of the experts who stated that cheques “domiciled” elsewhere than at the domicile of the drawee were frequently used in his country and that the practice seemed to be a useful one.

Endorsement.

ARTICLE 8.

Every cheque, other than a cheque to bearer, may be transferred by endorsement, even if it is not expressly payable to order.

When the drawer of a cheque has inserted in it the words “not to order”, or any equivalent expression, the instrument can only be assigned according to the forms and with the effect of an ordinary assignment.

ARTICLE 9.

Any endorsement must be unconditional. Any condition to which it is made subject shall be deemed to be unwritten.

A partial endorsement is null and void.

An endorsement “to bearer” and an endorsement by the drawee are equally null and void.

Any person, except the drawee, who puts his signature on the back of a cheque payable to bearer is guarantor (by “aval”) for the drawer.

An endorsement to the drawee is equivalent to a discharge, except in the case where the drawee has two or more establishments, and the endorsement is made in favour of a branch in some place other than that on which the cheque has been drawn.

ARTICLE 10.

The provisions of Articles 12 to 17 of the draft Regulation on bills of exchange and promissory notes (which relate to endorsement) shall apply to cheques, except so far as they have reference to acceptance.

Guarantee and Payment.

ARTICLE 11.

A cheque cannot be accepted. A statement of acceptance on a cheque is deemed to be unwritten.

*Nevertheless, the power of allowing the acceptance or certification or visa of a cheque is reserved to the Contracting States, which may regulate its effect.*

*Note.* — The word “certification” has been substituted for the word “certificat” in the French as being clearer.

ARTICLE 12.

Payment of a cheque may be guaranteed by an "aval".

This guarantee is given by a third person (other than the drawee), or even by a person whose signature is on the cheque.

The provisions of Articles 30 and 31 of the draft Regulation on bills of exchange and promissory notes which relate to "avals" shall apply to cheques.

ARTICLE 13.

A cheque is payable at sight. *Any contrary stipulation is deemed to be unwritten.*

*Note.* — Article 13 of the Hague Resolutions (paragraph 2) reads as follows: "An instrument containing any other time of payment is invalid as a cheque". In order to render the instrument as effective as possible the experts prefer the expression: "Any contrary stipulation is deemed to be unwritten". This is the wording proposed by the I.C.C.

ARTICLE 14.

A cheque must be presented for payment within the time fixed by the law of the place of payment.

This time shall be eight days at least.

The Contracting States may increase *this time or fix several times to apply respectively to cheques drawn in a country on that country or cheques drawn in one country on another country.*

Presentment of a cheque at a clearing-house is equivalent to presentment for payment.

The Contracting States may specify the institutions which are to be deemed to be clearing-houses.

*Note.* — The minimum time within which a cheque must be presented for payment has been reduced from ten to eight days.

It has been thought desirable to state in the third paragraph that the time for presentment may be increased in view of the distance between different places.

ARTICLE 15.

When a cheque is drawn between two places having different calendars, the day of issue shall be referred to the corresponding day of the calendar of the place of payment.

ARTICLE 16.

Neither the death of the drawer nor his incapacity arising after the issue of the cheque shall affect the cheque.

RECOMMENDATION.

The experts recommend :

(1) *That the various countries should enact such penal or civil measures as are best calculated to prevent the issue of a cheque without funds to meet it.*

(2) *That States should take steps under their civil law to prevent the countermanding of the order contained in the cheque during the time for presentment.*

(3) *That the possibility of countermanding the order contained in the cheque after the expiration of the time for presenting it should be determined by the laws of each State.*

*Note.* — Recommendations (2) and (3) above replace Article 17 of the Hague Resolutions, which the experts were unable to adopt unanimously on account of the divergence of the various laws concerning the possibility of countermanding the order in the cheque and determining cases in which payment of cheques may be opposed.

Article 17 of the Hague Resolutions has therefore been omitted and has been replaced by the above Recommendations.

ARTICLE 17 (Article 18 of the Hague Resolutions).

The drawee who pays a cheque may require that it shall be given up to him receipted by the holder.

The holder may *not* refuse a partial payment.

In case of part payment the drawee may require that the part payment shall be specified on the cheque and that a receipt shall be given to him.

*Note.* — In paragraph 2 the holder is denied the right of refusing partial payment, though Article 18 of the Hague Resolutions allows him to do so. In making it obligatory for the holder to accept part payment, the experts had in mind both the interests of the persons liable and the provision of Article 38 of the draft Regulation on bills of exchange, which makes it obligatory for the holder to accept part payment. The solution adopted by the experts is similar to that adopted by the I.C.C.

ARTICLE 18 (Article 19 of the Hague Resolutions).

A cheque crossed on its face with two parallel lines can only be paid to a banker.

The crossing may be by the drawer or by a holder.

The crossing may be general or special.

The crossing is general if there be only the two lines, or the word "banker" or some equivalent, or the words "and Co"; the crossing is special if the name of a banker is written between the lines.

A general crossing may be converted into a special crossing. But a special crossing cannot be converted into a general crossing.

A specially crossed cheque can only be paid to the banker named. But if he does not cash it himself he may substitute another banker.

A crossing and the banker's name may not be effaced. *Any effacement shall be deemed not to have taken place.*

The drawee who pays a crossed cheque to any person other than a banker if the cheque is crossed generally, or to any person other than the banker named, if the cheque is crossed specially, is responsible for the injury, if any, caused thereby, but the damages shall not exceed the amount of the cheque.

*Any State may, in so far as crossed cheques are concerned, assimilate professions analogous to that of a banker to the profession of banker.*

*Note.* — The object of the addition in the seventh paragraph is to make it quite clear that an effacement of the crossing does not affect the validity of the cheque; the latter continues to exist as a crossed cheque.

The last paragraph was added to meet the wishes of countries which permit the drawing of a crossed cheque on an "agent de change" for instance, or a "caisse publique" (see above, Article 5).

RECOMMENDATION.

*The experts recommend that countries which at present employ only the cheque "payable in account" (nur zur Verrechnung) should abandon this method in favour of the crossed cheque.*

*Note.* — As a result of this Recommendation, Article 20 of the Hague Resolutions disappears. The article in question laid down rules for cheques "payable in account".

ARTICLE 19 (Article 21 of the Hague Resolutions).

The question whether the holder of a cheque has special rights on the fund against which it is drawn, and the right to maintain an action against the drawee is left outside the present Regulation.

Concerning the Right of Recourse.

ARTICLE 20 (Article 22 of the Hague Resolutions).

The holder may exercise his right of recourse against the endorsers, the drawer, and the other parties liable, if the cheque, on presentment in due time, is not paid.

Presentment and non-payment must be authenticated:

- (1) By a formal instrument (protest for non-payment); or
- (2) By a declaration by the drawee, dated and written on the cheque, and specifying the day of presentment; or
- (3) By a declaration dated from a clearing-house specifying that the cheque has been forwarded in due time, and has not been paid.

*Any State may:*

(a) *Lay down that the right of recourse against the endorsers, the drawer and the other parties liable shall be lost unless the cheque is protested.*

(b) *Decide what will be, in default of the protest or equivalent instruments drawn up within the time for presentment, the nature of the rights of the holder against the drawer who has not provided funds or who has countermanded the order in the cheque.*

*Note.* — It was recognised in the case of bills of exchange that, if payment was refused, a protest drawn up in proper time was necessary for the maintenance of the rights of recourse. The above article, however, lays down that, in the case of cheques, in order to simplify the formalities of protest and avoid the attendant expenditure, a protest proper may be replaced by a declaration made by the drawee in writing on the cheque or by a declaration dated from a clearing-house.

This solution is at variance with the practice obtaining in many countries, in which cheques must be protested like bills of exchange in general. The experts therefore felt that it would be desirable, by adding a new paragraph (a) to Article 20, to allow countries, if they desire to do so, to maintain their present rules regarding protest.

They have also, under (b), made it possible for the various countries themselves to decide the nature of the rights, failing protest or equivalent instruments drawn up within the time for presentment, which the holder should be given against the drawer who has not provided funds or who has countermanded the order in the cheque, since this question is connected with that of the rights of the holder of a cheque on the fund against which it is drawn (see Article 19 *supra*).

ARTICLE 21 (Article 23 of the Hague Resolutions).

Protest for default of payment, or the equivalent declarations of authentication mentioned in Article 20, must be made before the expiration of the time for presentment, either on the actual day of presentment if it is made on the last day of the time for presentment, or on one of the two business days following, provided that these days still fall within the period for presentment.

*Note.* — These changes have been made in Article 23 of the Hague Resolutions because: (1) in Article 20 above other forms of authentication have been assimilated to protest; and (2) in order to make it clear that, for the cheque as well as for the bill of exchange, the holder has no longer one day but two business days after payment has been refused in order to draw up the protest; while (3) the protest must in every case be drawn up within the time for presentment.

ARTICLE 22.

*The holder may claim from the party against whom he exercises his right of recourse:*

- (1) *The amount of the cheque;*
- (2) *Interest at the rate of 6 per cent as from the date of presentment;*
- (3) *The costs of the protest or equivalent declaration, of the notices served by the holder on previous endorsers and on the drawer, and other expenses.*

ARTICLE 23 (Article 24 of the Hague Resolutions).

Except so far as regards acceptance, the provisions of the draft Regulation on bills of exchange and promissory notes relating to the right of recourse contained in Articles 44 to 46, 48 and 49 apply to cheques.

Parts of a Set.

ARTICLE 24 (Article 26 of the Hague Resolutions).

Except in the case of bearer cheques, every cheque drawn in one State and payable in another State, or in an oversea dominion of the same State, may be in a set of identical parts. *When a cheque is in a set of parts, each part must be numbered and must indicate in the body of the instrument the number of parts issued, failing which each part is deemed to be a separate cheque.*

*Note.* — The wording of the Hague article has been altered in order to bring it into line with Article 63 of the draft Regulation on bills of exchange.

ARTICLE 25 (Article 27 of the Hague Resolutions).

Payment made on one part operates as a discharge, even though there is no stipulation that this payment shall discharge the other parts.

An endorser who has transferred parts to different persons and endorsers subsequent to him, are liable on all the parts bearing their signatures, which have not been restored.

Forgeries and Alterations.

ARTICLE 26 (Article 28 of the Hague Resolutions).

*Except so far as regards acceptance, the provisions of Articles 68 and 69 of the draft Regulation on bills of exchange and promissory notes relating to forgery and alterations shall apply to cheques.*

*Note.* — The words in italics have been added because, under Article 11 above, paragraph (1), cheques cannot be accepted.

Prescription.

ARTICLE 27 (Article 29 of the Hague Resolutions).

Actions of recourse by the holder against the endorsers and drawer are barred after six months from the time fixed for presentment.

Actions of recourse by endorsers against previous endorsers and the drawer are barred after six months from the day on which the endorser paid the cheque or the day on which he was sued thereon.

*Note.* — If the drawer has not made cover or has withdrawn it, each State is, according to Article 20 (b) above, allowed to decide the nature of the holder's rights against the drawer; hence they are also entitled to determine the period of prescription applicable to these rights.



**ARTICLE 28.**

The provisions of Article 71 of the Regulation on bills of exchange shall apply to cheques.

*Note.* — The above is the last paragraph of Article 29 of the Hague Resolutions, given as a separate article for the sake of clearness.

**General Provisions.**

**ARTICLE 29 (Article 30 of the Hague Resolutions).**

The general provisions of Articles 72, 73 and 73(a) of the Regulation on bills of exchange and promissory notes shall apply to cheques.

\* \* \*

*Note.* — Article 31 of the Hague Resolutions is included in the draft Convention for the settlement of the conflict of laws (Article 9).

---

## DRAFT ARTICLES OF A CONVENTION.

The aim of which is :

- (1) To render the validity and effects of undertakings entered into by means of cheques independent of the observance of stamp laws ;
- (2) To lay down rules governing the conflict of laws in connection with cheques.

### ARTICLE 1. — *Penalties for the Non-Observance of Stamp Laws.*

If the laws do not already make provision to this effect, the contracting States undertake to alter their laws so that the validity of obligations arising out of cheques, or the exercise of the rights that flow therefrom, shall not be subordinated to the observance of the provisions concerning the stamp.

Nevertheless, the Contracting States may suspend the exercise of these rights till the stamp laws have been complied with. They may also provide that the quality and effects of an instrument "immediately executory" which, according to their legislation may be attributed to the cheque, shall be subject to the condition that the stamp law has, from the issue of the instrument, been duly complied with in accordance with their laws.

*Note.* — From a practical point of view this question is of less importance in the case of cheques than in the case of bills of exchange or promissory notes. In some countries, however, the law in certain cases attaches to the fact that a cheque has been insufficiently stamped, or not stamped at all, various consequences at civil law — for instance, loss of the right of recourse. It would be desirable therefore, in this connection, for countries to enter into the same undertakings on this matter, as in the case of bills of exchange ; this is the object of Article 1.

This article, like the similar article referring to bills of exchange, was adopted by all the experts save one.

### ARTICLE 2. — *General Provision.*

The Contracting States undertake to apply *inter se*, for the settlement of the conflicts of laws hereinafter mentioned in connection with cheques, the rules set out in the following articles.

### ARTICLE 3. — *Capacity.*

The capacity of a person to bind himself by cheque shall be determined by his national law. If this national law provides that the law of another State is competent to deal with the question, this latter law shall be applied.

A person who lacks capacity according to the law specified in the preceding paragraph is nevertheless bound — if he entered into the obligation in the territory of a State according to whose law he would have the requisite capacity.

Every Contracting State may refuse to recognise the validity of an engagement by means of a cheque entered into by one of its citizens which would not be deemed valid in the territory of the other Contracting States, otherwise than under the application of the preceding paragraph of this article.

*Note.* — This proposal was only adopted by a majority vote.

The experts had in view the necessity of establishing guiding principles for the settlement of conflicts of laws in this connection, and they hold that the rule laid down in Article 74 of the draft Regulations should obviously be taken as a basis for the settlement of conflicts.

Moreover, they are of opinion that very special importance should be attached to strengthening the credit of the instrument, with a view to ensuring and facilitating its circulation ; from this point of view they felt that the *lex loci contractus* could not be neglected.

They would be prepared to accept the rule already laid down by the first Committee of Experts in December 1926, to the effect that every signature binds the signatory everywhere when it binds him in the country in which he signed. They feel, however, that this rule should not be applied so rigidly as to make it possible for national laws concerning the protection of incapable persons to be circumvented by the chance signing of an instrument in foreign territory. They have therefore added as a third paragraph in this article the text of Article 18 of the Hague Convention.

### ARTICLE 4. — *Form of Engagements.*

The form of any engagement arising out of a cheque is regulated by the laws of the State where this engagement has been entered into. Nevertheless, *observance of the forms prescribed by the law of the place of payment is sufficient.*

*If, however, the engagements entered into by means of a cheque are not valid according to the provisions of the preceding paragraph, but are in conformity with the laws of the State in which a subsequent engagement has been entered into, the circumstance that the previous engagements were irregular in form does not invalidate the subsequent engagement.*

*Note.* — The addition made to the first paragraph of the above article is taken from Article 54 of the Polish Law of November 14th, 1924, on Cheques. Its object is to strengthen the credit of the instrument. As regards the second paragraph, see the note appended to Article 7 of the draft Convention concerning the conflict of laws in connection with bills of exchange.

### ARTICLE 5. — *Persons on whom a Cheque may be drawn.*

The law of the country in which the cheque is payable shall be the law which determines the persons on whom a cheque may be drawn.

**ARTICLE 6. — Form and Effects of Obligations entered into by means of Cheques.**

The effects of these obligations shall be determined by the law of the State in whose territories the obligations by means of a cheque were entered into.

*Note.* — This rule was only adopted on a majority vote.

**ARTICLE 7. — Transfer of the Fund.**

The question whether the payee and the successive holders of the cheque have special rights on the fund against which the cheque is drawn and the nature of those rights shall be determined by the law of the country in which the cheque is payable.

*Note.* — In stating this rule, the experts had in mind the absolute necessity — in their opinion — of enhancing the credit of cheques to the greatest possible extent. They hold that this object is attained by choosing the law of the country in which the cheque is payable. Thus, from the very moment of its issue, all concerned know what law is applicable, and are consequently able to ascertain the effects of the instrument as regards transfer of the fund against which it is drawn. Moreover, in order to discover the person to whom he may rightly make payment, the drawee has only to consult the laws of the country in which he resides.

**ARTICLE 8. — Effects of accepting a Cheque.**

The law of the country in which a cheque is payable shall determine whether the cheque can be accepted and what are the effects of such acceptance.

**ARTICLE 9. — Certification.**

The law of the country in which a cheque is payable shall determine whether a cheque can be certified and what are the effects of certification.

**ARTICLE 10. — Date of Payment of the Cheque.**

The question whether a cheque must necessarily be payable at sight or whether it may be drawn for a certain period after sight shall be determined by the law of the country in which the cheque is payable.

**ARTICLE 11. — Time for Presentment.**

The time for presentment shall be determined by the law of the country in which the cheque is payable.

**ARTICLE 12. — Crossing.**

The law of the country in which a cheque is payable shall determine whether the cheque may be crossed and what are the effects of this crossing.

**ARTICLE 13. — Partial Payment.**

The law of the country in which a cheque is payable shall determine whether the holder is bound to accept partial payment or not.

*Note.* — See the note to Article 8 of the draft Convention concerning the conflict of laws in connection with bills of exchange.

**ARTICLE 14. — Form and Time for Protest and other Proceedings.**

The form of protest and the time for protest, as well as the form of other proceedings necessary for the exercise or preservation of rights concerning cheques, are regulated by the laws of the State in whose territory the protest must be drawn up or the proceeding in question taken.

*Note.* — The experts have adopted the wording of Article 76 U. R. on bills of exchange. This article confirms the application of the *lex loci*, which in undoubtedly the most acceptable solution. They feel bound, however, to recommend that countries which, in spite of the experts' unanimous recommendation, maintain a rather short period for the exercise of rights arising from protest, should nevertheless fix adequate periods for cases in which the right of recourse must be exercised against a person residing abroad.

**ARTICLE 15. — Loss or Theft of Cheque: Holder's Bankruptcy.**

The law of the country in which the cheque is payable determines the steps to be taken in the case of the loss or theft of a cheque or in the case of the holder's bankruptcy.

**ARTICLE 16. — General Reservation.**

The Contracting States reserve to themselves the power not to apply the principles of private international law contained in the present Conventions or in the regulation so far as concerns :

- (1) An obligation undertaken outside the territories of the Contracting States ;
- (2) Any law which may be applicable in accordance with these principles, and which is not a law of one of the Contracting States.

*Note.* — The wording is that of Article 20 of the 1912 Hague Convention on bills of exchange and promissory notes.

Geneva, April 17th, 1928.

**LEAGUE OF NATIONS**

**ECONOMIC COMMITTEE**

---

**DRAFT CONVENTION**

**ON THE**

**TREATMENT OF FOREIGNERS**

---

- 1. INTRODUCTION.**
  - 2. DRAFT CONVENTION.**
  - 3. COMMENTARY.**
-

TABLE OF CONTENTS.

---

	Page
INTRODUCTION: Previous History of the Question . . . . .	5
 <b>Draft Convention.</b>  	
PREAMBLE . . . . .	9
PART I. — TREATMENT OF FOREIGN NATIONALS:	
<i>Chapter I.</i> — Safeguards for International Trade (Articles 1, 2, 3, 4 and 5) . . . . .	9
<i>Chapter II.</i> — Establishment of Foreign Nationals:	
Section A. — Freedom of Travel, Sojourn and Establishment (Article 6) . . . . .	10
Section B. — Exercise of Trade, Industry and Occupations (Articles 7 and 8) . . . . .	10
Section C. — Civil and Legal Guarantees (Article 9) . . . . .	11
Section D. — Property Rights (Article 10) . . . . .	11
Section E. — Exceptional Charges (Article 11) . . . . .	11
Section F. — Fiscal Treatment (Articles 12, 13 and 14). . . . .	12
Section G. — Application of Certain of the Preceding Articles to Nationals not established in the Territory of the other Contracting Parties (Article 15). . . . .	12
PART II. — TREATMENT OF FOREIGN COMPANIES (Article 16) . . . . .	12
PART III. — GENERAL PROVISIONS:	
<i>Chapter I.</i> — Extension or Restriction of the Convention by Agreement or by Independent Action (Articles 17, 18 and 19). . . . .	13
<i>Chapter II.</i> — Guarantees of Equality (Articles 20 and 21) . . . . .	14
<i>Chapter III.</i> — Settlement of Disputes with regard to the Interpretation or Application of the Convention (Article 22). . . . .	14
<i>Chapter IV.</i> — Signature, Ratification, Accession, Entry into Force and Denunciation of the Convention (Articles 23, 24, 25, 26 and 27) . . . . .	14
<i>Chapter V.</i> — Colonial Clause (Article 28). . . . .	15
<i>Chapter VI.</i> — General Reservation (Article 29) . . . . .	15
PROTOCOL . . . . .	16
FINAL ACT . . . . .	18

**Commentary.**

	Page.		Page
Introduction . . . . .	19	Article 14. . . . .	31
Article 1 . . . . .	20	" 15. . . . .	32
" 2 . . . . .	21	" 16. . . . .	32
Articles 3 and 4 . . . . .	21	" 17. . . . .	34
Article 3 . . . . .	23	" 18. . . . .	34
" 4 . . . . .	23	" 19. . . . .	35
Articles 5 and 6 . . . . .	23	" 20. . . . .	35
Article 7 . . . . .	24	" 21. . . . .	36
" 8 . . . . .	26	" 22. . . . .	36
" 9 . . . . .	27	Articles 23 to 25 . . . . .	36
" 10. . . . .	27	Article 26 . . . . .	37
" 11. . . . .	29	" 27. . . . .	37
" 12. . . . .	29	" 28. . . . .	37
" 13. . . . .	30	" 29. . . . .	37

## INTRODUCTION

---

### PREVIOUS HISTORY OF THE QUESTION.

On September 19th, 1921, the Council adopted a resolution requesting the Economic Committee to consider and report upon the meaning and scope of the provision relating to equitable treatment of commerce contained in Article 23 (e) of the Covenant.

In September 1922 the Council stated that it shared the opinion expressed by the Economic Committee. The Committee's task therefore had a practical rather than a theoretical object, and the best method of obtaining a definite result was to begin by preparing a list of the various practices which clearly violated the principle of the equitable treatment of commerce.

The practices mentioned by the Economic Committee include the application by any Member of the League of unjust or oppressive treatment, in fiscal or other matters, to nationals or commercial firms or companies of other Members of the League carrying on their commerce or industry or other occupation in its territory.

From the outset the Economic Committee considered that the problem thus defined had two aspects:

- (a) The regime to be applied to foreign persons and organisations duly authorised by law to carry on their occupations within a State; and
- (b) The terms on which those persons and organisations are allowed to carry on their occupations in another State.

The Economic Committee, considering the political and economic state of the world unfavourable to the application of a general rule to conditions of admission, confined its attention to the first of these questions, and merely considered what regime should be applicable to foreign persons or organisations authorised by law to carry on their activities in the territory of a State. As a result of its examination of the subject, it drew up in May 1923 a first series of ten recommendations, which the Council of the League has submitted to all States Members of the League, with a recommendation that the States should be guided by these principles, both in their internal legislation and their international agreements.

These are as follows:

“ The Council of the League of Nations, considering that the grant of the legal, administrative, fiscal and judicial guarantees necessary for nationals, firms or companies of any States Members of the League, who are permitted to carry on their commerce, industry, or any other occupation within the territory of another State Member of the League, or to establish themselves there, was one of the requirements of economic co-operation between nations;

“ Recommends to all the States Members of the League the following principles, which they should seek to put into practice both by the adaptation of their national legislation to this end and by the conclusion of bilateral agreements:

“ 1. In the case of persons, firms or commercial, industrial, financial or insurance companies permitted to establish themselves within the territory of another State in conformity with its laws and regulations, the granting of the treatment accorded to nationals in fiscal matters should be maintained as an absolute rule. Such persons, firms or commercial, industrial, financial or insurance companies should in no case be subjected, as regards their goods, industry, commerce or any other form of economic activity, to general or local taxes, or to duties of any kind whatever, different from or higher than those which are imposed on the nationals of the State concerned, subject to special exceptions which could only be justified by requirements of the public interest and which should be applicable to all nationalities without distinction.

“ 2. If in any case a person, firm or company is admitted to carry on an industry, commerce or any other occupation in a country without being established in that country, the treatment in fiscal matters of such person, firm or company should not be such as to place them in a position of inferiority as compared with nationals, subject only to the exception mentioned in the preceding article.

“ 3. Where a foreign business established in the territory of a State is a branch of, or subsidiary to, a business of which the seat of control is in another State, the principle to be followed as regards the taxation of the business should be that taxes imposed in the country in which the foreign business is so established should be strictly limited, if levied on capital, to the capital really invested in that country, and, if levied on profits or revenues, to those arising from the business activities carried on in that country.

“ 4. Foreign persons, firms or companies permitted to establish themselves within the territory of any of the States Members of the League should be entirely free to acquire and to possess property of all kinds, whether real or personal, which is necessary for their economic activities and which the laws of the foreign State in question permit or may thereafter permit to the nationals of another State to acquire and to possess.

" 5. Such persons, firms or companies should be able to dispose of their real or personal property referred to in the preceding article, especially with regard to cession, exchange, gift, or legacy, in accordance with the regime accorded to nationals, applicable without modification or restrictions of any kind.

" 6. The fiscal regime applicable to the export of the product of the sale of real and personal property by the said persons, firms or companies, and the regulations with regard to the foreign currency acquired as a result of such exportations, should not differ according to the nationality of the exporter.

" 7. Persons, firms or companies permitted to establish themselves within the territory of a State Member of the League should be entitled, in defence of their rights, to bring an action, either as plaintiff or as defendant, in accordance with the laws of the State in question.

" 8. The above provisions shall be applicable subject to just reciprocity and without prejudice to any further facilities which, by virtue of the powers conferred upon them by their systems of law, certain States might grant to each other without thereby injuring the interests of third States or of their nationals.

" 9. It is agreed that nothing in the present articles requires a State to grant their benefit to a company of which it can be proved that the financial control is in the hands of the nationals of a State which has not accepted the present recommendations, or of which the seat of control is situated in the territory of such a State.

" 10. While the principles of equitable treatment embodied in the present articles should be universally observed throughout the territories placed under the sovereignty or authority of States Members of the League, it is recognised that there may be special cases of overseas colonies, protectorates or territories under mandate in which it is impracticable to apply some of the detailed provisions of these articles or in which they can only be applied subject to modifications necessary to adapt them to special and local circumstances.

" In the cases referred to, the States concerned will apply a regime which will respect the principles of the present articles."

In September 1923 a proposal was submitted to the Assembly by the Japanese delegate, requesting the Economic Committee to extend its studies to other aspects of the problem, namely, the terms on which foreigners residing in a country are or should be allowed to engage in a particular profession, industry or occupation.

The Economic Committee began its study of this new problem in February 1924. Having in August 1924 collected fresh and detailed information on the laws in force in the various countries, it submitted to the Council a circumstantial report<sup>1</sup> terminating with the following conclusions:

" (a) The general rule for ordinary open professions, industries and occupations should be mutual national treatment, with or without the condition of reciprocity.

" (b) In professions, industries or occupations, the carrying on of which is dependent on compliance with a prescribed standard of qualification or of training, it is desirable that States should, so far as practicable, make arrangements by bilateral agreements or otherwise for the mutual recognition of such standards.

" (c) The number of professions, industries and occupations into which the entry of foreigners is restricted on the ground of national interests should be limited to the essential minimum required by these interests.

" (d) The restrictions placed on foreigners with regard to carrying on professions, industries and occupations of this class should be similarly limited to those which are *bona fide* necessary for the protection of national interests.

" (e) In applying such restrictions, there should be no arbitrary or unjust discriminations between foreigners on the ground of nationality.

" (f) If and when a State finds it necessary to restrict the carrying on of an occupation to persons holding a special contract or licence, the right to tender for such contract, or to obtain a licence on fulfilling the prescribed conditions, should only be restricted to nationals of the State where such restriction is considered necessary to protect essential State interests, and that, where such restriction to its own nationals is not enforced, there should be no arbitrary and unfair discrimination as between the nationals of different foreign States.

" (g) Except in so far as the right of foreigners to reside or travel in certain exceptional areas (*e.g.*, in the neighbourhood of forts, etc.) may be restricted in the national interest, the general rule should be that foreigners duly admitted into a country should be accorded the same freedom of travel and residence as is enjoyed by nationals, subject always to compliance with the national laws with regard to the registration of foreigners, notification of change of address, etc.

" (h) If as a result of the special conditions obtaining in certain countries, and particularly in overseas territories placed under the sovereignty or authority of other countries, the above rules cannot be applied, such countries should still be governed by these principles in ensuring equitable treatment to foreign nationals in this respect."

<sup>1</sup> Document C.309(1).M.114.1925.II.

By a decision of the Council, this second series of recommendations was also communicated, on July 2nd, 1925, to all Members of the League, and on this occasion the Council expressed a desire to be informed whether and how far the States had been able to carry the previous recommendations into effect.

Some twenty States replied. Most of them stated that they saw no difficulty in applying the Economic Committee's recommendations in their own countries, as their own laws were already based on the same principles.

At the World Economic Conference held at Geneva in May 1927, the International Chamber of Commerce submitted a report <sup>1</sup> on the treatment of foreigners. The report was accompanied by two draft conventions dealing with:

- (a) The abolition of passport visas;
- (b) Freedom of residence and establishment.

The object of the first Convention was to abolish, in relations between the signatory States, and for all kinds of travellers, the obligation to obtain a visa in order to enter or pass through a country. It was also to have the effect of affording foreigners lawfully admitted into a country the same freedom of movement, residence, establishment and circulation as to the nationals of the State in question.

The aim of the second Convention was to regulate in a more liberal spirit:

- (a) Engagement in business or industry or the exercise of any other profession or occupation abroad;
- (b) The civil status of foreigners;
- (c) The status of legal entities;
- (d) The fiscal treatment of foreigners.

A comparison of the recommendations already made by the Economic Committee with the proposals of the International Chamber of Commerce at once shows that the latter are much more extensive, first, because they recommend the conclusion of Conventions and, further, because they deal with certain questions — *e.g.*, the abolition of the passport visa — which were not referred to in the Economic Committee's recommendations, but have been dealt with by the Communications and Transit Organisation of the League <sup>2</sup>.

Further, the proposals of the Chamber of Commerce, dealing with the same subjects as the Economic Committee's recommendations, were much more detailed. Their general effect was to secure for foreigners, in the different matters considered, the same treatment as for nationals of the country in which they were established, and to prevent any unjust discrimination in cases where cogent reasons necessitated a departure from this general rule.

The World Economic Conference of Geneva adopted the following resolutions regarding the economic and fiscal treatment of nationals and companies of one country admitted to settle in the territory of another:

" The Conference considers that the granting of the legal, administrative, fiscal and judicial guarantees necessary to the nationals, firms or companies of a State admitted to exercise their trade, industry or other occupation in the territory of another State or to settle there is one of the essential conditions of economic co-operation between nations.

" Taking note of the important work already devoted to this subject by the Economic Committee of the League of Nations and by the International Chamber of Commerce, the Conference considers it desirable that their conclusions should be considered and co-ordinated by the appropriate organs of the League of Nations with a view to their submission to a diplomatic conference for the purpose of determining the best methods of defining the status of foreigners, of abolishing unjust distinctions between them and nationals, and of preventing double taxation. The purpose of this conference would be to draw up an international convention.

" But, before the latter could settle the question as a whole, bilateral agreements providing for equitable reciprocity and based on the guiding principles referred to above might effect a valuable improvement in the present situation.

" Accordingly, the Conference recommends:

" 1. That, pending the conclusion of an international convention, bilateral agreements should be arrived at, on the basis of the work already accomplished by the Economic Committee of the League of Nations and by the International Chamber of Commerce, defining the status of foreigners, not only from the economic but from the legal and fiscal points of view;

---

<sup>1</sup> Document C.E.I.5(1).

<sup>2</sup> See on this subject:

1. Conference on Passports and Customs Formalities, December 1920 (Provisional Committee for Communications and Transit).
2. Passport Conference, Geneva, May 1926 (Communications and Transit Organisation) (document C.320. M.119.1926.VIII).
3. Extract from the Records of the Third Conference on Communications and Transit, Geneva, August and September 1927 (document A.52.1927.VIII, page 35: Report on identity documents for persons without nationality).



" 2. That, in the same spirit and with the same end in view, the Council of the League of Nations should prepare for the meeting of a diplomatic conference for the purpose of drawing up an international convention;

" 3. That, in drawing up these agreements and the texts to be submitted to the conference, the following points among others should be borne in mind:

" (a) Equality of treatment with regard to conditions of residence, establishment, removal and circulation between foreigners admitted to a State and the nationals of that State;

" (b) Conditions of carrying on trade, industry and all other activities by foreign persons and enterprises;

" (c) Legal status of the same persons and enterprises;

" (d) Fiscal status of the same persons and enterprises."

In pursuance of a Council resolution of June 16th, 1927, the Economic Committee met in extraordinary session in July of the same year to carry out a preparatory study of certain resolutions of the Economic Conference which appeared to be urgent. Among these the resolution mentioned above led the Committee to begin without delay preparations for the international conference recommended in that resolution.

Accordingly, the Committee instructed the Secretariat to collect all useful information with such assistance as appeared most appropriate, and this decision was approved by the Assembly on September 20th, 1927.

In December 1927, a draft Convention, drawn up by the Chairman of the Economic Committee and Dr. Richard Riedl, the representative of the International Chamber of Commerce, was submitted to the Committee, which approved the general scheme and the principles of the draft; each member of the Committee was, however, invited to express his views on it and formulate any observations which might be suggested by a further examination.

At its session in March 1928, the Economic Committee, after an exhaustive discussion, drew up the final text of a draft Convention and communicated to the Council a report on it as follows:

" The Economic Committee has now drawn up the draft Convention concerning the treatment of foreigners and foreign undertakings.

" In its present form, the draft embodies all the guarantees to be afforded on a basis of reciprocity by any one State to the nationals of any other State — whether they be natural persons or legal entities — who have been allowed to establish themselves in the territory of the latter State.

" These guarantees, which apply not only to the exercise of all economic activities, but also to civil and legal rights, to the acquisition, preservation and transmission of property and interests of all kinds, to charges of a fiscal character, both exceptional and normal, to which persons and their property may be subject, constitute as complete a codification on as broad a basis as possible of the law of establishment in so far as this law can and should be codified, in view of the disparity of concepts, situations and laws and of international practice under existing treaties.

" The Economic Committee does not propose to enter, for the guidance of the Council, into a discussion of the doctrines which it has systematised and co-ordinated in the draft. It desires, however, to point out to the Council that it has not only endeavoured, as far as possible, to secure treatment on the same terms as nationals and equality with nationals of the country of establishment, rather than most-favoured-nation treatment which often leads to differentiation and uncertainty; it has even, in many instances, preferred to replace those rather relative guarantees by positive undertakings to which the various countries would make their laws and actions conform.

" For the moment, political as well as economic considerations make it impossible to propose full and entire freedom as regards the establishment of foreigners. Consequently, the draft international Convention is mainly concerned with securing a charter for foreigners who have already been permitted to sojourn or establish themselves in a country. The Economic Committee, however, in its desire to advance as far as is feasible in this direction, has added to this charter explicit provisions under which each of the High Contracting Parties ensures the application to the commerce and property of nationals of the other High Contracting Parties, even if they are not resident in its territory, of a regime similar to that accorded to established nationals.

" The Economic Committee is confident that its draft must have a beneficial effect on international relations and will encourage co-operation for the economic restoration of all countries. It has therefore availed itself of the option which the Council accorded it on March 5th, 1928, to communicate this draft to the Governments of the States Members of the League. At the same time it has requested these Governments to inform the Secretary-General whether they consider that the draft constitutes an adequate basis for an international convention, and whether they are prepared to participate in a diplomatic conference for the conclusion of this convention."

In pursuance of the Council resolution of March 5th, 1928, referred to in the above report, the Secretary-General of the League of Nations communicated the draft reproduced above to the various States, requesting them to inform him whether they considered that the draft formed an adequate basis for an international convention and whether they were prepared to take part in the diplomatic conference necessary for the conclusion of such a convention.

## DRAFT CONVENTION.

### PREAMBLE.

[List of Heads of States.]

Being desirous of promoting economic co-operation between nations by ensuring easier and more equitable conditions for the establishment and operations of nationals of one country carrying on business in the territory of another;

Recognising that it is not yet possible in the present state of international relations, and owing to the fact that the national economy of all countries has not yet been fully restored, to proclaim freedom of access to, and freedom to transact business in, the territories of all countries for nationals, whether natural persons or legal entities, of all other countries.

Being nevertheless determined to embody in a common statute the civil, legal, fiscal and economic safeguards which are indispensable for nationals of any Contracting Party who have been allowed to establish themselves in the territory of the other Parties in order to carry on their business or occupation therein, and to prevent any differential or unfair treatment which might in their own territory impede the trade of nationals of other countries;

Have appointed as their plenipotentiaries for this purpose:

Who, having communicated their full powers, found in good and due form, have agreed on the following articles:

### PART I. TREATMENT OF FOREIGN NATIONALS.

#### CHAPTER I. — SAFEGUARDS FOR INTERNATIONAL TRADE.

##### Article 1.

1. Nationals of the High Contracting Parties may, even if not resident in the territory of the other High Contracting Parties, conduct commercial transactions of every kind and in particular sell goods, make purchases, take orders, deliver goods on order and carry out work on order, unless, under the laws of the territory in question, even nationals are required to obtain a Government concession for the conduct of such business or execution of such work. Provided they conform, in every operation, to the laws and regulations of the country, they shall not be subject to any condition or charge other or more burdensome than those to which nationals of the country are themselves subject when conducting similar operations.

2. Similarly, the nationals referred to in the preceding paragraph shall be free to advertise in any form for the purposes of the business referred to above, provided such advertising conforms to the laws and ordinances of the country, under the same conditions as that country's nationals, without having to pay in this respect any taxes or duties higher or more burdensome than those paid by nationals.

##### Article 2.

Nationals of each of the High Contracting Parties shall be free to participate, in the territory of any other High Contracting Party, as exhibitors, vendors or buyers on the same terms as nationals, in public markets and fairs not expressly reserved to nationals, or to nationals of a group of neighbouring States.

##### Article 3.

[Internal taxes on production, distribution or consumption which are at present levied or which may in the future be levied on goods — no matter on whose behalf — in the territory of any High Contracting Party may not, on any grounds, be levied on the products of the other High Contracting Parties at a higher rate or in a more burdensome manner than on similar products of the country itself.]

##### Article 4.

[In regulating the freedom of trade, especially as regards the sale, offering for sale, distribution and consumption of goods, no distinction shall be drawn between products of the country itself and products of the other High Contracting Parties.]

##### Article 5.

1. Without prejudice to the provisions of Article 1, nationals of one of the High Contracting Parties who, by the possession of an identity card delivered by the authorities of the country in which they are domiciled, prove that they are legally entitled to engage in industry or business in that country and that they therein pay the lawful taxes and duties, may in the territory of the other High Contracting Parties, either in person or by travellers in their employ, purchase from merchants or in places where goods are on sale, as well as from the producers of the goods in which they deal, or take orders from merchants and manufacturers engaged in the trade or making use

in their establishment of goods of the same kind as those offered. They shall not require a special authorisation for any of these transactions, nor shall they be obliged to pay in this connection any taxes or duties, provided they only take with them samples and not goods intended for sale.

2. In applying the provisions of this article, the High Contracting Parties shall observe the stipulations of Article 10 of the Geneva Convention of November 3rd, 1923, regarding commercial travellers' identity cards and the admission of samples.

3. The provisions of this article shall not apply to itinerant trading, or to hawking, or to the soliciting of orders from persons not engaged in trade or industry, on which subject each of the High Contracting Parties reserves full freedom of legislation.

## CHAPTER II. — ESTABLISHMENT OF FOREIGN NATIONALS.

### *Section A. — Freedom of Travel, Sojourn and Establishment.*

#### Article 6.

Nationals of any High Contracting Party admitted into the territory of another High Contracting Party shall enjoy therein, provided they comply with the laws and regulations of that Party, the same freedom to travel, sojourn, establish themselves, elect their domicile and move from place to place, as the nationals of the country in question, without being subject to any conditions or regulations other than those to which nationals are subject, but without prejudice to the police regulations concerning foreigners.

### *Section B. — Exercise of Trade, Industry and Occupation.*

#### Article 7.

1. In the territories of each of the High Contracting Parties, and subject to the observance of their laws and regulations, nationals of the other High Contracting Parties allowed to establish themselves therein shall be placed on terms of complete equality, *de jure* and *de facto*, with nationals as regards:

(a) The conduct of all commercial, industrial and financial operations, and in general any transactions of an economic character, without any distinction being drawn in this connection between undertakings operating independently and those which exist as branches, subsidiary undertakings or agencies of undertakings situated in the territory of the above-mentioned High Contracting Parties.

(b) The exercise of occupations which the laws of the said High Contracting Parties allow their nationals to carry on freely, or, in the case of occupations for which special titles or guarantees are required, the exercise of these professions subject to the submission of titles or guarantees identical with those required of nationals, or recognised as being equivalent by the High Contracting Party concerned.

2. Each of the High Contracting Parties, however, retains the right to prohibit foreigners within its territory from engaging in the professions, occupations, industries and trades, hereinafter specified, or to subject their exercise to compliance with certain differential formalities or conditions:

(a) Public functions, charges or offices of a judicial, administrative, military or other nature which, involving a devolution of the authority of the State or a mission entrusted by the State, shall be reserved to that State's nationals;

(b) Professions such as those of barrister, solicitor, notary, stockbroker and other similar professions or offices, as well as any other professions or offices which it may be desirable, in the public interest, on account of the special responsibilities they entail, to reserve for nationals. It shall, however, be understood that this reservation shall be limited to what is strictly necessary in the public interest;

(c) Fishing in territorial waters and service in vessels flying the national flag or vessels engaged in reserved transport; the coasting trade, pilotage and the internal services in ports, in so far as these are not governed by the provisions of any international Conventions or bilateral treaties on navigation which are or may come into force;

(d) The exploitation of minerals and hydraulic power;

(e) Industries or trades forming the subject of a State monopoly or monopolies exercised under State control;

(f) Hawking and peddling, without prejudice to the other provisions of Article 5.

**Article 8.**

Nationals of one of the High Contracting Parties established in the territory of another High Contracting Party or who, without being established in that territory, do nevertheless conduct their business therein, shall be free to appoint, at their discretion, for the management of their establishments and for the transaction of their business, such persons as they may judge fit and proper without being obliged to take into account the nationality of such persons and without being obliged either to employ in an administrative or technical capacity or to take into partnership persons of any given nationality.

*Section C. — Civil and Legal Guarantee.*

**Article 9.**

1. Nationals of each of the High Contracting Parties shall enjoy in the territory of the other High Contracting Parties the same treatment as nationals in respect of the legal and judicial protection of their persons, property, rights and interests.

2. They shall enjoy therein, under the same conditions as nationals, the right to appear in Court as plaintiff or defendant, and to appear before the competent administrative authorities in order to safeguard their rights and interests, in conformity with the laws in force in that territory. These laws shall be applied without distinction to nationals and foreigners alike. Nationals of the High Contracting Parties shall be entitled to choose for the defence of their interests before the Courts or administrative authorities any barrister, solicitor, notary or other person authorised to practise by the national laws of the country.

3. Security for costs (*cautio judicatum solvi*) may be required by any of the High Contracting Parties which impose this obligation from the nationals of any other High Contracting Party with which the first-named has not concluded an agreement providing for exemption. When one High Contracting Party applies to any other High Contracting Party for the enforcement of a judgment or arbitral award given in the territory of the first-named party, this question shall be governed by the internal laws of each Party and by such bilateral agreements as they may have concluded for the purpose.

*Section D. — Property Rights.*

**Article 10.**

1. Nationals of all the High Contracting Parties shall be placed on terms of complete equality with the citizens or subjects of any one of the Parties as regards patrimonial rights, the right of acquiring, possessing or leasing to others movable or immovable property, and the right of disposing of the same in accordance with the laws of the country (by purchase, sale, donation, transfer, marriage settlement, bequest, succession *ab intestato* or by any other means) and under the same conditions as nationals, no modification or restriction of any sort being permitted in this regime of equality.

2. Each of the High Contracting Parties undertakes to allow the nationals of the other High Contracting Parties freely to export their movable property, and the proceeds of the sale of their movable or immovable property, under the same conditions as are applicable to its own nationals. There shall be no differentiation in regulations regarding the foreign exchange derived from such exportation according to the nationality of the exporter.

3. The provisions of the present article shall not preclude the right which the High Contracting Parties reserve to themselves to prohibit or subject to the obtaining of previous authorisation, for reasons of security or national defence, the acquisition by foreigners of certain immovable property or undertakings.

4. The High Contracting Parties also reserve the right to prohibit the acquisition of immovable property or transferable securities by foreign nationals, if such acquisition is likely to result in the obtaining of undue command of the vital economic resources of the country, or to endanger such resources in certain exceptional cases, due, for instance, to a currency crisis, provided, however, that no measure connected with the principle of equality laid down in paragraph 1 of this article be sufficient to safeguard these interests.

*Section E. — Exceptional Charges.*

**Article 11.**

1. Nationals of each of the High Contracting Parties shall be exempt from every kind of judicial or administrative charge or duty.

2. They shall also be exempt in the territory of the other High Contracting Parties, in peacetime and in war-time, from all compulsory military service, whether in the army, navy or air forces, or in the national guard or militia, and from all compulsory personal military contributions. They shall similarly be exempt from all exactions, whether in money or in kind, imposed in lieu of personal services.

3. Nationals of each of the High Contracting Parties established in the territory of the other shall nevertheless continue to be liable to the charges connected with the ownership of

any landed property, as well as compulsory billeting and other special military exactions or requisitions to which, under the law, all nationals of the country are liable as owners or occupiers of buildings or land. In no case shall any High Contracting Party impose any of the above charges unless it also imposes them on its own nationals.

4. Nationals of each of the High Contracting Parties may not, in the territory of the other, be expropriated of their property, nor deprived even temporarily of the enjoyment of such property, except for legally recognised reasons of public utility and in accordance with the legal procedure in force.

5. Each of the High Contracting Parties shall accord to the nationals of the other High Contracting Parties, as regards compensation for the exactions, requisitions, expropriation or temporary deprivations referred to in paragraphs 3 and 4 above, treatment equal to that which it grants to its own nationals.

*Section F. — Fiscal Treatment.*

**Article 12.**

1. In the matter of taxes and duties of every kind or any other charges of a fiscal nature, irrespective of the authority on whose behalf they are levied, nationals of each of the High Contracting Parties shall enjoy in every respect in the territory of the other High Contracting Parties, both as regards their person and property, rights and interests, including their commerce, industry and occupation, the same treatment and the same protection by the fiscal authorities and tribunals as nationals of the country.

2. In fixing the rates of taxation and duties of any kind levied on commerce and industry, no discrimination shall be made on account of differences in the origin of the goods employed or offered for sale.

**Article 13.**

The High Contracting Parties shall comply with the following principles in connection with the taxation of subsidiary or affiliated companies or agencies of undertakings having their seat (*siège principal*) in the territory of another High Contracting Party:

(a) When the taxation is levied on capital it shall be strictly confined to the capital actually employed within that country;

(b) When the taxation is levied on profits or revenues it shall be confined to those accruing from the business operations conducted within that country.

**Article 14.**

1. Nationals of one of the High Contracting Parties who regularly or occasionally undertake the transport of persons or goods by land, sea, navigable waterway or air between localities situated in different States may not on this account be called upon to pay taxes or duties on behalf of the State or any other body elsewhere than in the territory in which the seat of their undertaking is situated.

“Transport by land” shall not include transport by rail.

2. The exemption provided for in the preceding paragraph shall not apply to undertakings conducted by the same nationals with a view to ensuring transport between two localities situated in the same territory, nor to other operations conducted by them not directly connected with those provided for in the preceding paragraph, nor to other grounds for taxation such as the ownership of immovable property or of other taxable property.

*Section G. — Application of Certain of the Foregoing Articles to Nationals not established in the Territory of the Other High Contracting Parties.*

**Article 15.**

As regards the provisions of Articles 9, 10, 11 (paragraph 1), 12 and 14, nationals of the High Contracting Parties shall enjoy, in the territory of the other High Contracting Parties, the same treatment as they would enjoy if they were established there.

**PART II. — TREATMENT OF FOREIGN COMPANIES.**

**Article 16.**

1. Shareholders' and other commercial companies, including industrial, financial and insurance companies, and companies providing communications or transportation, having their seat in the territory of one of the High Contracting Parties and being regularly constituted in accordance with its laws, shall likewise be recognised by the other High Contracting Parties as being regularly constituted, provided they pursue no illegal aims.

2. The legality of their constitution and their capacity to appear in Court as plaintiffs or defendants shall be decided in accordance with their articles of association and according to the law under which they were constituted.

3. The operations of companies constituted under the laws of one of the High Contracting Parties shall, so far as they are carried on in the territory of the other, be subject to the laws and regulations of the latter.

4. If one of the High Contracting Parties makes commercial operations conducted in its territory by a company of the other High Contracting Party subject to previous and revocable authorisation, the Party concerned shall have the right to take reciprocal action in regard to similar companies of the former Party.

5. The High Contracting Parties hereby declare that they will not, by granting the authorisations referred to in the above paragraph, hinder the establishment of companies engaged in business which companies of all countries are usually allowed to conduct.

6. The High Contracting Parties agree not to prejudice acquired rights unless forced to do so, and consequently not to cancel an authorisation once given except for an infraction of the laws and regulations of the country.

7. Companies of each of the High Contracting Parties may, if they conform to the laws and regulations of the High Contracting Party into whose territory they are admitted, therein acquire, possess or lease movable and immovable property, and therein exercise their rights and conduct their industry or commerce; they shall have free and ready access to the Courts and administrative authorities, and shall enjoy, in general, the rights accorded under Articles 9 and 10 to nationals of the High Contracting Parties, in so far as these rights are applicable to them.

In all cases, the above-mentioned companies shall enjoy, after their admission, the same rights as those which are or may be granted in this respect to companies of the same kind of the most-favoured nation. Nevertheless, it shall not be possible for one of the High Contracting Parties to claim for its companies in virtue of the most-favoured-nation clause treatment more favourable than it is prepared to grant to companies of the other Party.

8. The treatment and protection to be accorded to companies of each of the High Contracting Parties, defined in paragraph 1, shall be identical with the treatment and protection to be afforded to nationals of each of the High Contracting Parties under Articles 2, 3, 4, 5, 8, 11, 12, 13 and 14.

### PART III. — GENERAL PROVISIONS.

#### CHAPTER I. — EXTENSION AND RESTRICTION OF THE CONVENTION BY AGREEMENT OR BY INDEPENDENT ACTION.

##### Article 17.

The provisions of Part I, which expressly lay down that national treatment shall be granted the nationals of all the High Contracting Parties, imply the unconditional granting of most-favoured-nation treatment.

This does not, however, apply to the special provisions which allow specific exceptions to the rule regarding national treatment.

##### Article 18.

1. The provisions of Part I not referred to in Article 17 above, and the provisions of Part II, shall not, as regards the matters to which they refer, prevent any of the High Contracting Parties from granting more favourable conditions to one or more of the other High Contracting Parties under the terms of special agreements.

These more favourable conditions may be claimed on condition of reciprocal treatment by any High Contracting Party not enjoying the benefits of the most-favoured-nation clause under a bilateral agreement and therefore unable to claim the free benefit thereof on that account.

2. Most-favoured-nation treatment, as granted under the previous paragraph and under Article 17, cannot be claimed:

(a) When two countries have agreed as to the conditions under which they shall mutually recognise the equivalence of titles or guarantees required for the exercise of certain professions;

(b) In the case of bilateral agreements for the avoidance of double taxation.

##### Article 19.

1. The High Contracting Parties undertake, when availing themselves of the faculty accorded them under the present Convention to exclude foreigners from the enjoyment of certain rights or to subject the enjoyment of such rights to certain conditions and formalities, to make no discrimination which might seem to be an unfriendly act towards the nationals of certain other High Contracting Parties.

2. Whenever the present Convention accords to foreigners the benefit of provisions applicable to nationals, the High Contracting Parties undertake not to draft these provisions in such a way that they would, in actual practice, amount to the absolute exclusion of foreigners, or lead to a system of differentiation to the detriment of foreigners.

## CHAPTER II. — GUARANTEES OF EQUALITY.

### Article 20.

The High Contracting Parties undertake not to prejudice the guarantees of equality for national and foreign undertakings, as laid down in the preceding articles, by means of exemption from taxes or duties or by differential regulations affecting production, trade or the level of prices.

### Article 21.

1. If after signing the present Convention, and within the limits thereof, a High Contracting Party places any restrictions on the previously authorised operations of nationals or companies of the other High Contracting Parties, it must nevertheless as far as possible respect acquired rights.

2. Generally speaking, the High Contracting Parties undertake to avail themselves of the reservations provided for in the present Convention only in such a way as will cause least prejudice to international trade.

## CHAPTER III. — SETTLEMENT OF DISPUTES CONCERNING THE INTERPRETATION OR APPLICATION OF THE CONVENTION.

### Article 22<sup>1</sup>.

The High Contracting Parties agree that all disputes which may arise between them relating to the interpretation or application of this Convention shall, if they cannot be settled by direct negotiations or by some other method of amicable settlement, be referred for decision to the Permanent Court of International Justice. The matter may be laid before the Court if necessary by means of an application from one of the Parties. Should both States between whom a dispute arises, or one of them, not be Parties or Party to the Protocol of December 16th, 1920, relating to the Permanent Court of International Justice, the dispute shall be referred, at the choice of the Parties and in accordance with the constitutional procedure of each, either to the Permanent Court of International Justice or to a court of arbitration constituted in accordance with the Convention of October 18th, 1907, for the Pacific Settlement of International Disputes, or to some other court of arbitration.

## CHAPTER IV. — SIGNATURE, RATIFICATION, ACCESSION, ENTRY INTO FORCE AND DENUNCIATION OF THE CONVENTION.

### Article 23<sup>2</sup>.

The present Convention, of which the French and English texts are both authentic, shall bear this day's date and, until . . . . . it may be signed on behalf of any Member of the League of Nations or of any State not a Member, represented at the Conference at Geneva, or to which the Council of the League of Nations may have communicated a copy of the Convention for this purpose.

### Article 24<sup>3</sup>.

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify the fact to all signatory or acceding States.

### Article 25<sup>4</sup>.

On and after . . . . . any Member of the League of Nations or any State mentioned in Article 22 may accede to the present Convention. This accession shall be effected by a notification to the Secretary-General of the League of Nations to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify the fact to all the signatory and acceding States.

<sup>1</sup> The text is based on Article 14 of the Convention of July 12th, 1927, establishing an International Relief Union.  
<sup>2</sup> Text taken from Article 15 of the Convention of July 12th, 1927, establishing an International Relief Union.  
<sup>3</sup> Text based upon Article 16 of the Convention of July 12th, 1927, establishing an International Relief Union.  
<sup>4</sup> Text based upon Article 17 of the Convention of July 12th, 1927, establishing an International Relief Union.

**Article 26<sup>1</sup>.**

The present Convention shall come into force six months after it has been ratified by any two High Contracting Parties. Thereafter it shall take effect in the case of each High Contracting Party six months after that Party has deposited its ratification with, or notified its accession to, the Secretary-General of the League of Nations.

**Article 27<sup>2</sup>.**

The present Convention may be denounced on behalf of any Member of the League or non-Member State. The denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other High Contracting Parties, at the same time informing them of the date on which he received it.

The denunciation shall come into force only in respect of the High Contracting Party which has notified it, and one year after such notification has reached the Secretary-General of the League of Nations.

o

CHAPTER V. — COLONIAL CLAUSE.

**Article 28<sup>3</sup>.**

The High Contracting Parties may at the time of signature, ratification or accession declare that, in accepting the present Convention, they do not assume any obligations in respect of all or any of their colonies, protectorates or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

The High Contracting Parties may give notice to the Secretary-General of the League of Nations at any time subsequently that they desire that the Convention shall apply to all or any of their territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice ninety days after its receipt by the Secretary-General of the League of Nations.

Similarly, the High Contracting Parties may at any time declare that they desire that the present Convention shall cease to apply to all or any of their colonies, protectorates or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration within one year after its receipt by the Secretary-General of the League of Nations.

CHAPTER VI. — GENERAL RESERVATION.

**Article 29.**

The provisions of the present Convention shall in no way affect the freedom of the High Contracting Parties as regards the admission of foreigners or the police measures which the Parties may take in regard to them.

---

<sup>1</sup> Based on Article 8 of the Convention of September 26th, 1927, on the Execution of Foreign Arbitral Awards.

<sup>2</sup> Based on Article 9 of the Convention of September 26th, 1927, on the Execution of Foreign Arbitral Awards.

<sup>3</sup> Text based on Article 10 of the Convention on Import and Export Prohibitions and Restrictions of November 8th, 1927, and on Article 20 of the Convention establishing an International Relief Union, July 12th, 1927.



## PROTOCOL.

### I.

#### Ad Article 1, paragraph 1.

1. The provisions of Article 1, paragraph 1, shall be subject to any special conditions which the High Contracting Parties may lay down in connection with contracts concluded by the public authorities as a result of tenders, these contracts being regarded as equivalent to Government concessions.

2. The granting of licences and other formalities arising out of the control of imports or exports and not involving any obligation as regards establishment, residence or registration shall not, however, be regarded as equivalent to concessions.

### II.

#### Ad Article 2.

1. The provisions of Article 2 shall not preclude the organisation by a High Contracting Party in its territory of markets and fairs reserved for nationals of its colonies, protectorates or territories under its suzerainty or mandate.

2. In applying the provisions of Article 2 of the Convention under which certain markets or fairs may be reserved for nationals of a group of neighbouring States, the High Contracting Parties undertake to make no discrimination which might appear unfriendly towards the nationals of other High Contracting Parties or their goods.

3. The words "on the same terms" are taken by the High Contracting Parties to mean free admission and equality of charges, without prejudice to any regulations which the High Contracting Parties reserve the right to establish for goods admitted to fairs or markets.

### III.

#### Ad Article 3.

The provisions of Article 3 shall also apply to the turnover tax (*taxe sur le chiffre d'affaires, Umsatzsteuer, etc.*).

### IV.

#### Ad Articles 3 and 4.

1. The provisions of Articles 3 and 4 shall not preclude the High Contracting Parties from introducing taxes or taking other steps to safeguard their interests in the matter of any State monopolies which they have instituted, or may institute in the future.

2. The High Contracting Parties declare that they refer solely to monopolies which, individually, are applied only to one or several specified products.

### V.

#### 1. Ad Article 5, paragraph 1.

The exemptions provided in Article 5 for foreign commercial travellers may not be claimed if the claimant stays in a foreign country for a period so long as to be equivalent to permanent residence.

#### 2. Ad Article 5, paragraph 3.

The High Contracting Parties undertake not to place commercial travellers in the same category as itinerant vendors or hawkers in their internal laws or by-laws.

### VI.

#### Ad Article 6.

The provisions of Article 6 imply the right to leave the territory without let or hindrance, irrespective of the right of expulsion, the exercise of which each of the High Contracting Parties reserves in the manner sanctioned by ordinary usage.

### VII.

#### Ad Article 7.

1. The above declaration in connection with Articles 3 and 4 shall also, as regards State monopolies, apply to Article 7.

2. The High Contracting Parties hereby declare that it would be desirable that agreements for the recognition of the equivalence of titles or guarantees to which the practice of certain professions are subject should be concluded between countries in which the necessary guarantees of equivalence would appear to exist.

3. The High Contracting Parties agree that the provisions of the present Convention regarding the treatment of foreigners shall apply to workers, employees and other wage-earners admitted to their territory in the same way as to any other alien.

It has not been their intention, however, to regulate by the present Convention the conditions and guarantees affecting the temporary sojourn or permanent establishment of foreign workers and employees and other foreign wage-earners or to lay down any decision as to the measures which certain States are obliged to take to protect their home labour market.

VIII.

**Ad Article 8.**

1. The High Contracting Parties hereby agree not to avail themselves of the right reserved to them to refuse admission to, or to expel, a foreigner, in such a manner as to render inoperative the guarantees laid down in the present article.

2. The provisions of this article shall not preclude the High Contracting Parties from forbidding foreigners to exercise professions which, under Article 7, may be reserved for nationals, or the practice of which may, under the terms of the same article, be subject to special regulations or conditions.

IX.

**1. Ad Article 9, paragraph 2.**

It is understood that the right accorded to nationals of the High Contracting Parties to appear before the competent administrative authorities in order to safeguard their rights or interests, in conformity with the laws in the said territory, includes the right to appear before the Customs authorities and in person to pass their goods through the Customs under the same conditions as nationals and without being subject, because they are foreigners, to any formalities or regulations other or more burdensome than those required of nationals.

**2. Ad Article 9, paragraphs 2 and 3.**

The provisions of Article 9, paragraphs 2 and 3, shall in no way affect the obligations arising out of the provisions of The Hague Convention of July 17th, 1905, regarding civil procedure.

X.

**Ad Article 10.**

1. The provisions of paragraph 2 concerning the freedom of foreigners to export their property or the proceeds of the sale of such property shall not in any way affect the right of each of the High Contracting Parties to refuse to allow exportation until the taxes or duties leviable on such property have been paid. The said property, however, or sums derived from its sale, may not be made the subject of any special taxation merely on the grounds of its exportation.

2. In the case of an owner's change of residence or in the case of the sale of movable or immovable property derived by inheritance, it is understood that the regulations regarding foreign exchange may not constitute an obstacle to the free exportation of the proceeds of the sale of such property.

3. The prohibition of the acquisition by foreigners of property referred to in paragraph 3 may not in any circumstances be extended to include the whole frontier zone.

XI.

**Ad Article 12.**

It is understood that paragraph 2 of Article 12 shall not apply to Customs duties or any other duties connected with the importation or exportation of goods.

XII.

**Ad Article 13.**

For the application of Article 13 (b), the words: "business operations conducted within that country", shall be taken to mean not merely operations conducted within the frontiers of a country, but also operations outside the frontiers if the latter are the result of the former.

XIII.

**Ad Article 14, paragraph 2.**

Any person engaged in the transport industry who conveys, by his own means of transport, goods coming from the territory of his own country of origin, or from the territory of a third Party, to localities situated in the territory of another High Contracting Party, or who delivers his goods direct to consignees domiciled in these localities or re-forwards them by rail to consignees domiciled in other localities, or, conversely, who causes to be collected and loaded on the spot goods intended to be conveyed by his own means of transport, shall be regarded as engaged in an undertaking exempted under paragraph 2 of Article 14. Further, if such a person is in regular and permanent relations with an independent forwarding agent on commission established in the territory of another contracting country, he shall not be regarded as being engaged in an independent industry.

---

**FINAL ACT.**

I.

The Conference desires to draw attention to the hindrance that may be placed in the way of production and trade by the measures which certain States are obliged to take for the protection of their home labour market.

It considers that these questions should be made the subject of special laws and agreements, but it is anxious to express its desire that there should gradually be established regimes of freedom which, while consistent with national requirements, should be of as liberal a character as possible.

*It expresses* the hope that for this purpose negotiations will be instituted, as soon as circumstances appear favourable, with a view to restoring as far as possible the free exchange of foreign labour and employees, and other foreign wage-earners, and in particular with a view to:

(a) Abolishing the restrictions which at present prevent the exchange of technical experts, employees and workers constituting the skilled staff of undertakings, and which prevent practitioners or other persons from going abroad in order to complete their professional training;

(b) Establishing adequate regulations for the transfer from place to place of itinerant and seasonal labour;

(c) Considering the most effective means of protecting the workers against the mal-practices of intermediary agents.

II.

The Conference considers it desirable that the High Contracting Parties should as far as possible conform to the terms of the present Convention in any treaties which they may conclude with non-contracting States.

---

## COMMENTARY.

---

### Introduction.

In pursuance of Article 23(e) of the Covenant, the League of Nations has been engaged in the preparation and completion of international statutes ensuring free development and equitable treatment for international trade.

It could only consider what common guarantees the States Members of the League might adopt as the fundamental principles of their respective systems of law; and its attention has been focussed on these fundamental principles and not on the particular minor adjustments required by the individual countries.

In regard to the treatment of foreigners, the draft now submitted to the Governments for consideration does not aim at establishing anything more than common guarantees, although these may of course be of different kinds.

1. The most effective and stable guarantee which can be given by countries whose laws are based on the principles of the free activity of their nationals and of the free disposal of their property is that of *national treatment*, i.e., complete equality between the rights granted to foreigners and the rights enjoyed by nationals under their own laws.

The Committee came to the conclusion that this guarantee could not be refused in fiscal matters, and has provided for its application on a fairly wide basis in the clauses concerning, for example, freedom of circulation and residence, the carrying on of trade, industry and professions, and civil, judicial and successional rights.

2. The guarantee of *most-favoured-nation treatment*, unless coupled with that of national treatment, implies as a rule that certain terms of the former may differ from those of the latter. For that reason it is preferred by States which refuse, or reserve the right to refuse, foreigners the benefit of certain clauses of their laws applying only to their own nationals, or which desire to take measures of any kind giving foreigners a special status. The guarantee of the most-favoured-nation clause is, moreover, unstable and precarious, since its benefits and its validity may terminate with the treaties or undertakings under which they are granted.

Nevertheless, the guarantee of most-favoured-nation treatment prevents any direct or indirect discrimination against the nationals of any of the contracting parties, and it is therefore necessary in the majority of cases in which national treatment cannot be obtained.

3. The guarantee of *reciprocal treatment* is most often claimed by States wishing either to obtain guarantees similar to those they offer or to limit the latter to the counterpart of those offered by another contracting country.

The reciprocity clause, however, did not appear acceptable to the Economic Committee, except where it constitutes a necessary rectification or supplementary guarantee of the most-favoured-nation clause or of national treatment.

The reciprocity clause may be applied either in a positive or in a restrictive manner.

In the present Convention it usually appears in its positive form, owing to the fact that all the contracting States undertake to grant each other the benefit of a specific regime.

In other cases, however, it appears in its restrictive form, as, for example, in Article 16, paragraph 4, which allows States whose companies are subject in the territory of another party to a previous and revocable authorisation to apply the same treatment to the companies of the other party.

The Economic Committee wished reciprocity to act not as an obstacle to the application of the draft Convention but as a possible means of enlarging the guarantees it contains, and for that reason it proposes the second paragraph of Article 18, in which the obligation of reciprocity appears as a kind of conditional most-favoured-nation clause, so that, provided the necessary counter-assurance is given, all the contracting parties will be accorded the benefit not only of the clauses of the present Convention but of those of any bilateral Conventions under which certain of the contracting parties grant to others advantages greater than those arising out of the present draft Convention.

4. Apart from the guarantees described above, all of which depend to a certain extent either upon the country's laws or upon its contractual rules, or upon the practices of other countries, the Convention provides a number of *imperative clauses* of an absolute nature which the contracting parties undertake to apply whatever their laws and whatever their agreements with foreign countries. These clauses relate in particular to the status of commercial travellers, double taxation, etc.

The International Economic Conference laid special emphasis on the fact that freedom of trade would remain an empty phrase if the marketing of goods or other commercial activities in foreign territory were hindered by restrictions on the activities of the nationals or companies of other countries or on their establishment abroad.

While it avoided the particularly delicate question, always reserved in international discussions, of the admission of foreigners and foreign companies, the Economic Committee did not confine the scope of the Convention to the conditions of establishment of foreigners or foreign companies already admitted. It carefully included the guarantees it considered necessary for the trade of nationals of contracting States who, without settling in foreign territory, desire, either directly or through intermediaries, to carry on their business or invest their capital in that territory.

Accordingly, the Economic Committee supplemented the usual civil and judicial guarantees with the right of carrying on an industry, trade or profession, the right of holding immovable or movable property, and guarantees of a fiscal nature — whether in regard to the usual taxes or in regard to special charges — by the addition of guarantees relating to the pursuit of trade by nationals not established in the country, as well as by enumerating certain rights which should be accorded to nationals of contracting countries, whether established or not.

In this the Economic Committee's aim was to guarantee foreign trade a minimum of stability by making economic relations to some extent independent of any changes which might subsequently be introduced into commercial relations by tariff agreements.

Contrary to what might appear at first sight, therefore, the draft Convention is not solely an international establishment convention.

Its further aim is to provide, in the matters indicated above, certain guarantees which, in the Economic Committee's view, should be mutually granted by States independently of any establishment conventions which they may conclude in favour of their nationals admitted to reside in the territory of other parties or allowed to carry on their business there.

The majority of the rules which the different articles of the draft Convention aim at establishing are based on the terms either of commercial treaties or of establishment conventions or, again, of conventions for the prevention of double taxation.

In drawing up this draft the Economic Committee's aim was to insert only those clauses which in its opinion were both necessary and on the whole acceptable to all States. Its purpose was less to make the draft exhaustive than to make it systematic and clear.

The Committee is aware that the laws at present in force in certain countries are not always in conformity with the provisions which it recommends, but it hopes, and indeed feels sure, that those States, as they will no doubt be anxious to secure the benefits of the Convention, will take the necessary steps to adapt their laws to the rules it has laid down. It holds, moreover, that the Convention must mark an advance, and must not be taken by States whose laws are more liberal as a pretext for making changes of a retrogressive nature.

An international settlement of so delicate a question as that of the treatment of foreigners cannot be based either on the most liberal systems of law and the most favourable agreements or on the narrowest guarantees given to foreigners and the most explicit national reservations. An international settlement is necessarily a compromise, but the compromise must mark an advance on the existing standard of laws and agreements. This advance the Economic Committee trusts it has achieved in the attached Convention, which it regards as an important contribution to international co-operation between the civilised peoples of the world.

#### Article 1.

1. The object of this article is to enable the nationals of the contracting parties to carry on the usual commercial transactions beyond their frontiers on the same terms as the nationals of the territory in question, and without any necessity for them to obtain authorisation to enter, reside in, or settle in the territories of the countries in which the transactions are to take place.

2. The list of transactions permissible for the foreigners referred to in this article is not exhaustive but purely illustrative; the intention of the words "commercial transactions of every kind" is to give these foreigners the greatest possible liberty compatible with the special conditions in which these operations are carried on.

3. The exception made in Article 1, and in the Protocol (N<sup>o</sup> I), concerning the freedom of action reserved by States in regard to concessions and contracts by tender should not be taken as expressing the Economic Committee's opinion as to the extent to which States are entitled to avail themselves of this freedom of action.

The Committee only intended to make a general exception, which it considers to be subject, like all the other exceptions in the present Convention, to the general guarantee laid down in Article 19, paragraph 1, by which, even in applying an exceptional regime, the contracting parties are bound to avoid any unfriendly discrimination against another contracting State.

4. The provision contained in the Protocol (N<sup>o</sup> I (2)) concerns a restriction which has been placed on freedom of trade by certain States on the basis of considerations connected with establishment.

The Economic Committee did not think it possible to rely upon the provisions of the Convention for the Abolition of Import and Export Prohibitions and Restrictions to obtain the results which

it desires. It considered that the provisions of that Convention might permit of the at least temporary continuance of a system of control and licences for which guarantees had to be provided in so far as that control restricted the effects of Article 1 by imposing certain conditions upon establishment.

5. The second paragraph of Article 1 meets the needs of commercial circles, which have sometimes been hindered in the exercise of their occupations by the different treatment accorded to foreigners and nationals in the matter of publicity and advertisement. It was desired to preclude recourse to these indirect methods of hampering the free development of international trade.

The fact that the authorisation of this particular form of commercial activity is mentioned, should not be interpreted as implying that it alone is to be subject to equality of treatment. The mention made here is intended simply to assert a right that has sometimes been withheld.

## Article 2.

1. The need fulfilled by this article, which is intended to ensure, in principle, complete equality between foreigners and nationals in regard to public markets and fairs, is confirmed by the fact that similar provisions exist in many commercial treaties.

2. The Economic Committee nevertheless considered that in this rigid form the rule would not always have been equitable in practice. Each State must be left free to organise in its territory public markets and fairs reserved for its nationals as exhibitors, sellers or purchasers.

A State may even organise markets or fairs of this kind in its territory specifically confined to its own nationals and those of a group of neighbouring States, by reason of the particularly close relations existing between the members of the group of States concerned, due in most cases to their close neighbourhood, geographical conditions or old traditions.

Further, the Committee also thought it should be made quite clear that in recognising the right of States to organise markets and fairs specially reserved for their nationals, each State was to be left the option of also reserving access thereto to the nationals of its colonies, protectorates or territories under suzerainty or mandate, these colonies, protectorates or territories being thus considered, in this particular case, as forming in some sort a part of the mother-country's territory. For this reason a special clause was inserted in the Protocol (N<sup>o</sup> II (1)).

3. In this connection it was thought desirable in addition to recall explicitly the principle also laid down in Article 19, paragraph 1, prohibiting any discrimination which might seem an unfriendly act towards the nationals of the other contracting parties or their goods (Protocol N<sup>o</sup> II (2)).

4. In order to obviate any error or dispute as to the exact meaning of the words "on the same terms as nationals", the Protocol (N<sup>o</sup> II (3)) states that these words refer to free admission and equality of charges, but do not affect the freedom of the contracting parties with regard to any rules of organisations which they may establish for goods admitted to fairs and markets. This provision of the Protocol leaves the parties free not only to prescribe the conditions of exhibiting the goods, and to impose restrictions on their admission, but also to limit the number of foreign nationals who, without prejudice to the formalities connected with their admission, may be authorised to attend. The rights which the contracting parties reserve in this connection are not intended to be used as a pretext for infringing the general guarantee of non-discrimination contained in Article 19, paragraph 1.

5. Article 2 does not deal with the question of exhibitions. The Economic Committee deliberately set this question aside, both because some exhibitions have no commercial character and because those which have are either national — in which case foreigners are excluded by definition — or international, in which case the participation of foreigners is usually governed by the rules of the exhibition itself.

6. Under Article 29 the contracting parties retain the right to make the admission of foreigners wishing to take part in fairs and markets conditional on the requirements of their laws. They must, however, bear in mind the general obligation involved by the principle contained in Article 21, paragraph 2.

## Articles 3 and 4.

1. These articles were put between brackets because doubts were expressed whether provisions of this kind are in place in a plurilateral convention referring chiefly to questions of establishment, and whether they should not rather be included in bilateral conventions. It was pointed out that these articles might bar the accession of certain countries. Indeed, objections based on the federal constitution of certain States were put forward; but the Economic Committee preferred to maintain these articles so as to enable the Conference to decide whether to keep them or not. It considers that, although bilateral commercial treaties usually include stipulations of the same kind, the guarantees they contain are so essential to international trade and so imperative from

the point of view of the equitable treatment of commerce that their acceptance or rejection cannot be left to the discretion of two contracting States.

The objection put before the Committee that certain States cannot assume obligations of this nature owing to their federal constitution did not seem a sufficient argument against including such undertakings in the present draft. If in countries with a federal constitution the imposition and collection of taxes is a matter for the individual States and one in which the Central Government can assume no obligations, and if in such countries each State of the Federation cannot assume international obligations in place of the Central Government, such a situation can hardly be termed favourable to the participation of those countries in certain agreements or unions on which economic progress depends; and rather than take this as an argument against Articles 3 and 4 of the draft, it would be better to mention in a protocol the special circumstances of certain Federal States which sign it. This was the procedure adopted in the Protocol of the Convention for the Simplification of Customs Formalities concluded at Geneva in 1923.

2. Article 23(e) of the Covenant, which, as mentioned at the beginning of this commentary, is the foundation on which the Economic Committee has endeavoured to build up the whole of the present draft Convention, appears to the Committee to pledge all the States Members of the League to certain practices of commercial equality, some of the chief of which are specified in Articles 3 and 4. The obligation incurred by the Members of the League in virtue of the general undertakings they enter into cannot therefore remain a matter for private negotiation between them, and although this matter lies only on the borderline of the right of establishment and the treatment of goods, the Economic Committee felt that it should take the first opportunity of a plurilateral treaty concerning one of these branches to ask the States to agree to obligations in regard to the treatment of goods which the Committee considers to be essential to fair trade.

### Article 3.

1. The purpose of Article 3 is to prevent differentiation by means of internal taxes between home products and products of other contracting parties.

The article specifies that the guarantee of equality extends to all internal taxes levied on behalf of the State or of public bodies authorised by it to collect them, so as to avoid discrimination between foreign and home products on the plea of the special character of the bodies responsible for collecting them.

2. Independently of the differences in the laws of the contracting parties as regards the country of origin of the goods and the country from which they are actually imported, the guarantee of equality laid down in Article 3 must be applied to all products of the contracting parties imported into the territory of any one of them and recognised by the latter's laws as regularly nationalised, each of the contracting parties reserving the right, however, to refuse the benefit of this clause to goods which originally came from a non-contracting country and cross in transit through the territory of a contracting party. Such goods cannot be regarded on that ground alone as one of the party's products within the meaning of the present Convention.

3. It is specified in the Protocol (N<sup>o</sup> III) that the provisions of this article apply to the turnover tax.

4. The exception as regards monopolies provided for in the Protocol (N<sup>o</sup> IV) refers not only to State monopolies but also to private monopolies instituted by authorisation or under the control of the State, but does not apply to general monopolies or State commercial undertakings with which the draft Convention does not deal.

### Article 4.

1. This article lays down the principle that, even for the purpose of internal regulations regarding the traffic in certain specific goods, no distinction may be drawn between national goods and similar foreign goods. The text of the article is reproduced from the Franco-German Treaty of August 17th, 1927.

In the Economic Committee's view the provisions of Article 4 fulfil a definite need. It is important to put an end to certain practices by means of which a number of States establish a distinction between home and foreign products through internal regulations concerning sale, distribution or consumption. These practices, although not appearing at first sight to be directed against foreign goods, nevertheless constitute an artifice intended to favour national products to the detriment of some or all foreign products.

2. The Economic Committee had at first thought of supplementing this article by a clause specifying that the principle laid down in Article 4 should not prevent the contracting States from introducing any measures they might consider necessary or useful to stop unfair competition, it being understood, however, that even in this aim no unfriendly discrimination against the products of one or more specified countries should be allowed.

The necessity for a clause of this nature did not arise, however, since internal laws applicable both to home and to foreign products are explicitly allowed under Article 1, and the present Convention cannot affect the executive laws or regulations of bilateral or plurilateral international undertakings.

#### Article 5.

1. The terms of this article, which correspond to those of a number of commercial treaties, are aimed at permitting merchants and manufacturers, and their commercial travellers, to carry on the ordinary business of their calling abroad without special authorisation and without having to pay any taxes under that head.

The Economic Committee considers that, as provisions of this kind frequently occur in commercial treaties, it would be well to sanction this principle once and for all in a convention such as the present draft and thereby render its inclusion in separate treaties no longer necessary.

2. The provisions of Article 5 will conflict in some countries with the collection of certain special taxes restricting the operations of commercial travellers.

Though aware of these facts, the Economic Committee did not feel bound to take them into consideration in drafting Article 5, being convinced that the countries in question would agree to modify their laws and so remove an unjustifiable hindrance to international trade. Hence it was not with the desire of preventing double taxation that the Economic Committee in Article 5 stipulated the exemption of commercial travellers from taxation, but in order to avoid imposing any burden on activities essential to the development of international trade.

3. It seemed desirable to specify that, as regards commercial travellers' identity cards and the temporary admission of samples, the provisions of Article 10 of the Geneva Convention should be applied, this being an international agreement to which a large number of States are contracting parties, and the application of which has not given rise to any difficulty.

4. Finally, the last paragraph of Article 5 lays down a restriction to which many States attach great importance, and which is to be found also in several commercial treaties. At the same time it was hardly necessary, since hawkers do not fulfil the condition, laid down in the first paragraph of Article 5, of "only taking with them samples and not goods intended for sale".

5. Article 5 would nevertheless have gone too far if commercial travellers had been allowed to enjoy the privileges in question even when in practically permanent residence abroad. It is only fair that in such a case they should be treated on the same footing as commercial travellers belonging to the country in which they are staying. Accordingly the Protocol (No. V (1)) stipulates that the exemptions provided in Article 5 for foreign commercial travellers may not be claimed if the claimant stays in a foreign country for a period so long as to be equivalent to permanent residence.

6. The Protocol (No. V (2)) provides against the possibility of evading the fundamental rule of Article 5 by placing commercial travellers in the same category as itinerant vendors or hawkers.

#### Article 6.

1. After recognising in the Preamble that in present circumstances there can be no hope of the general acceptance by States of freedom of access to their territory for foreign nationals, the Economic Committee, in Article 29 of the Draft Convention, thought it necessary to reserve the rights of each State both in regard to the admission of nationals of the other contracting parties and in regard to the police measures it may take concerning them.

Subject to this reservation, the Economic Committee has done its best to ensure that foreigners, once admitted, should have all the freedom necessary for the exercise of their economic activities, and, above all, freedom of travel. Accordingly, the article recognises the principle of complete equality of treatment with nationals in this respect, but without prejudice to the police regulations concerning foreigners, and notably those intended to safeguard public security or national defence.

The Economic Committee considered, moreover, that any restrictions which might be imposed on freedom of travel should as far as possible be applicable both to nationals and to foreigners.

2. Freedom of travel implies for foreigners freedom to leave the country, and does not prevent States from making ordinary use of the right of expulsion. The provision of the Protocol (No VI) which refers to this matter does not define what is meant by "ordinary usage", but the Economic Committee's intention was to exclude measures inspired by economic considerations and therefore contrary to the obligations assumed by contracting parties under the Convention, as well as police measures not taken in conformity with the country's laws, or applying these laws in a manner contrary to the special obligations contained in Article 19, paragraph 1, of the present draft.



## Article 7.

1. The provisions of Article 7 are based, generally speaking, on the principle of national treatment.

The Economic Committee had to take a decision on this point, as it recognised, as a result of its consultations, that a large number of States, even among those which habitually accord liberal treatment to established foreigners, prefer to retain the right to make a distinction between their own nationals and these foreigners by granting only the most-favoured-nation clause; while at the same time a large number of existing treaties in practice grant national treatment to foreigners admitted to the territory of the contracting parties, subject to certain duly specified exceptions.

The Economic Committee's choice was guided:

(a) *By the consistent policy of the League of Nations in the past few years.*

Since 1922 the League's policy has always tended to replace the precarious guarantee afforded by the most-favoured-nation clause in matters of establishment — a guarantee which, as the experience of many countries in the last few years has shown, does not preclude serious restrictions or intolerable reservations — by the more effective guarantee of national treatment.

Such is the clearly marked tendency in the recommendations which the Council of the League made to all the States Members in 1923 concerning the rights of the nationals of one country permitted to establish themselves in the territory of another.

Similarly, in 1925 the further resolutions communicated by the Council to the States Members in regard to the exercise of commerce, industry and professions by foreigners allowed to establish themselves, were based on the principle of treatment as far as possible on the same footing as nationals. For this reason Article 7 lays down on the one hand the extent to which this national treatment must be applied, and on the other the exceptions which may be allowed, it being understood that in virtue of Article 17 all aspects of establishment for which national treatment is granted are also to be covered by the guarantee of the most-favoured-nation clause.

If we consider the operation of the most-favoured-nation clause during the years which have elapsed since the war, it must be admitted that it has led in many countries to restrictions and discriminations which have been pushed to extremes owing to economic nationalism, financial difficulties and, in certain countries, currency fluctuations.

The regime established by the most-favoured-nation clause as practised during the last few years could hardly be adopted in a draft whose purpose was actually to remedy the existing situation and guide the future policies of States in matters of establishment towards greater liberalism.

(b) *By the practice of the States most interested in carrying the activities of their nationals abroad or most anxious to receive financial and economic aid from other countries.*

In point of fact, nearly all the large European States have concluded treaties of establishment granting national treatment in the exercise of trade, industry and professions to foreigners allowed to establish themselves, an exception being made in the case of certain branches of these activities which affect the sovereignty or security of the country.

The draft Convention would of course mark not an advance but a retrogression as compared with the present situation if it replaced the existing system of equality between foreigners and nationals by the system of most-favoured-nation treatment.

This retrogression would, too, be dangerous, since the treaties concluded by certain States with a view to the present situation might be modified if most-favoured-nation treatment were substituted for national treatment and if the change were recognised as legitimate.

The effects of the different treaties on one another are also worthy of note. France and Germany, for example, have included the most-favoured-nation clause in their recent treaties, but this clause is equivalent in practice to a guarantee of national treatment, since both the contracting countries have treaties with third States which provide for this treatment.

Thus theoretical and practical considerations alike conduced to the adoption of the principle which, as embodied in Article 7, would be applied in as wide and in as prudent a manner as possible.

(c) *By the actual character of the proposed plurilateral convention.*

While two contracting States may find the most-favoured-nation clause sufficient, since they know the rules in force in each other's territory and the probable trend of each other's policy, this is not the case in regard to a plurilateral convention. Here any possibility of discriminating between nationals and foreigners allowed by the most-favoured-nation clause may lead to modifications of the rules in force at the time of concluding the convention. Thus no stability of the obligations interchanged in a plurilateral convention is conceivable except on the basis of positive stipulations or of stipulations having, generally speaking, as sure an effect as positive stipulations, *i.e.*, those based on the legal treatment afforded by States to their own nationals.

It was these considerations which led to the choice of the doctrine embodied in Article 7 and the Economic Committee believes that this article constitutes one of the fundamental guarantees and one of the most decisive steps forward in the matter of the right of establishment.

2. Article 7 specifies that the equality it ensures must be not only a *de jure* but a *de facto* equality. Moreover, the Economic Committee has taken care to insert in Article 19, paragraph 2, a general clause to that effect which is applicable to the whole Convention.

3. Article 7 may be subdivided into two parts, the first of which asserts the right of the nationals of the contracting parties to conduct all commercial and industrial operations and to exercise all occupations which the laws of the said contracting parties allow their nationals to carry on freely, or, in the case of occupations for which special titles or guarantees are required, to exercise those professions subject to the submission of titles or guarantees recognised as being equivalent by the high contracting party concerned.

These positive stipulations are tempered in the second part of the article by a series of exceptions, some of which reserve to nationals functions which involve a devolution of the authority of the State or a special responsibility of a national character, while others permit States to reserve to their nationals or to render subject to special conditions the exploitation of certain services or resources or activities which concern the one or the other.

I. The provisions of Article 7 which lay down the principle of equality as between foreigners and nationals in respect of different forms of economic activity may be divided into two categories, because for some activities no personal guarantee is required, while the exercise of others is conditional upon the possession of titles, qualifications or special guarantees.

(a) As regards the former, the Economic Committee thought it preferable, instead of introducing a clause enumerating the different branches of commercial or industrial activity and other forms of economic activity, such as banking, credit on personal property or mortgages, carriage of goods and passengers, insurance transactions, etc., to adopt a more general form excluding no economic undertaking from the benefits of the article.

In so doing it applied the rule which it adopted in drawing up all the provisions of the present draft, namely, that of laying down the most liberal stipulations possible, leaving the Conference to limit or define them if it does not feel able to go to the full length of the principles recommended by the Committee. The same clauses stipulate that no distinction is to be made between undertakings operating independently and those which exist as branches, subsidiary undertakings or agencies of undertakings situated in the territory of one of the contracting parties. The purpose of this clause is to prevent any obstacle being imposed as a result of enquiries or disputes in regard to the nature of the connection existing between such branches, subsidiary undertakings or agencies and the parent undertaking.

(b) As regards activities the exercise of which is subject to titles or guarantees of a special kind, the Protocol (No. VII (2)) contains a declaration recommending the conclusion of agreements regulating the conditions in which the equivalence of the titles and guarantees obtained in the different States should be recognised by some or all of the contracting parties.

Furthermore, Article 18, paragraph 2, adds that the benefit of such agreements cannot be claimed in virtue of the most-favoured-nation clause by States not participating in the said agreements.

These two clauses supplement each other, for the application of the agreements recommended in the Protocol (No. VII (2)) would be very circumscribed if the contracting States feared that their benefits might be claimed by States which were not ready to assume the same obligations and provide the same guarantees.

II. The second part of Article 7 enumerates the professions, occupations, industries and trades the exercise of which may be reserved to nationals or made subject to differential provisions.

These exceptions are divided into two categories. Those which are laid down in paragraphs (a) and (b) refer to the functions, offices, charges or professions which involve either a devolution of the authority of the State or responsibilities of such a kind that it is in the public interest to reserve them for nationals.

The enumerations given in paragraphs (a) and (b) are intended to be illustrative and not exhaustive. In this connection, there are naturally differences between the conception adopted and the situation existing in the various countries. The Economic Committee's aim has been to draft these clauses in such a way as to restrict as far as possible the power of States to reserve functions, charges or professions to nationals for reasons connected with commercial competition.

The provisions of paragraphs (c), (d), (e) and (f) constitute a second category of exceptions relating to the right of States to reserve for their nationals, or render subject to special conditions, the exploitation of certain national sources of wealth, or of certain public services, as well as certain activities in connection with the one or the other.

Paragraph (c) is devoted to a series of matters connected with the organisation of ports, traffic between national ports, fishing in territorial waters and communications between territories under the same sovereignty.

As regards this last category of exceptions, that of reserved traffic, it has only been referred to incidentally, as the Economic Committee considered that it hardly came within the scope of the present Convention. On the other hand, the draft Convention mentions service in vessels engaged in this traffic, and has reserved for the contracting parties full freedom of action in this respect, subject to the provisions of Article 19, paragraph 1.

Just as the Economic Committee did not think fit to make special mention of reserved traffic, it did not refer specifically in the draft Convention to the exceptions and reservations which States might introduce in regard to the river coasting trade, or the concessions on which they might make the establishment of air navigation lines conditional.

Paragraph (d) makes an exception regarding the exploitation of minerals and hydraulic power, which many States regard as affecting their national defence or as exercising a predominant influence on their national economy. Thus paragraph (d) simply notes an exception provided in the laws of nearly every country.

The exceptions provided for in paragraph (e) are the outcome of the fundamental conception of a monopoly, and therefore figure in the majority of bilateral treaties. This exception, moreover, simply repeats that already made in other connections regarding monopolies in Articles 3 and 4, and in the Protocol (No. IV).

While admitting this exception, which might in some respects be called customary, the Economic Committee desires to point out that if a State institutes monopolies and exploits them itself or entrusts them to private enterprises, the limitations arising out of their existence should apply equally to nationals and to foreigners.

Paragraph (f) merely supplements the exception provided for in Article 5 regarding goods. It is dictated, moreover, not only by economic considerations, but by the special difficulty encountered by States in applying their police regulations to foreign hawkers or itinerant artisans.

This exception also appears in a large number of bilateral treaties.

4. After expressly stating that the provisions of the draft convention concerning the treatment of foreigners apply to workers, employees and other wage-earners admitted to the territory of the contracting parties, the Protocol (No. VII (3)) adds that the question of the temporary stay or permanent establishment of foreign workers and wage-earners remains outside the scope of the convention. The draft also makes no provision as regards the measures which certain States may be obliged to take to protect their home labour market.

The Economic Committee inserted, however, in the Final Act a declaration, which it hopes will be adopted by the future conference, emphasising the fact that these measures constitute an obstacle to production and trade.

While considering that these questions must be dealt with by means of special legislative acts and conventions, and without wishing to interfere in a domain which perhaps belongs to other organisations of the League of Nations, the Economic Committee desired in this way to indicate the importance it attaches to negotiations being started as soon as possible for restoring the free exchange of foreign workers, employees and other wage-earners with the least possible delay.

#### Article 8.

1. Certain countries whose laws apparently grant extensive rights to foreigners allowed to establish themselves greatly detract from the value of these clauses by imposing conditions regarding the nationality of the persons chosen to manage foreign establishments, or again by requiring that such foreigners should take into partnership persons of a given nationality.

The Economic Committee considers that practices of this kind are contrary to the liberal regime which it recommends, and it has therefore thought it necessary to exclude such requirements. Hence the insertion of Article 8 of the Convention.

2. Like all the other provisions of the Convention, those of the present article are subject to the general provision contained in Article 29, which leaves the contracting parties a free hand as regards the admission of foreigners to their respective territories and the police measures they may take in regard to foreigners.

3. The fear was expressed that Article 8 might be evaded through the reservation contained in Article 29. To provide as far as possible against this the Economic Committee inserted in the Protocol (No. VIII (1)) a declaration by which the contracting parties undertake not to avail themselves of the right reserved to them to refuse admission to or expel a foreigner in such a way as to render inoperative the guarantees laid down by Article 8, as for example by taking such measures in the absence of any justification on the ground of legitimate apprehensions regarding the persons thus refused admission or expelled.

The Protocol (No. VIII (2)) also recalls the right accorded to the contracting parties by Article 7 of the Convention either to forbid foreigners to exercise certain professions or to impose special conditions.

4. The provisions of Article 8 and those relating thereto in the Protocol gave rise to certain remarks on the practice of disguised establishment by which foreign nationals endeavour to evade the conditions regarding previous authorisation laid down by the laws of certain countries.

Facts have been brought to the Committee's knowledge showing that in some cases foreigners fearing to be refused admission if they made known the commercial activity in which they propose to engage, declare when asking for admission that they desire to reside as private individuals and engage in no occupation or profession.

Other instances to which the Committee's attention has been drawn show that foreigners, fearing to be refused the authorisation necessary for the exercise of a profession subject to control, sometimes use the device mentioned above to evade the obligation and formalities of authorisation.

The Economic Committee does not mean that States should divest themselves of the means of control instituted by their laws in regard to the establishment of foreigners.

Further, the Committee fully realises that, for certain countries anxious to keep their working population in adequate employment, or to prevent any undue intrusion of foreign elements, this control may be legitimate; nevertheless, the intention of Article 8 is to assert the right of natural or legal persons to employ personnel of their own nationality without encountering restrictive or discriminatory measures in regard to admission, and without being bound by restrictions based on considerations of economic competition.

#### Article 9.

1. Article 9 grants the nationals of the contracting parties the same treatment as nationals of the country in respect of the legal and judicial protection of their persons, property, rights and interests. This clause embodies a rule already recommended by the Economic Committee in the resolutions which it adopted in 1923 and which were communicated by decision of the Council to all the States Members of the League. The Economic Committee is convinced that it constitutes an essential and indispensable guarantee in international relations.

2. Article 9 also aims at guaranteeing the nationals of the contracting parties the right to appear in court as plaintiffs or defendants and to appear before the administrative authorities when the latter are competent to pronounce on their rights and interests. For the nationals of the contracting parties this guarantee is subject to the same conditions as for nationals of the country, and must naturally be exercised in conformity with the laws in force in the State in question; but the latter may not establish any distinction between nationals and foreigners in connection with these conditions. To avoid any possibility of dispute, the article stipulates the latter's right to choose any barrister, solicitor, notary, etc., to whom they may desire to entrust the defence of their interests before the courts or administrative authorities.

The draft Convention contains no provisions regarding legal assistance, exemption from the payment of legal costs in advance, and other similar facilities, because the Committee considered that the reciprocal granting of advantages of this nature depended to some extent on the similarity of legislations and could therefore be settled more satisfactorily by means of bilateral conventions.

3. The aim of the third paragraph of the article is to reserve to the laws of each country the question of the enforcement of judgments or arbitral awards given abroad, as well as that of security for costs (*cautio judicatum solvi*), unless these questions are governed by agreements to which the States in question are contracting parties.

As regards the question of security for costs, the text of paragraph 3 only allows such security to be demanded in countries where it already exists. It was desired in this way to prevent States which become contracting parties to the Convention, but which do not yet make compulsory the provision of security for costs, from introducing it under the terms of the Convention.

4. The Economic Committee's attention was drawn to the work of the Conference on Private International Law at The Hague, in the course of which some of the questions touched upon by Article 9 were, or will be, dealt with. The Committee considered, however, that in its own draft convention it could only take into account conventions actually in force, and not drafts, however important. Moreover, Article 18, paragraph 1, lays down that the Convention shall not prevent the granting of more favourable terms to the nationals of the contracting parties in virtue of special agreements.

5. The Protocol (No. IX) stipulates that the right accorded to foreigners to appear before the administrative authorities in order to safeguard their rights and interests under the same conditions as nationals includes the right to appear before the Customs authorities and in person to pass their goods through the Customs under the same conditions as nationals, and without being subject, because they are foreigners, to any formalities or regulations other or more burdensome than those required of nationals. It was considered, in fact, that there was no serious reason for excluding the Customs administration from the administrations referred to in the second paragraph of Article 9; it is, on the contrary, extremely desirable, from the point of view of the development of international trade, that the greatest possible facilities and the fullest equality with nationals should be granted to foreigners in their relations with the Customs administration, notably in regard to the passing of their goods through the Customs without other intermediary than that which they may choose themselves. The Geneva Convention of November 3rd, 1923, moreover, contains a recommendation to that effect (Article 14).

#### Article 10.

1. The provisions of Article 10 relating to the right of property lay down a uniform and liberal doctrine in a domain in which the laws of the different countries differ widely and often impose regrettable restrictions.

The Economic Committee is aware that the constitutions of certain States prohibit or restrict the acquisition of certain kinds of immovable property, notably land, which other States render

subject to a previous authorisation with a view to restricting the right of property and the acquisition or utilisation of certain kinds of real estate.

In deciding upon the provisions of Article 10, it was not the Economic Committee's intention to disregard the situation existing in different States, but to remedy that situation, the Committee being convinced that the stipulations of Article 10 are, in fact, those most likely to contribute to the interpenetration of interests and the permanence of economic relations between States.

Hence Article 10 recognises in principle the complete equality of foreigners with nationals in regard to property.

2. As a result, it was also necessary to provide expressly for the possibility of freely exporting movable goods, together with the proceeds of the sale of movable and immovable property. It appeared only right, however, that such exportation should be subject to the conditions fixed by law for nationals, although in this connection a desire had been expressed for a positive clause permitting the exportation of the proceeds of the sale of movable and immovable property in any circumstances.

3. Although this principle is applicable to the majority of the articles of the Convention, it seemed advisable to repeat that there can be no differentiation in regulations regarding foreign exchange according to the nationality of the exporter. Experience shows that States have sometimes instituted different rules in this respect for the nationals of certain countries. It is important to prevent a return to such practices.

4. The clause in the Protocol (No. X (1)) sanctions a guarantee which a number of States have introduced in regard to the collection of certain duties or taxes, but stipulates that once these taxes have been paid no special tax or duty (*Abzugsgeld*) may be imposed on the exportation of movable or immovable property.

5. Further, the Protocol states (No. X (2)) that no regulations which the contracting parties may introduce with regard to foreign currency shall prevent the free exportation of the proceeds of the sale of property in the case of the owner's change of residence, or in the case of the sale of property derived by inheritance. These are cases in which no exceptional circumstances can justifiably bar such export.

6. These general principles having been laid down, the Economic Committee thought it necessary to permit a twofold reservation:

(a) The contracting parties are authorised to prohibit, or render subject to previous authorisation, the acquisition of certain immovable property or undertakings by foreigners, even if they are nationals of the contracting parties, for reasons of security or national defence. The only further stipulation contemplated by the Economic Committee in this connection is that of the Protocol (No. X (3)), which provides that the prohibition of the acquisition by foreigners of the property referred to may not be extended to include the whole frontier zone.

(b) The second reservation makes it permissible to prohibit the acquisition of immovable property or transferable securities by foreigners, even though they be nationals of the contracting parties, if such acquisition is likely to result in the obtaining of undue command of the vital economic resources of the country, or to endanger such resources in certain exceptional cases due, for instance, to a currency crisis.

The article takes care to stipulate, however, that the contracting parties cannot resort to such a prohibition unless the measures taken under paragraph 1 in connection with equality have proved inadequate to safeguard these interests.

It may be recalled that Article 19, paragraph 1, forbids any discrimination in the institution or application of these measures.

7. The utility of the fourth paragraph of Article 10 may be called in question on the ground that, in the case of a currency crisis, for example, or when undue command of its resources is to be feared, the State concerned will issue a general prohibition applying both to foreigners and to nationals. In cases of this kind, however, it is without question against foreigners that the State has, as a rule, to defend itself, and consequently the measures of defence to which it must resort will in the first place be directed against foreigners.

8. The exceptions provided in Article 10, which allow States to prohibit or restrict the acquisition of certain kinds of property, correspond to certain provisions of Article 7 concerning the exploitation of national resources, particularly in the case of mines and hydraulic power.

It should be observed that the provisions of Article 7 are intended to limit the restrictive measures which States may take in regard to property, since the acquisition of certain kinds of property by foreigners becomes inoperative if they are not allowed to exploit it.

It was not, however, the Economic Committee's intention to use Article 10 to restrict the preliminary condition of authorisation which certain States impose upon the acquisition of properties, or certain kinds of properties. This authorisation cannot be used by the contracting States as a means of restriction contrary to the principle of the free acquisition of property as laid down in Article 10.

Lastly, the regime of property is to a certain extent governed by the provisions of Article 11, which lay down the conditions in which a State can dispose of the property of foreigners established in its territory.

### Article 11.

1. In Article 11 the Economic Committee provides for the exemption of nationals of the contracting parties from judicial or administrative charges or duties, from military service and other compulsory personal military contributions in peace-time and in war-time, and from exactions, whether in money or in kind, imposed in lieu of personal services.

2. The Committee also thought it necessary to stipulate that the nationals of the contracting parties should continue to be liable to extraordinary charges connected with the ownership of landed property, as well as to compulsory billeting and other military exactions or requisitions to which all nationals of the country are liable as owners or occupiers of buildings or land.

It was considered that, as these liabilities related not to persons but to property, there was no reason for exempting foreigners who owned or occupied such property. Care has been taken, however, to forbid the imposition of these charges on foreigners whenever nationals of the country are exempted, this being in conformity with the principle on which the main provisions of the Convention are based, that of perfect equality between the nationals of any contracting party and those of another.

3. As regards the question of compensation for expropriation or temporary deprivation of movable or immovable property belonging to nationals of one of the contracting parties established in the territory of another, there are two different theoretical principles, the practical consequences of which, and the reasons on which they are based, require to be explained.

One of these alternatives is to insert in a plurilateral convention positive clauses providing for:

(a) A guarantee of legal procedure to which expropriation or temporary deprivation shall be subject.

(b) A guarantee of fair compensation in proportion to the value of the goods or to the damages resulting from deprivation.

The practical effect of the first alternative would be to accord more favourable treatment to foreign nationals owning or occupying property of the kind in question than that laid down by law for the nationals of the country.

As recent experience has shown, certain countries have taken measures of expropriation or temporary deprivation whereby their nationals have had to make sacrifices equivalent to a special tax. Foreigners established in these countries have not received the real value of their expropriated property, or compensation actually equivalent to the damages resulting from deprivation.

Notwithstanding the inequality of treatment which would be introduced by the positive guarantees detailed above, it would certainly be unfair to insert in an international convention measures which would mean the spoliation, even if only partial, of certain classes of private property belonging to foreigners, for the benefit of a national community.

Another alternative, in favour of which numerous contractual precedents, set up both by bilateral and by plurilateral treaties, can be cited, is to accord to foreigners the same treatment as to nationals as regards the expropriation or temporary alienation of their property. Although the result of such assimilation may be that which, as explained above, has occurred in certain countries, it may be claimed on the other side that foreigners established in a country and enjoying the protection of its laws and the advantages of its administration must share in its burdens on the same footing as nationals, even if those burdens are of an exceptional character and involve sacrifices amounting in certain cases to total or partial deprivation of property.

National treatment in this respect has appeared to many contracting States as the fairest solution, at all events from the point of view not of the right of property taken by itself but of the sum-total of guarantees resulting from the right of establishment.

The principle of national treatment was finally adopted by the Economic Committee and embodied in the clause contained in Article 11.

That clause, however, does not cover the special case of a capital levy or forced loan, on which the Economic Committee has refrained from expressing any opinion.

Both theories also involve the question of the jurisdiction competent to fix compensation. The Economic Committee pronounced in favour of the competence of national courts, while recognising that in certain cases a procedure of arbitration or jurisdiction of an international character might constitute a useful guarantee. It did not think, however, that such a guarantee could be embodied in a plurilateral convention, but was more in place in bilateral conventions between parties, drawn up with a knowledge of each other's laws and judicial organisation.

### Article 12.

1. Article 12 refers to the ordinary charges to which the nationals of one of the contracting parties are subject in the territory of another, *i.e.*, the fiscal treatment applicable to foreigners.

In this respect the international law which has gained acceptance in the last few years provides complete equality of charges as between foreigners established in a country and nationals.

This principle was emphatically proclaimed by the Genoa Conference, and has since been inserted in the various recommendations communicated to States by the Council of the League of Nations.

This guarantee of equality is, moreover, a matter of elementary justice. It would be most unfair to allow a foreigner to work in and introduce his property to a country and then to subject either to discriminatory treatment which in many cases would amount to a shameful eviction. Such a policy has been followed by certain countries which have called in the help of foreigners to develop national resources, or to create certain industries or stimulate some branch of activity beneficial to the nation, and then, when the full advantage has been reaped, they have evicted those to whom it was due by subjecting them to measures which make it impossible for them to continue to compete with nationals.

The Economic Committee did not desire to support any system involving such treatment and, in conformity with the legal principles which have governed nearly all the Conventions concluded in the last ten years, it emphatically proclaims the principle of national treatment in all questions of taxation.

2. The second paragraph of the article forbids the practice adopted in certain States of fixing different rates for taxes or duties levied on commerce and industry according to whether the commerce relates to, or the industry employs, foreign or national goods.

This second paragraph has been placed in brackets for the same reasons as those which led the Economic Committee to submit to the future Conference the provisions of Articles 3 and 4 of the draft.

3. To avoid any misinterpretation of the scope of Article 12, the Protocol (No. XI) stipulates that this second paragraph will not apply to import or export duties. This is a matter which lies completely outside the scope of the Convention, and one in which the contracting States retain full liberty. Obviously, too, the article cannot apply to Customs duties, which may often differ according to the origin of the goods at a uniform or even at a varying rate.

4. With regard to the equality provided by this article concerning protection by fiscal authorities and tribunals, this clause also obviously includes Customs authorities.

Moreover, Article 9 already recognises the right of nationals of the contracting parties to appear before the competent administrative authorities in order to protect their rights or interests, and it is stipulated in the Protocol (No. IX) that this right includes that of passing goods through the Customs in person under the same conditions as nationals and without being subject to any formalities or regulations other or more burdensome than those required of nationals.

### Article 13.

1. The draft Convention is based, as regards the fiscal treatment of foreigners, on complete assimilation with nationals. There is, however, one aspect of this treatment where inequality is inevitable — that of double taxation. When they are subject to taxation simultaneously in their country of origin and in that where they are established, foreigners will be in a position of manifest inferiority in competing with nationals of the latter country. It will readily be understood, however, that, in connection with the treatment of foreigners, the Economic Committee was unable to pronounce on the most effective system of preventing double taxation, or on the contractual methods most suited to bringing this system into force. Should it recommend, in order to avoid double taxation, the system of imposing taxes only in the country in which the property is situated, or of imposing them in the country where the owner of the property is domiciled? Should bilateral conventions be advocated, or an international statute? These are questions which clearly exceed the scope of the present Convention.

2. The question of double taxation has been the subject of long and patient work on the part of a Committee of Experts specially set up for the purpose by the Financial Committee of the League. This Committee has drawn up model bilateral conventions. Whatever may be the fate in store for these drafts, there can be no doubt that at best a considerable time must elapse before such conventions can be concluded between any considerable number of States.

Furthermore, each of these conventions will no doubt relate to the forms and methods of application peculiar to certain contracting States of the principle which is common to all these conventions and the implications of which in a particular case it is the aim of the present draft to bring out.

We are here dealing with the particular case of branches, subsidiary undertakings or agencies of undertakings having their seat in the territory of another contracting party.

In this case double taxation assumes a particularly dangerous character, since its practical result is to tax the subordinate undertaking on the basis of the business done by the main undertaking.

Despite this there have often been cases in which branches, subsidiary undertakings or agencies of undertakings have been taxed not merely on the basis of their own business profits or possessions, but on the basis of the business of an undertaking to which they were subordinate and which was situated in another country.

Without wishing to pronounce on the main principle of the conventions which aim at avoiding double taxation, the Economic Committee desired, in Article 13 of the present draft, to establish an equitable basis for the allocation of the taxable assets, and to confine the burdens to which they

may be rendered subject to the business done or the assets possessed in the territory in which they are established.

Certain States which have hitherto not concluded general conventions on double taxation have agreements among themselves referring especially to companies, branches, subsidiary undertakings and agencies, *e.g.*, the agreement concluded in 1926 between France and Spain.

In laying down the provisions of Article 13 the Economic Committee's aim was to guard foreign enterprises against excessive taxation rather than express an opinion on the principle of double taxation or deal with the principal problems which it involves.

Moreover, Article 13 merely reproduces in a suitable form the recommendations which, on the Economic Committee's proposal, were communicated by the Council to the States Members of the League in 1923.

Lastly, it should be noted that the principles laid down in Article 13 are also in keeping with the rules proposed by the experts of the League of Nations to prevent double taxation <sup>1</sup>.

#### Article 14.

1. The object of Article 13 is to ensure just fiscal treatment for branches, subsidiary undertakings or agencies of foreign undertakings, and similarly the object of Article 14 is to ensure just exemption for the benefit of certain transport undertakings. This provision is justified by the importance of the interests concerned. It lays down that nationals of the contracting parties who regularly or occasionally undertake the transport of persons or goods between localities situated in different States may not be called upon to pay taxes or duties elsewhere than in the territory in which the seat of their undertaking is situated, even when, for the necessary purposes of the undertaking in question, they have agencies or establishments in the country to which the goods are transported.

2. The principle laid down in this article is in conformity with that which the experts studying measures to prevent double taxation adopted in the last paragraph of Article 5 of their draft bilateral convention <sup>1</sup>. In that draft the rule is itself an exception to the general rule that income from any industrial, commercial or agricultural undertaking and from any other trades or professions shall be taxable in the State in which the persons controlling the undertaking or engaged in the trade or profession possess permanent establishments.

3. Paragraph 2 of the article allows three exceptions to the principle laid down. The first refers to the case where the undertaking conveys persons or goods between a number of different localities situated in the territory of one and the same foreign State. This exception is akin to that of coasting trade (*cabotage*).

The second exception refers to undertakings which carry on abroad, simultaneously with their transport service, some other commercial or industrial activity which cannot be regarded as a supplementary industry necessitated by the transport service.

The third exception refers to undertakings possessing immovable property abroad. In these three cases foreign nationals are subject to the fiscal treatment laid down in Article 12.

4. The Protocol (No. XIII) interprets the above provisions by stating that any person engaged in the transport industry who conveys, by his own means of transport, goods coming from the territory of his own country of origin, or from the country of a third party, to localities situated in the territory of another contracting party, may not on that account be taxed as being engaged in an independent industry, but will be exempted under Article 14 (1).

The same applies to any person delivering goods direct to a consignee domiciled in the localities between which the transport service is carried on, or who re forwards them by rail to a consignee domiciled in another locality, or, conversely, causes to be collected and loaded on the spot goods intended to be conveyed by his own means of transport.

The exemption provided for in Article 14 (1) is also applicable if such a person permanently entrusts the transactions referred to in the previous paragraph to an independent forwarding agent on commission.

5. It will be noted that Article 14 expressly excludes rail transport undertakings from the above regime. The reason for this is that they have generally been granted concessions, and as a rule own the land on which the track is laid and on which the installations necessary for operation are built. In this case there was therefore no reason to make an exception to the rule regarding immovable property.

6. Article 14 can perhaps best be explained by examples.

An Italian shipping firm with a service between Genoa and Marseilles would be authorised to deliver goods which it had transported from Italy to consignees domiciled in Marseilles or to hand them over to the French railways to be re forwarded if the consignee were domiciled elsewhere. It would also be allowed to collect at Marseilles and take on board there goods to be transported by its vessels. It could also carry on at Marseilles all the auxiliary work necessitated by its transport service, *e.g.*, it could have premises where goods intended for transport by its vessels could be warehoused and kept until the time of lading. It could also keep at Marseilles a depot for the

---

<sup>1</sup> See document C.216.M.85.1927.II.



necessary equipment of its vessels or a food or coal depot to provide them with supplies. Again, it would obviously be allowed to have at Marseilles an office for all these transactions (collecting and delivering goods, receiving orders regarding the despatch of goods by its lines, sale of tickets, etc.) without being on that account subject to taxation at Marseilles.

A French motor service between Mentone and Ventimiglia would be authorised to keep a garage at Ventimiglia and a repair shop for its own vehicles, and to deliver to consignees domiciled at Ventimiglia goods transported by its own vehicles. It would, however, become taxable in Italy if it desired, in addition, to repair or keep in its garage vehicles other than its own. It would also be subject to taxation in Italy if it wished to extend its service from Ventimiglia to San Remo, for example, in order to carry persons or goods between those two places in Italy.

These two cases clearly show that even the carrying on in a foreign country of industries not involving the payment of taxes often renders an establishment of some kind necessary in the territory of the foreign country.

Hence a transport or shipping firm carrying persons or goods from its own country to a place in any foreign country is exempt from taxes or duties in the latter country even if it opens an establishment there.

The exemption provided for in Article 14 only concerns taxes and duties leviable upon the undertakings mentioned therein on account of their establishment, and not taxes or duties on their transactions, such as turn-over taxes, traffic charges, etc.

7. The inclusion in the proposed plurilateral convention of a general agreement on a particular case of double taxation is bound to promote the extension of such agreements and to lead to greater equity in international relations.

#### Article 15.

As the provisions of the present draft only provide a statute for nationals allowed to establish themselves in the territory of one of the contracting parties, it was important that guarantees should be given, in civil and judicial matters and in regard to property, fiscal questions and special charges, to nationals of the contracting parties not resident in the territory of another party.

For this reason Article 15 shows how far the previous articles apply to nationals of the contracting parties not resident in the territory of another contracting party but engaged in certain business or possessing certain property, rights or interests there.

#### Article 16.

1. The text of this article is largely taken from Article 26 of the Franco-German Treaty of August 17th, 1927. In certain respects, however, it has had to be modified, in order to adapt it to the requirements of the plurilateral convention in which it is to appear.

2. Paragraph 1 of this article defines the kinds of companies to which it applies. The definition given makes it clear that no classes of companies carrying on commercial or financial operations are to be excepted, irrespective of the form adopted at the time of their constitution.

3. After giving this definition, the article lays down the terms on which the validity of their constitution will be recognised by the other contracting parties. They must have their seat in the territory of one of the contracting parties and be regularly constituted in accordance with its laws, and they must pursue no aims which are illegal in the foreign territory concerned.

4. According to paragraph 1, any company may benefit by the terms of Article 16 if it has its seat in the territory of one of the contracting parties and is regularly constituted in accordance with its laws.

This provision makes it possible to avoid the difficult problem of settling the nationality of a company. It might perhaps be objected that the mere registration of companies in the territory of a country would have been a preferable rule to adopt, but it would have involved drawbacks, since a company belonging to a country not a party to the Convention would have enjoyed all the advantages granted by the Convention simply by having a branch registered in the territory of one of the contracting parties.

5. The principle underlying paragraphs 2 and 3 of Article 16 may be explained as follows:

The legality of a company's constitution and its capacity to appear in Court depend upon the statutes of the company itself and the law under which it is constituted.

Any other principle would inevitably involve conflicts of laws and would allow the law of the country of origin to be adduced against the statutes whenever it differed from the laws of the country of establishment.

The business of companies, on the other hand, cannot be carried on otherwise than in conformity with the laws of the country of establishment.

Any other conception would lead to the existence in that country of different regimes based on the laws under which the various foreign companies were established, and the outcome would be not merely an intolerable disparity between them but insoluble disputes.

The supremacy of the national law in all that concerns the activities of foreign firms is essential if these firms are to be assimilated to national firms in all matters relating to their economic activities, their civil and judicial rights, their property rights and their fiscal status.

7. In order to keep within reasonable limits the use of the power retained by States under paragraph 4 to make the commercial operations of companies subject to previous and revocable authorisation, the contracting parties declare, in paragraph 5, that they will not use this means to hinder the establishment of companies engaged in business which companies of all other countries are usually allowed to conduct.

The reason for the limited application of the principle of reciprocity to companies provided for in paragraph 4 is the great disparity of treatment accorded to them in different countries.

Whereas certain countries grant them the free right of establishment and treat them on an equality with national companies, others reserve the right in each case to determine whether they can admit them at all, and only grant them admission on precarious terms and subject to revocation.

This disparity of treatment arises, of course, out of different conceptions of the constitution of companies, their form and the guarantees they must provide.

Generally speaking, the countries which admit foreign companies most readily are those which require particularly strict guarantees from them as regards their constitution and working.

Others, again, having simplified their laws on the subject and, having limited the liability of companies, reserve the right to exercise stricter supervision over their constitution and commercial operations.

The Economic Committee's intention therefore was not to restrict the obligations entailed by national treatment or most-favoured-nation treatment as regards companies, but, by allowing States to restore *a posteriori* a system of reciprocity, gradually to lessen the differences between the various systems of law or to improve the situation by lightening the theoretical restrictions which they involve.

The Economic Committee adopted the solution which in its view would best promote a liberal policy and would afford the most equitable basis for a settlement.

Although the Committee has thus given satisfaction to the oft-expressed desire for actual reciprocity so as to lessen the inequalities of the various national regimes, yet at the same time it has been anxious not to allow this right of reciprocity to appear capable of extension to other fields where it could not be so readily applied, or of being so rigid as to subject the right of establishment to perhaps impracticable conditions rather than smooth the way for it.

The Economic Committee unanimously recognised, however, that it would be desirable to propose measures reducing the disparity between the company laws of the various countries and to frame such modifications of these laws as would be necessary to ensure the free establishment of companies in every country.

8. The undertaking entered into by the contracting parties in paragraph 5 does not, however, preclude them from examining each individual case in accordance with their system of preliminary authorisation or of concessions.

Its sole effect is to prevent that regime from becoming arbitrary or discriminatory in the granting of authorisations or concessions.

With the same object — to prevent the arbitrary use of the right of authorisation or concession or any unjustifiable withdrawal of an authorisation or concession once granted — the contracting parties, under paragraph 6, agree not to cancel an authorisation except for an infraction of the laws or regulations of the country, and not to prejudice acquired rights unless forced to do so.

This undertaking not to prejudice acquired rights was first contemplated by the Economic Committee in a more rigorous form, providing for compensation in case of prejudice.

The Committee abandoned this guarantee, however, on account of the comparatively frequent cases where rights are only granted under a temporary regime and where the terms prescribed affect both national and foreign companies.

In adopting the principle of national treatment for Article 16, the Economic Committee is taking the same line as that followed in Article 11 regarding expropriation, requisitions or the temporary deprivation of the use of movable or immovable property.

9. Article 16, after laying down the principle on which the treatment of foreign companies is to be based, enumerates the guarantees they are to be given, namely:

(a) As regards civil and legal guarantees and property rights, paragraph 7 of Article 16 grants companies *mutatis mutandis* the rights accorded to individuals under Articles 9 and 10.

The acts of companies being less easy to control than those of individuals, the fear was expressed that the assimilation of the two would leave the way open to abuses, particularly as regards the acquisition of immovable property; and examples were cited arising out of the right generally possessed by companies established in any country to change the nature of their business.

The Economic Committee, however, thought it should not abandon the principle of assimilating companies to individuals, or to provide for the former rights more restricted than those granted

to the latter. It was satisfied that, particularly as regards the acquisition of immovable property, a twofold safeguard had been provided against malpractices in that respect by rendering foreign companies subject to the national laws and regulations, the observance of which would be compulsory, and by the particularly explicit provision of Article 10, paragraph 4.

The assimilation of companies to individuals is similarly provided for by the final paragraph of Article 16 as regards the matters dealt with in Articles 2, 3, 4, 5, 8, 11, 12, 13 and 14.

(b) The second guarantee granted to foreign companies by Article 16 is that of equality of treatment with companies "of the same kind" of the most-favoured nation.

The equivalent clause as regards individuals exists in Article 17, but is framed on more limitative lines. It only affects the treatment of companies "of the same kind"; it allows a shipping company, for example, to claim only the benefits granted to a shipping company of the most-favoured nation, but not the special benefits granted to land transport companies.

This limitation was necessary on account of the processes of economic adaptation common to all countries, and also for the reason, peculiar to countries where foreign companies must obtain previous authorisation to establish themselves, that the authorisation granted is often subject to conditions which vary according to the kind of company.

The most-favoured-nation guarantee does not, moreover, involve any right to claim actual admission if admission is subject to authorisation or concession, but only to obtain equality of treatment when admission or a concession has once been obtained.

(c) In view of the variable treatment which certain States apply to foreign companies owing to the need for a previous authorisation or for compliance with the different legal conditions which they claim the right to establish according to the nature of the company, the Economic Committee felt bound to include a provision limiting the effects of most-favoured-nation treatment by means of a negative reciprocity clause, no State being entitled to claim from another greater benefits for its companies than those which it grants itself to companies of the other State.

This provision is in conformity with the general principle underlying Article 16, as explained above and as applied more particularly to preliminary admission in paragraph 4 of that article.

#### Article 17.

Article 17 adds to the fundamental guarantee of national treatment the guarantee of most-favoured-nation treatment.

In most cases, of course, the first ensures better treatment than the second, but, owing to existing traditions, or in order to promote the establishment in their own country of foreign industries or undertakings, States sometimes grant such industries or undertakings, particularly as regards taxation, benefits which are not granted generally by the laws of the country to its own nationals.

Infrequent though such practices may be, provision had to be made for them, and they could not be allowed to become a means of discrimination.

The second paragraph of Article 17 refers to the matters in which States are to act as they think fit and in which their freedom of action cannot be restricted by the most-favoured-nation clause.

In these matters too, however, States must conform to the general obligation laid down in Article 19, paragraph 1.

#### Article 18.

1. The draft Convention lays down general principles and a body of guarantees which the Economic Committee regards as constituting the fundamental statute of establishment and which should, in its opinion, be adopted by every country; but these principles may, of course, be applied more extensively and the guarantees may be rendered more effective by adjustment to a more favourable situation or to closer relations existing between two particular countries.

There are actually in existence bilateral agreements with terms more liberal than those of the draft Convention; hence the relationship between them and the Convention had to be taken into account, and the rights of the parties to the Convention had to be determined with respect to the provisions of the bilateral agreements.

2. The solution provided for this problem in Article 18 is equitable but probably incomplete. Paragraph 1 recognises as legitimate the existence, side by side with the International Convention, of special agreements containing more favourable conditions, and paragraph 2 defines the rights of the parties to the Convention with respect to these special agreements.

There was no need to consider the case of countries which can claim the benefit of special agreements under the most-favoured-nation clause.

As regards the others, paragraph 2 establishes conditional most-favoured-nation treatment; hence the parties to the International Convention may, subject to reciprocity, claim the benefit of special agreements if they cannot do so without return, in virtue of a guarantee of most-favoured-nation treatment in any bilateral agreements which they may have concluded with one of the States parties to the special agreements.

3. Having thus determined the relation between the proposed Convention and more favourable special agreements, the Economic Committee considered the case of special agreements having less favourable terms which may exist between States not parties to the General Convention and States parties thereto, the former being assured of the benefits of the Convention because they have concluded with the latter special conventions containing the most-favoured-nation clause.

The Committee similarly considered the case where States parties to the Convention may afterwards, for reasons of their own, conclude bilateral conventions with other non-participating States unwilling or unable to apply the principles and terms of the general Convention.

Obviously these conventions, having a lower standard than the international statute, would be likely to lessen its immediate effects or restrict its subsequent scope.

The Economic Committee, recalling certain provisions of the Barcelona Convention on the Freedom of Transit, concluded in 1921, and the Geneva Convention on Customs Formalities, concluded in 1923, thought at one time of asking States parties to the proposed Convention to give definite undertakings as regards the conventions they would conclude with non-participating States.

Recognising, however, that in some countries there are constitutional obstacles or practical circumstances which it could not ignore, the Committee decided to embody in the Final Act a provision inviting States to conform as far as possible to the terms of the general statute in all special agreements which they might conclude in the future with States not adhering to that statute.

4. After defining the relationship between the international statute which it had prepared and the bilateral agreements containing terms either more or less favourable, the Economic Committee carefully specified the exceptions allowed by the statute itself to the most-favoured-nation treatment laid down in certain clauses.

The first of these exceptions relates to the case where two countries have agreed, as a result of the similarity of the conditions in which certain professions are exercised, to recognise the equivalence of the qualifications or guarantees required by each in regard to the exercise of the profession.

The second exception relates to bilateral agreements for the prevention of double taxation. These agreements usually presuppose a certain similarity of fiscal system or of methods of tax-collecting.

As regards the matters to which these two exceptions refer, the obligation to extend their terms automatically under the most-favoured-nation clause would have the effect of preventing the conclusion of such bilateral agreements, which, however, are undoubtedly of great benefit to the nationals of the countries they concern.

5. Besides the two exceptions already mentioned, the Economic Committee considered the case in which two adjacent countries grant special or preferential treatment to each other's nationals on account of the particularly close economic relations existing between them.

There had been brought to its notice certain exceptions to most-favoured-nation treatment of so specifically local a character and affecting interests so exclusively confined to two adjacent countries that in practice no other State could claim the benefit of them.

These cases, which cannot all be classed as exceptions under the frontier traffic clause contained in most commercial conventions, refer more particularly to the right of certain States to lay down special conditions for the common use of certain resources or enterprises — *e.g.*, hydraulic power or combined manufacturing processes by factories engaged in mutually complementary industries — and it was considered that, in order to ensure the close co-operation of neighbouring peoples, it might be desirable not to bar special agreements of this kind, which in actual fact do not constitute any violation of the obligations entered into under the most-favoured-nation clause or a means of discrimination against any State.

Accordingly, as these local exceptions cannot affect the contractual system which the convention proposes to establish and cannot in practice prejudice any third State, the Economic Committee considered that it should not decide on them, recognising that these particular exceptions to the most-favoured-nation clause are of too special a character to be embodied in a general provision.

#### Article 19.

1. The object of Article 19, paragraph 1, is to protect the nationals of the contracting parties against the possible abuse by one of the parties of the power granted under the Convention to exclude foreigners from the exercise of certain rights or to subject the exercise of such rights to special conditions. No definite rule can of course be laid down for matters expressly left to the discretion of the individual States, but it must not be made possible for them to discriminate against the nationals of one or more particular States through the use they make of the freedom of action allowed them in these reserved questions. Accordingly, the Committee adopted paragraph 1, which is similar in form to one of the provisions of the International Convention of Geneva on the Regime of Railways (Article 4, paragraph 2, and Article 20).

2. The second paragraph of Article 19 is intended to prevent the contracting parties from taking measures such that, while applicable alike to nationals and foreigners, their enforcement would in fact lead to the absolute exclusion of foreigners or to a differential regime prejudicial to the latter, as, for example, when the exercise of a right is rendered subject to conditions impossible of fulfilment by foreigners. Such practices might destroy the effectiveness of the provisions prescribed in the Convention.

#### Article 20.

1. Article 20 expressly stipulates that the principle of equality as between foreigners and nationals may not be circumvented by means of exemption from taxes or duties or by differential regulations affecting production, trade or the level of prices.

The effect of this provision is to prevent States from trying to give preference to a home industry by imposing a fiscal system or regulations benefiting home undertakings to the detriment of foreign undertakings established in their territory.

Certain cases in point were brought to the notice of the Committee, showing that in some countries the home industry is exempt from certain taxes and is therefore able to compete on more favourable terms with foreign firms liable to the taxes in question.

In other countries it was found that, as regards its supplies of raw materials, the home industry enjoyed the benefit of a price-level fixed by the State and lower than that in force for competing foreign firms.

Such practices obviously open the way to evasions, by means of fiscal or other regulations, of the obligation of granting national treatment to foreigners.

These evasions, which are incompatible with the letter and spirit of the present Convention, cannot, however, be placed in the same category as the practical measures taken by some States to develop in their own territory particular industries or undertakings, both national and foreign. In order to build up certain industries which utilise their national resources, these States exempt them from taxation to which other industries are subject. This stimulus to a specific industry in no way contravenes the obligations imposed by the Convention, since it does not differentiate between nationals and foreigners.

Nor is the case the same when certain undertakings receive the benefit, under prior engagements, of exemptions which cease to be granted after a certain date. Such a change of system affects home and foreign undertakings alike.

#### Article 21.

1. It was thought necessary to take precautionary measures to prevent the contracting parties, after signing the Convention, from instituting fresh restrictions upon or bars to the activities of foreigners and foreign companies. Such measures would naturally only be allowed within the limits laid down by the terms of the Convention itself.

To meet this case, Article 21 stipulates that acquired rights must as far as possible be respected. Respect for these rights as regards movable and immovable property is ensured by Article 11. In other matters it was not possible to lay down any definite provisions or to state to what authorities or competent jurisdictions the parties concerned might apply. In order, however, to avoid hampering international trade, the special conditions in which certain foreign industries have been established should, where necessary, be taken into account so as not to hinder their development unreasonably.

2. The obligation imposed upon the contracting parties by the last part of the article is moral rather than legal, and amounts to an invitation to them to follow in their economic policy the principles laid down in the resolutions of the World Economic Conference.

#### Article 22.

Article 22 relates to the settlement of disputes which may arise regarding the interpretation or application of the Convention. It is taken from the Convention of July 12th, 1927, establishing an International Relief Union.

The provisions of this article constitute a practical application of the principles towards which States are tending more and more, namely, the settlement of inter-State disputes by means of the international jurisdiction of the Permanent Court of Justice, or by arbitration.

As regards the jurisdiction of the Permanent Court, the position of the various States may differ according to whether they have or have not adhered to the Protocol of December 16th, 1920.

Those which have adhered to the Protocol are obliged to submit to the Court any disputes between themselves which cannot be settled by direct negotiation or by any other means of friendly settlement.

Parties which have not adhered to the Protocol, on the other hand, are not obliged to have recourse to the Permanent Court of International Justice, but may do so by common consent. They may also refer a dispute to any other arbitral tribunal, or even ask for a special arbitral tribunal to be formed, as provided in the Convention of October 18th, 1907.

The Economic Committee desires to point out that, as regards establishment, the exceptions provided by the draft Convention which it has prepared are definite and wide enough to make it possible to refer all the positive provisions of the Convention to the Permanent Court of International Justice.

#### Articles 23, 24 and 25.

These articles, relating to the signature and ratification of and accession to the Convention, are all taken from the Convention of July 12th, 1927, establishing an International Relief Union.

They are similar to or identical with those of most other international conventions concluded under the auspices of the League.

In view of the special importance of the Convention, and of the desirability of its being adopted by as many as possible of the States invited to participate, the system of notification of ratifications and accessions might perhaps be completed by the stipulation that every ratification or accession should be notified to all the States taking part in the Conference.

This immediate communication would not affect that periodically made by the Secretariat of the League to keep the Members of the League informed as to the signing and ratification of conventions concluded under the League's auspices.

#### Article 26.

The text of this article is reproduced from that of the Convention of September 26th, 1927, on the Execution of Foreign Arbitral Awards.

It was thought desirable to provide that the Convention should come into force immediately upon ratification by two of the signatory parties.

There is no reason for delaying its entry into force until it is signed by more States, since even if it were only tantamount to a bilateral convention it would still be desirable that its effects should apply at once to the two contracting parties.

The present Convention cannot, owing to its special character, be placed in the same category as certain others, the application of which, in view of the complete interdependence of economic interests, is conditional upon the previous accession of a certain number of States, or of certain specified States.

#### Article 27.

This article, which relates to denunciation, is reproduced from a provision of the Convention of September 26th, 1927, on the Execution of Foreign Arbitral Awards.

The procedure and the period provided for denunciation seem to meet the needs of the present draft Convention.

#### Article 28.

Article 28 contains what is called a "colonial reservation", in the form adopted by the Convention of November 8th, 1927, on the Abolition of Import and Export Prohibitions and Restrictions, and by the Convention of July 12th, 1927, establishing an International Relief Union.

It enables the contracting parties to declare at the time of signature, ratification or accession that by those acts they do not assume any obligations in respect of all or any of their colonies, protectorates or territories under suzerainty or mandate. It also allows contracting parties who have availed themselves of this option to render the terms of the Convention subsequently applicable to such colonies, protectorates or territories, and similarly the contracting parties may subsequently declare that the Convention has ceased to apply to their colonies, protectorates or territories.

#### Article 29.

Article 29 limits the scope of the Convention, in accordance with the principle laid down in the Preamble.

Having decided to give foreigners and foreign companies admitted to establish themselves in the territory of the contracting parties all the necessary guarantees as to the development of their commercial operations, and being anxious also to give non-resident nationals of all the contracting parties full security as regards their trade and their property, the Economic Committee recognised that the conditions created by the recent territorial adjustments and the economic restoration of States necessitated by the war were not yet such as to enable positive undertakings to be given regarding the free entry or free establishment of foreigners. Accordingly, Article 29 lays down that the contracting parties reserve their freedom of action as regards the admission of foreigners or any police measures which they may be obliged to take in regard to them.

It would be useless to attempt to lay down on what conditions States could allow admission, as the motives concerned admittedly vary in different countries and from time to time in one and the same country. These motives are mainly based on considerations of national security or public order. The Economic Committee fully realised, however, that in some countries conditions of admission are also governed by economic or demographical considerations. As regards the use made of the freedom allowed to contracting States under Article 29, therefore, the Committee merely laid down measures to mitigate the effects of any abuse by a general provision (Article 19, paragraph 1) and by certain more definite provisions such as those in the Protocol relating to Article 8.

It would also be useless to attempt to set up any guarantees other than those of Article 19 as regards the police measures to which foreigners may be subject after admission. These, too, are matters of national security or public order. The only guarantee contemplated by the Convention is that regarding the right of expulsion, as to which the Protocol (No. VI) provides that it can only be employed in the manner sanctioned by normal usage.

Being confined to the treatment of the nationals of one of the contracting parties established in the territory of another and to certain trade guarantees necessary for exchanges between the nationals of other contracting parties, the present Convention does not cover the conditions of admission of labour or the treatment accorded to workers established in a foreign country. No. VII (3) of the Protocol defines the exact scope of the present Convention in this matter. If they are nationals of any of the contracting parties, workers, employees or wage-earners of any kind benefit by the provisions of the Convention. If however, their work is subject to legal or contractual provisions regarding the admission of labour or the special privileges which it may enjoy, the draft Convention does not apply.

This fundamental distinction is made for two reasons: in the first place, these matters are usually dealt with by means of special conventions which may not perhaps fall within the competence of the Economic Committee alone, and, secondly, in view of the present situation as regards international exchanges of labour, it seems premature to conclude agreements involving a return to the freedom of such exchanges.

The Economic Committee nevertheless felt that it should make a recommendation, although it deprived it of any contractual character by placing it in the Final Act. This recommendation, made with an eye to the hindrances to production and trade caused through the measures taken by certain States for the protection of their home labour markets, is directed towards the gradual restoration of free exchange of labour. It does not specify what means may be employed to achieve this end, but it clearly formulates the principal aims which should be kept in view for the present, namely:

(a) To abolish the restrictions which at present prevent the exchange of technical experts, employees and workers constituting the skilled staff of undertakings and which prevent practitioners or other persons from going abroad in order to complete their professional training;

(b) To establish adequate regulations for the transfer from place to place of itinerant and seasonal labour;

(c) To consider the most effective means of protecting the workers against the malpractices of intermediary agents.

The Economic Committee considers that if the Conference asks the League of Nations to follow the path marked out, the League would subsequently have to devise means to supplement the draft Convention in its present form by wider guarantees relating more particularly to the exchange of labour.

---

Geneva, April 16th, 1928.

**30 JUN 1928**

LEAGUE OF NATIONS

**ECONOMIC COMMITTEE**

---

**APPLICATION**

OF THE

**INTERNATIONAL CONVENTION RELATING  
TO THE SIMPLIFICATION OF CUSTOMS  
FORMALITIES**

*Signed at Geneva on November 3rd, 1923.*

---

**Measures taken by the Governments  
to give Effect  
to the Provisions of the Convention**

**(Summaries communicated by the Governments Parties to the Convention  
in execution of Article 9.)**

---



*Note by the Secretary-General.*

The Secretary-General had the honour on July 7th, 1927, to communicate to the States the first series of summaries addressed to him by the various Governments in virtue of Article 9 of the International Convention relating to the Simplification of Customs Formalities signed at Geneva on November 3rd, 1923 (document C.354.M.127.1927.II). The Secretary-General has since received the summaries of the Governments of the following countries: France, Hungary, French Protectorate in Morocco, Norway, Roumania and Switzerland. The summaries of the first five countries, together with the summaries of Austria, India, Persia, Siam and Sweden, already reproduced in document C.354.M.127.1927.II, were examined by the Economic Committee at its last session held in March 1928. The summary of Switzerland, which reached the Secretary-General only after the meeting of the Committee, has not been examined by the latter.

The Secretary-General has now the honour to communicate to the States the summaries of the Governments of France, Hungary, French Protectorate in Morocco, Norway and Roumania, together with the report of the Economic Committee to the Council, and the report of the three Rapporteurs appointed by the Economic Committee to study the summaries of the Governments.

---

CONTENTS.

---

	Page
I. REPORT OF THE ECONOMIC COMMITTEE TO THE COUNCIL (MARCH 1928) . . .	4
II. REPORT BY M. BRUNET, M. DI NOLA AND MR. LINDSAY, RAPPORTEURS, SUBMITTED TO THE ECONOMIC COMMITTEE IN MARCH 1928 . . . . .	4
III. TEXT OF THE SUMMARIES COMMUNICATED BY THE GOVERNMENTS OF THE FOLLOWING STATES :	
France . . . . .	12
Hungary . . . . .	17
French Protectorate in Morocco . . . . .	20
Norway . . . . .	22
Roumania . . . . .	24
Switzerland . . . . .	25

---

I.

REPORT OF THE ECONOMIC COMMITTEE TO THE COUNCIL  
(MARCH 1928).

Under Article 9 of the Convention of November 3rd, 1923, relating to the Simplification of Customs Formalities, each contracting State must, within twelve months from the coming into force in its own case of the said Convention, furnish the Secretary-General of the League of Nations with a summary of all the steps which it has taken to achieve the purpose thereof.

The Committee entrusted three of its members, M. BRUNET, M. DI NOLA, and Mr. LINDSAY, with the duty of examining the summaries submitted in accordance with the aforesaid article. The Rapporteurs thereupon made a careful study of the reports dealing with the following nine countries : Austria, France, Hungary, India, the French Protectorate in Morocco, Norway, Persia, Roumania, Siam and Sweden.

As in the past, their work, which took the form of a detailed report, revealed the marked progress which the Geneva Convention has effected in the Customs regulations of the countries under consideration, in regard both to measures adopted independently and the conclusion of bilateral agreements.

The purpose of the 1923 Conference was perhaps of greater importance than might at first sight appear to be the case, and the Conference has produced material results of the highest value. The Economic Committee therefore trusts that the new summaries, and the report which deals with them, will receive the same publicity as the previous summaries. • •

II.

REPORT BY M. BRUNET, M. DI NOLA AND MR. LINDSAY, RAPPORTEURS,  
SUBMITTED TO THE ECONOMIC COMMITTEE IN MARCH 1928.

Noting the value of the work accomplished by the delegation appointed in 1926 to analyse the summaries submitted in accordance with Article 9 by States which had ratified the Convention of November 3rd, 1923, relating to the Simplification of Customs Formalities, the Economic Committee has instructed us to proceed with the examination of the summaries received by the Secretariat since the preparation of the report submitted to the Committee in April 1927.

The summaries in question have been received from the following countries : France, Hungary, India, French Protectorate in Morocco, Norway, Persia, Roumania, Siam and Sweden. Mention should also be made of Austria; in view of the recommendation made as to the form in which statements should be presented, the Austrian Government was good enough to send to the Secretariat a new summary, thus completing the data contained in its former communication. We have therefore included the Austrian statements in the analyses and comparisons set out in this report.

In the report on its September 1926 session, the Economic Committee, adopting the conclusions reached by M. Brunet in his June 1926 report, proposed that the Council should :

(a) Invite the States which have ratified the Convention, when preparing the reports referred to in Article 9, to follow as closely as possible the system adopted by certain countries whose reports have already been received by the Secretariat, taking into account not only the measures taken since the coming into force of the Convention, but also any measures adopted previously which are in keeping with the principles laid down in the Convention ;

(b) Point out to these countries that the Committee considers it highly desirable, from the point of view of its future work, that these reports should contain a statement not only of the measures adopted in fulfilment of the obligations arising out of Articles 1 to 8 of the Convention, but also of any measures based on the prescriptions and recommendations contained in the remaining articles.

On the strength of the Council's approval of these proposals, the Secretariat drew the attention of all States which had ratified the Convention to these two points in a letter dated September 20th, 1926.

We are happy to note that the summaries submitted to us have been prepared in conformity with the above recommendations. It is true that the Siamese summary makes no mention of Articles 10 to 13 and 15 of the Convention ; we feel sure, however, in view of the general tendency of the new Siamese Customs Law which came into force on November 14th, 1926, that, in the matters dealt with in these articles, Siam bases her policy, to a very considerable extent, on the principles laid down in the Convention. The Economic Committee would doubtless welcome any further information which might be forthcoming in this connection.

Although, like Siam, several of these countries have reformed their Customs regulations since the coming into force of the Convention of November 3rd, 1923, others have maintained

provisions which were in existence before that date but which are, nevertheless, in accordance with the Convention. This shows how desirable it would be to mention, in conformity with one of the above recommendations, in the summaries prescribed in Article 9, not only the measures adopted in application of the Convention, but also provisions previously in force which seem to concord with that Act. Any other procedure would fail to do justice to countries which have long followed a liberal and generous policy in this matter. This point was referred to in the last report in connection with certain summaries, but some of the summaries dealt with in the present report have reminded us again of the fact.

\* \* \*

*Articles 1 and 2* of the Convention are of so general a character that the signatory States can hardly be expected to give any detailed information concerning the steps taken by them to comply with these stipulations. Nevertheless, certain interesting facts which we mention below, country by country, do emerge from the general information supplied.

**Austria.** The Austrian Customs Law and Ordinance for its application are dated June 1920. Though passed before the signature of the Convention, they are in keeping with the principles defined in Article 1, in that formalities are limited to what is absolutely indispensable for the protection of the essential interests of the country. It should be mentioned that these provisions can be adapted from time to time to meet the needs of foreign trade under Section 128 of the Customs Law, which authorises the Government to grant, by Ordinance, wider facilities than those laid down: the Customs authorities are also, in certain cases, entitled to grant facilities.

There can be no doubt that, in persuading Parliament to grant it these powers, the Austrian Government was inspired by the desire to improve its procedure gradually, as occasion arose, in order to meet the needs of international trade. This method is, we think, worth noting, and it is interesting to observe that it was instituted before the signature of the Convention. In this case, therefore, the Convention is merely a further incentive to the Austrian Government to use with increasing liberality the powers it already possesses.

**France.** The French summary contains, under Article 9, certain interesting detail concerning reforms which have been carried out since the Convention came into force.

• The law of August 3rd, 1926, empowered the Government to realise economies and simplify procedure, by Decrees, until December 31st of that year. A series of Decrees was promulgated on October 6th, 1926, in consequence thereof. Other steps have been taken the result of which will be further to simplify and accelerate operations.

The Customs laws, from that of 1791 down to the most recent legislation, have been codified in logical order by the Decree of December 28th, 1926.

It is interesting to note that France has inserted in the commercial agreements concluded by her with several countries in 1925 and 1927 provisions under which the signatory States guarantee to each other most-favoured-nation treatment in matters coming within the scope of Article 2 of the Geneva Convention.

**Hungary.** The Customs legislation has been entirely recast in the interval between the signature of the Convention and its coming into force in Hungary. Law XIX of 1924, which began to be applied in July 1st, 1926, is based on the undertakings and recommendations contained in the Convention; it is a considerable improvement on earlier procedure and frees trade from all useless hindrances.

**India.** The Government of India has made every effort to reduce Customs formalities to the greatest possible extent. The question has received most careful consideration and steps have been taken to expedite the loading and unloading of vessels. India's foreign trade is essentially sea-borne; the rapidity of maritime Customs operations is therefore of paramount importance.

**Norway.** The Customs Law of September 20th, 1845, with additions and amendments thereto, is still in force, but it will shortly be replaced by a new law, the draft of which was submitted to the Storting in 1927. The draft will doubtless be discussed in 1928, and the new law will probably come into force in the course of this year.

New regulations for the Customs service are also being prepared. The object of the new provisions is to simplify Customs formalities and to render them as elastic as possible.

• **Persia.** The note from the Persian Government states that Persian Customs legislation is in accordance with the provisions and recommendations of the Convention. It nevertheless reports that the revision of the legal regulations for Customs is under consideration.

We feel sure that the rules will be revised on lines entirely in keeping with the principles laid down in the Convention.

**Siam.** A new Customs Law promulgated on July 30th, 1926, came into force on November 14th of the same year.

**Sweden.** The Swedish Customs Service has been, during the last ten years, undergoing reorganisation which is not yet terminated. The main aim is to render Customs provisions simpler and more elastic. The Swedish Chambers of Commerce and various other organisations concerned have been asked to give an opinion on the draft of the proposed new Customs regulations.

\* \* \*

The signature of the Convention relating to the Abolition of Import and Export Prohibitions and Restrictions of November 8th, 1927, lends peculiar interest to all Government measures which come within the scope of *Article 3* of the Customs Convention. This article lays down that prohibitions and restrictions should be reduced to the smallest number, and that certain principles should be applied in issuing import and export licences.

In response to the recommendations made at the last session of the Economic Committee, we have paid special attention to the information supplied in connection with this article of the 1923 Convention. Certain facts are worth recording here.

**Austria.** In its desire to free trade from the impediment of prohibitions and restrictions the Austrian Government proceeded, as soon as circumstances allowed, to abolish one prohibition after another, so that even in 1925 prohibitions had been reduced to a very small number. In 1926 further prohibitions were abolished.

The formalities for obtaining a permit have received full publicity and the method of issuing permits would appear to be, in every respect, in keeping with the rules laid down in *Article 3*.

**France.** With a view to bringing French legislation into line with the provisions of the Convention of November 3rd, 1923, the Government has abolished export prohibitions and export duties in the case of a series of articles enumerated in the French summary (Law of July 27th, 1927).

In this respect also, the French Government has introduced into its latest commercial Conventions certain guarantees not to be found in former treaties of commerce. This, like the clauses we have mentioned in connection with *Article 2*, is one of the indirect results of the International Customs Convention.

**Hungary.** All import prohibitions have been abolished; export prohibitions have also been done away with, except those on hides, bone and horn waste, skins for glue, rubber, paper, iron and metal, waste for the exportation of which permits must still, provisionally, be obtained. As the Hungarian note points out, these products are, from the point of view of Hungarian industry, very valuable raw materials, which it is essential to keep within the country in view of the export prohibitions and export duties levied on them by most countries.

This observation confirms the high practical importance of the work of the Conference for the Abolition of Prohibitions which met last year at Geneva.

The other prohibitions still in force in Hungary would appear to be warranted under the provisions of *Article 4* of the Convention of November 8th, 1927.

**India.** All the prohibitions and restrictions placed on international trade during the war, or shortly afterwards, have been abolished. Those which remain in force have been established in the interests of health, public order or morality, or for other reasons unconnected with the limitation of imports or exports on commercial grounds.

**Morocco.** In addition to import and export prohibitions established for reasons of health and public security, there exist a few export prohibitions levied, says the summary, "with a view to facilitating economic development and ensuring the country's supplies"; but no indications are given as to the nature of these prohibitions.

**Norway.** All the import and export prohibitions formerly in force have been abolished except those necessitated by considerations of health and national safety, and "by the currency situation in the country". The statement does not say what prohibitions are maintained on account of this last consideration.

**Persia.** The summary states that very few prohibitions exist in Persia, indeed, only such as are necessary for economic or hygienic reasons or in the interests of public safety. The meaning of the words "for economic reasons" is not defined. To judge, however, by the list — which is not limitative — given in the summary, most of these prohibitions would appear to be authorised under *Article 4* of the Convention of November 8th, 1927.

**Siam.** The existing prohibitions and restrictions in this country apply to only five categories of goods; they would all seem to be in keeping with Article 4.

**Sweden.** No import or export prohibitions or restrictions exist in this country other than those authorised under Article 4.

\* \* \*

Generally speaking, we may say that Customs measures are given a publicity in accordance with the provisions and recommendations set out in *Articles 4 and 5* of the Convention. In all the above countries, in addition to the publication required by law in the Official Journals, Law Gazettes or Collections of Laws, there are special collections containing only legislative and other provisions connected with Customs matters, wherein the authorities themselves and merchants can conveniently obtain all the information they require.

On this subject our information in regard to the various countries is as follows :

**Austria.** A special edition of the new Customs tariff which came into force on January 1st, 1925, has been published by the State Press; this edition also gives the conventional duties. Various changes having been made in the tariff, either as a result of independent action or of Treaties or Conventions, a new edition was published by the State Press on October 20th, 1926. This edition contains a summary of all provisions connected with the application of the tariff, a detailed list of taxes on consumption, and other duties which have to be paid at the same time as Customs duties. The rates of the turnover tax levied on various imported goods have been published, in the order of the items of the Customs tariff in the Ordinance of March 31st, 1926, a special edition of which is also on sale at the State Press.

**France.** The Customs Regulations — or at least all acts in the form of laws — have been codified by the Decree of December 28th, 1926. The Regulations have also been codified in greater detail and in a form more accessible to the public in the volumes “*Observations préliminaires du Tarif des Douanes*” (Paris, Imprimerie Nationale, 1922).

The *Bulletin Douanier* (Imprimerie Davis, Paris) gives the laws, decrees and notices to importers in connection with Customs; it also publishes all decisions reached on these subjects.

The latest edition of the “*Tarif des Douanes à l’usage du commerce*” appeared in January 1928 (Imprimerie Oudin, Poitiers).

**Hungary.** The State gives material and moral support to all private publications designed to bring the existing Customs tariff, together with any necessary explanations, to the knowledge of as wide a public as possible. This also applies to publications setting forth and explaining the other duties levied on the clearance of goods.

**India.** A table of import and export duties with the value fixed for the application of these duties is published and placed on sale each year at a low price.

**Morocco.** A brochure giving import and export duties and internal taxes on consumption was published and placed on sale at a modest price in 1924; the brochure is entitled “*Réglementation douanière et impôts intérieurs de consommation*”.

**Norway.** The Regulations for the Customs Service, together with amendments and comments, and the provisions concerning the tariff classification of goods are given in a special periodical which is published by the Customs administration, which, like the *Law Gazette*, is placed at the disposal of the public in return for a small subscription fee.

**Siam.** A practical and cheap edition of the Customs law is on sale throughout the country; an English translation of this law is also given wide publicity. Similar measures will be adopted for all regulations the publication of which is provided for in the Customs law.

The Government also gives considerable publicity to the Customs tariff, although the latter is very stable; it is published in English as a booklet.

**Sweden.** All provisions concerning Swedish Customs appear in a periodical published by the Customs administration twice monthly.

In 1922, an edition of the tariff was published showing all changes made in the tariff since it first came into force.

At the time of the despatch of the Swedish summary, preparations were being made to revise the tariff; the main object of this revision is to simplify the tariff and to render it clearer and more accessible.

\* \* \*

We have no reason to suppose that the provisions of *Article 6* concerning the communication to the Governments of the contracting States and to certain international institutions of the documents published in conformity with *Articles 4 and 5* are not strictly observed. In case of any failure to comply with these provisions, it would be preferable to report the matter direct to the State concerned which we feel sure would hasten to rectify any involuntary omission on its part.

The Hungarian Government expresses a desire to receive four copies of these publications instead of two, as provided by the Convention, in order that it may place one copy at the disposal of each of the Ministries concerned and may send one to its Legation in the country in which the documents originate.

In fixing at two the number of copies to be sent to the signatory States, we do not think that the authors of the Convention intended to set any definite limit; we feel sure that, if any Government expressed a desire to receive a greater number of copies, that desire would immediately be complied with

\* \* \*

The summaries contain interesting information concerning the measures adopted in application of *Article 7*, particularly as regards the procedure followed to ensure that persons whose interests may have been prejudiced by arbitrary or unjust application of the Customs laws and regulations may obtain redress through administrative or judicial channels, or by arbitration.

The information supplied on this subject constitutes a short statement of the practice followed in the various countries and it is interesting mainly on account of the possibilities of comparison thus offered. Governments which contemplate the revision of their present system might discover in these summaries hints which would be of use to them in studying the various systems in force.

It is quite conceivable that at some subsequent date a comparative study of the various legislations might lead to practical conclusions for the preparation of a standard system which could be recommended to all Governments.

\* \* \*

It would appear from the particulars submitted regarding the application of *Article 8* that in most countries importers are granted the facilities which this article is intended to secure for the declarant in the matter of the disposal of goods which form the subject of a dispute as to the application of the Customs tariff, or as to their origin, place of departure or value.

In this connection, reference should, however, be made to an observation contained in the report dealing with the French Protectorate in Morocco. Disputes regarding the value of goods on which duty is leviable are settled in that country by payments in kind or pre-emption. This method — so the report states — was expressly provided for in the Algeiras Act, but gives satisfaction neither to commerce nor to the Administration and is no longer adapted to the economic conditions of the country.

The report goes on to say that attempts at reform by the Sherifian Government have, up to the present, failed owing to the opposition of certain economic interests.

\* \* \*

Under the terms of *Article 9*, the summaries giving an account of the measures taken to simplify Customs formalities must be forwarded to the Secretariat of the League of Nations within twelve months from the coming into force of the Convention and, subsequently, every three years.

As we have stated in connection with *Article 1*, several countries to which the present report applies are considering the revision of their Customs regulations; the summaries submitted by them could therefore only deal with provisions which are to be sooner or later replaced by others.

In view of this fact, we must revert to a suggestion made in the previous report: namely, that the term of three years provided for in *Article 9* should not be considered strictly compulsory; it should rather constitute a maximum.

It is certainly desirable that the countries to which we have just referred should forward to the Secretariat a fresh report when the reforms under consideration have been carried out. The date of the summary, which in that case would be sent before the expiration of the period of three years provided for under *Article 9*, would serve as a starting-point for a further term of three years within the meaning of the second paragraph of that article.

\* \* \*

An examination of the particulars submitted by the several Governments in connection with the application of the principles laid down in *Article 10* of the Convention regarding the Customs regime applicable to samples suggests substantially the same conclusions as those embodied in the report submitted to the Economic Committee in April 1927.

Information received up to the present shows that the internal laws of the various countries do, in principle, conform to the rules laid down in *Article 10*; in particular, they emphasise that the provisions already decreed and promulgated make it possible for the persons concerned to obtain accurate information as to which authorities are competent to issue *identity cards* to commercial travellers and which Customs offices are authorised to effect the re-exportation of samples; that is to say, to refund the sums deposited or to release the security given as a guarantee for the payment of duties on importation.

Certain points in the reports before us would, however, appear to be worth mentioning :

1. In order to show the Convention's good effects in regard to the introduction of more liberal provisions in the laws of the various countries, the following facts may be quoted :

(a) In the report from the Swedish Government, it is stated that, as a consequence of the ratification of the Convention, the regulations relating to the Customs treatment of samples and specimens have been modified and brought into line with the provisions of Article 10 ;

(b) The report on the French Protectorate in Morocco states that formerly the re-exportation of the whole of the samples temporarily admitted was compulsory, but that, since the ratification of the Convention, Customs offices have received special instructions directing them also to authorise the partial re-exportation of such samples, subject, of course, to the payment of the duties leviable on the samples remaining in the country.

2. The Persian Government mentions in its report that, in accordance with the practice already adopted by several other countries, samples of no intrinsic value, including samples of fabrics not exceeding 30 centimetres in length throughout the whole width of the fabric, shall be exempt from import duty. Further, commercial travellers are not obliged to present an identity card in order to receive permission to import samples under the system of temporary admission ; they need only present a passport.

3. Certain Governments, such as the Indian and French Governments, state in their reports that the Conventions and bilateral agreements concluded in recent years which determine the treatment to be afforded to commercial travellers and their samples embody the principles laid down in Article 10 and provide for the granting of reciprocal facilities.

The Government of India, however, admits that, while it is endeavouring to settle the question by means of bilateral agreements embodying the principles laid down in Article 10, internal laws have not yet entirely been brought into line with these principles. At present only seven-eighths — and not the total — of the duties paid on the importation of samples are recoverable.

The Austrian Government's report shows that the regulations in force fully conform with the provisions of the Convention ; it emphasises, in particular, that all Customs offices situated in stations or ports are authorised to effect the re-exportation of samples. Further, the report states that temporary admittance is granted even if samples are not submitted by the commercial traveller himself, the latter being permitted to present his identity card through any person he may select.

\* \* \*

The provisions of *Article 11* are designed to eliminate, as far as possible, the obstacles placed in the way of international trade by complicated formalities and superfluous or restrictive regulations regarding the production and acceptance of certificates of origin.

The object aimed at by the Convention appears to have been achieved in the majority of the countries whose reports are before us, inasmuch as they have adapted the most liberal system, *i.e.*, that of dispensing with certificates of origin altogether or requiring them only in a very few cases. In the reports from Morocco, Persia and Sweden, it is stated that no certificates of origin are required in these countries. The Government of India says that it requires this document only in the case of port wine ; the Norwegian Government requires it only for port or madeira : Hungary requires certificates of origin on importation only in the case of thirteen products. It should be mentioned in this connection that the reports submitted by India and Hungary state that proof of origin may be required for purposes of *sanitary* supervision, or the prevention of injury to plant and animal life. Apparently the documents here referred to are essentially *sanitary* certificates, or certificates of origin required for *sanitary purposes* — an entirely different question from the one dealt with under Article 11 of the Convention.

Certain observations contained in the French Government's report deserve special mention, since they show the efforts made in order to achieve by means of bilateral agreements a gradual reduction in the number of products for which certificates of origin are required.

The information given in that report on agreements concluded with regard to charges for consular visas on certificates are also worthy of notice. Article 11 lays down the rule that certificates of origin shall not in principle require a consular visa and that, if in exceptional cases a consular visa is required, the cost must be as low as possible.

In the study submitted in April 1927 it had been stated that the reports gave no precise and detailed information on the application of this rule, which is of particular importance in practice. Attention should again be drawn to this point. Of the reports with which we are dealing here, only that from the French Government contains any information on this matter. Although it does not mention what measures have been taken in order to abolish the requirement of consular visas, the agreements it refers to nevertheless represent a considerable progress in this direction, since they provide that all consignments of less than 100 gold francs in value shall be exempt from payment of consular charges.

\* \* \*

The information received with regard to the application of *Article 12* shows that, as a rule, consular invoices are not required. Statements to this effect are contained in the reports from Austria, Hungary, India, Norway, Persia and Sweden.

Certain observations, however, are worth noting. The French Government's report refers to the provisions contained in the Franco-German Agreement of August 17th, 1927, in regard to this matter. The report from the French Protectorate in Morocco states that the presentation of consular or commercial invoices is optional; it nevertheless expresses the opinion that, in order to facilitate the application of the tariffs and to ensure the necessary honesty in this matter, the production of such invoices should be made compulsory.

In the report dated April 1927, it was considered advisable to explain, in connection with *Article 13*, that the expression "documents known as consular invoices" in the Convention was not intended to refer to ordinary simple commercial invoices, whether under the law of the country they required consular visa or not; the reference was to those special documents which certain countries require as certificates of value and sometimes also of origin. These as a rule take the shape of declarations by the producer or merchant in strictly prescribed forms, and the accuracy of the declarations is verified and explicitly certified by the consul who visas the document.

The last two reports we have mentioned appear to regard as consular invoices certain documents which are rather in the nature of simple commercial invoices presented in order to prove the value of the goods, and for which a consular visa is compulsory.

It would be desirable to obtain more accurate information on this point before concluding — as would seem probable — that consular invoices properly so called are required neither in France nor in the French Protectorate in Morocco.

\* \* \*

From the reports of several countries in connection with *Article 13*, it would appear that their Customs offices duly accept certificates or any other proof, even in the form of marks or stamps affixed in the country of origin of the goods to guarantee the quality, purity or composition of these products. Such statements would, however, have greater value if they were based on definite provisions, either embodied in the laws of the country or in bilateral agreements of the kind recommended in *Article 13* of the Convention. From this point of view, it may be said that the steps taken by the French Government are more strictly in conformity with the principles laid down in the Convention; this Government states that, under certain agreements concluded with foreign countries, the contracting Parties undertake to accept certificates of analysis issued in the country of origin and attesting that the goods in question fulfil the conditions required by the law of the importing country.

The Swedish Government also mentions in its report certain agreements concluded with other countries providing for the recognition of stamps and marks affixed to the goods to show the country of production, the sanitary condition, etc.

The Austrian Government gives a list of bilateral agreements in force regarding this matter.

The Persian report does not definitely state whether the certificates or guarantees mentioned in *Article 13* are recognised in that country or not. It does, however, state that analysis is only required in the case of dye-stuffs, importers of which are authorised to submit a few samples for analysis beforehand in order that the consignment need not subsequently be subjected to further analysis.

\* \* \*

The provisions of *Article 14* and of the Annex thereto are among the most important of the whole Convention. They aim not merely at the simplification of Customs procedure in general, but also more particularly at the maintenance of good relations between the Customs administrations and the general public, whether nationals or foreigners. It is not surprising, therefore, to find that most of the official reports now under review have given special prominence to this article. Indeed, some of the States concerned have with commendable thoroughness reported in detail the measures taken to give effect to the recommendations contained in all the eighteen clauses into which this article is divided.

It is worthy of special mention, in this connection, that the second summary forwarded by the Austrian Government on July 9th, 1927, to supplement its first summary dated November 23rd, 1925, indicates very clearly under each of the eighteen headings the facilities afforded to commercial and other travellers on the lines specified in *Article 14* of the Convention.

It is interesting to note that the payment of Customs dues by postal money-orders was tried experimentally in Hungary, but was not found satisfactory and had therefore to be abandoned at the request of the parties concerned. Public requirements must naturally differ to some extent in different countries, and it is satisfactory to observe that the terms of the Convention are sufficiently elastic to permit of variations of procedure where local requirements demand.



We have again to note that the suggestion for international Customs co-operation at frontier stations (Clause 18 of Article 14) meets with varied response from the various States concerned. We would repeat the conclusions to which expression was given in the Report of April 1927, that such facilities might best be secured by the medium of international agreements. It might be found desirable to undertake the necessary preliminary studies for a Conference at which the States concerned would be invited to exchange ideas with a view to further concerted action.

\* \* \*

Under *Article 15* of the Convention, the contracting States undertake, in return for adequate guarantees against evasion, to allow baggage registered from abroad to be forwarded as of right and without the Customs examination at the frontier, to all non-frontier Customs offices in its territory, if such office is qualified for the purpose, and to publish lists of Customs offices thus qualified. The Austrian, French, Hungarian and Swedish Governments have, in their several reports, given full particulars of the facilities afforded in this connection.

\* \* \*

*Article 16* prescribes certain general principles to which the contracting States agree to give effect so far as possible in their treatment of articles temporarily imported and exported as, for example, for display in public exhibitions, for experiments or demonstrations or to undergo manufacturing processes.

The Government of India has not yet experienced the necessity of issuing general regulations of the character contemplated; in consequence, the special cases which arise from time to time are dealt with on their merits, and from the instances quoted it appears that an adequately liberal régime is applied. The Hungarian Government records that its customary legislation allows a great variety of guarantees, in addition to payment by cash, *e.g.*, properly secured bonds, etc.

\* \* \*

The previous report quoted as an example to be followed the fact that the summary relating to Germany mentioned the insertion of numerous clauses modelled on the Geneva Convention in the commercial treaties concluded by that country.

The summaries which we have had to examine, if we except that relating to France, contain few statements of this kind. We recognise, however, that information on this point is not prescribed by Article 9 of the Convention.

It would nevertheless be most useful if the Secretariat were informed as fully as possible of the use made in bilateral agreements of provisions figuring in the Convention in question, or directly inspired by the latter.

The Secretariat has previously prepared a memorandum showing the influence of the Geneva Convention on the drafting of the most recent commercial treaties and trade agreements. It is desirable that this work should be kept up-to-date, and we take the present opportunity of asking for the co-operation of the Governments signatories of the Convention of November 3rd, 1923.

The text thus collected might serve as a guide for States in their future negotiations, and the adoption by them of concordant formulæ would gradually lead to a uniformity the advantages of which need not be emphasised.

In this connection, we should like to mention that the Hungarian Government has inserted in all the commercial and Customs conventions concluded since the signature of the Geneva Act a special clause stipulating that the provisions of the latter will be applied in relations between Hungary and her co-contractants. This constitutes a sort of confirmation of the international obligations entered into in 1923 which may be not without utility even when the contracting States are both signatories of these undertakings.

Mention should also be made of the references to the Geneva Convention inserted by France in several of her recent commercial agreements, and alluded to in the summary regarding this country in connection with Article 19. Here the reference is not to the Convention as a whole, but to stipulations of the international act applied to specific points.

\* \* \*

The previous report noted that the International Convention for the Simplification of Customs Formalities was of undoubted utility owing to the progress it had been the means of bringing about.

The same conclusion was suggested to us by the examination of the summaries submitted by the nine countries with which the present report deals. In fact, these summaries perhaps further strengthen this conviction, for they refer in part to States which have been led to modify their regulations as a result of the signature of the 1923 Convention, and in part to States which, although already observing the prescriptions of the latter, are anxious, by revising the provisions in force, to make fresh progress on the lines of the Geneva Act.

The results already achieved appear still more considerable when it is realised that, without the reaction provoked by this international Convention against the tendencies which were asserting themselves in Customs matters in many countries at the time when it was concluded, we should perhaps have witnessed the introduction of fresh measures constituting not a progress on the existing regime, but a veritable retrogression.

This reflection provides additional proof that the work of the League of Nations must be judged not only by the positive and apparent acts to which it gives rise, but also by the preventive action which it exercises and the material effects of which it is difficult to form an exact estimate.

---

### III.

#### TEXT OF THE SUMMARIES COMMUNICATED BY THE GOVERNMENTS OF :

FRANCE

HUNGARY

FRENCH PROTECTORATE IN MOROCCO

NORWAY

ROUMANIA

SWITZERLAND

---

#### France.

SUMMARY COMMUNICATED BY LETTER FROM THE MINISTRY OF FOREIGN AFFAIRS DATED  
DECEMBER 12TH, 1927.

#### *Article 2 (Equitable Treatment).*

The measures taken by France, in accordance with Article 2 of the Convention, to ensure the strict observance of the principle of equitable treatment are as follows :

Article 9 of the Agreement between France and Germany signed on August 17th, 1927, contains the following provisions :

“ In respect of the products covered by the Agreement, each of the High Contracting Parties shall grant to the products of the Customs territory of the other the benefit of any advantages derived from changes in Customs nomenclature or in the method of assessment for duty which may have been introduced into the tariffs by administrative or legal action or in virtue of Conventions concluded with other Powers.

“ Such changes shall in no case have the effect of increasing the average incidence of the duties or of causing any discrimination against the products of the Customs territory of the other Contracting Party. ”

Further, Article 14 specifies that :

“ The High Contracting Parties guarantee to each other most-favoured-nation treatment in regard to the discharge of Customs formalities connected with the transit, warehousing, re-export and transhipment of goods, and with any other form of handling which goods imported, exported or in transit may undergo, as also in regard to the charges made for these various manipulations. ”

Articles 9 and 12 and the Protocol of Signature of the Franco-Hellenic Convention of September 8th, 1926, embody the same undertakings as Articles 9 and 14 of the Franco-German Convention of August 17th, 1927.

These provisions also appear in Articles 8, 14 and 15 of the Franco-Hungarian Convention of October 13th, 1925.

In a more general manner, the “ Introductory Remarks to the Official Customs Tariff ” (No. 497) regulate the application of the most-favoured-nation clause by France. •

#### *Article 3 (Prohibitions).*

*Article 3, paragraph 3.* — By an instruction dated March 21st, 1927, published in the *Customs Bulletin* of March 22nd, the French Customs Department notifies the public of the formalities to be discharged and the conditions to be fulfilled by applicants for import and export licences in respect of prohibited imports or exports. To this circular is attached a form of application for licence.

The “ Introductory Remarks to the Customs Tariff ” (No. 500) lay down the principle that there shall be no import, export or transit prohibitions in the trade relations between

the contracting States. A list of exceptions to this rule, so far as they apply to all countries or to countries in identical circumstances, is also given.

Further, Article 12 of the Franco-German Convention of August 17th, 1927, and the Protocol to that Convention *ad* Article 12 also mention the rare cases in which the High Contracting Parties reserve the right to make departures from the principle of the free exchange of goods. The Protocol specifies that each of the High Contracting Parties shall forward to the other, before the Agreement comes into force, a list of the prohibitions operative in its territory.

By Articles 10 and 11 of the Franco-Hellenic Convention of September 8th, 1926, the High Contracting Parties declare their intention of being guided by the provisions of the Geneva Convention relating to the Simplification of Customs Formalities, and grant to each other most-favoured-nation treatment in all matters connected with import or export prohibitions or restrictions.

Articles 9 to 13 of the Franco-Hungarian Convention of October 13th, 1925, contain similar provisions.

In order to bring its legislation into line with the requirements of the Geneva Convention, the French Government decided to abolish, by the Law of July 27th, 1927, the export prohibitions and export duties on live animals (horses, cattle, poultry, pigeons, rabbits), on animal products and hides, and on vegetable substances except corn (wheat, spelt, meslin), rye, timber and narcissus bulbs.

Further, a general exception is made in virtue of the Decree of September 17th, 1927, allowing the export or re-export to any destination of wheat, spelt and meslin, rye, groats and semolina meal and pearled or cleaned grain.

#### *Article 4 (Publicity).*

The Customs regulations were codified, so far as they have legal form, by the Decree of December 28th, 1926. There are also more complete and more generally accessible codifications in the form of the "Introductory Remarks to the Customs Tariff" (Paris, Imprimerie Nationale, 1922).

Laws, decrees, orders and notices to importers in connection with the Customs are published in the *Official Journal*. They are reproduced in the *Customs Bulletin* (Imprimerie Davis, 52, rue Madame, Paris VI<sup>e</sup>), which also publishes decisions of all kinds (ministerial and administrative decisions, circulars, circular letters, documents relating to disputed claims) and cards of corrections bringing the "Introductory Remarks" up to date. The latest edition of the Customs tariff in use in trade and in the Department is dated August 1925 (Librairie Oudin, Poitiers). A new edition is in the press.

#### *Article 5 (Customs Publicity and Information).*

The same remark applies as to Article 4. No. 237 of the "Introductory Remarks" states that there should be a copy of the Customs tariff in every Customs office. The receivers at these offices must keep it up to date and show it on demand to persons called upon to pay duty.

Article 13 of the Convention of August 17th, 1927, between France and Germany provides that :

"The High Contracting Parties will make every effort to enable their nationals to obtain from the Customs authorities all information in connection with the application of Customs duties."

#### *Article 6 (Communication of Documents).*

The Ministry of Commerce is responsible for forwarding to the International Office at Brussels all information relating to the Customs tariff.

#### *Article 7 (Redress).*

The safeguards available to persons required to pay duty are these :

1. Customs valuations, the procedure for which is laid down in Nos. 106 to 110 *bis* of the "Introductory Remarks to the Customs Tariff".

This procedure, which would take too long to describe in detail, gives full satisfaction to those concerned.

2. The rules for procedure in Customs disputes, which were codified by the Decree of December 28th, 1926 (Articles 509 to 646).

### *Article 8 (Surrender of Goods).*

It is the regular practice, in cases covered by this article, to surrender the goods on signature of an undertaking, backed by security, to pay the duties and any fines that may be incurred.

At the request of the declarant, however, the cash-deposit system may be substituted. No. 155 of the "Introductory Remarks" states that receivers of Customs may allow goods to be removed before the duties have been paid provided that an undertaking with security is given and that an additional payment of one-thousandth of the amount of duty paid takes place.

### *Article 9 (Reforms).*

The Law of August 3rd, 1926, gave the Government power to take steps in the direction of simplification and economy, by decree, up to December 31st, 1926. In virtue of this provision, the following decrees were promulgated on October 6th, 1926 :

(a) A decree simplifying the working of the Customs services (acceptance and declaration of authenticity, loading of coal and hydrocarbonides, withdrawal from "constructive" warehouses, decentralisation);

(b) A decree amending the Customs legislation regarding the loading of goods, the acquittal of duties, etc.;

(c) A decree altering the method of calculating percentage reductions;

(d) A decree establishing the method of assessing for duty goods produced in a third country from raw materials originating elsewhere.

Further, the Customs laws — from the Law of 1791 to those most recently passed — have been codified in logical order by the Decree of December 28th, 1926.

The arrangements for the temporary importation of metals have been codified by Decrees of October 12th, 1925; October 12th, 1926; and September 23rd, 1927.

The procedure for the refund of duties improperly collected has been simplified and expedited by a circular letter of May 2nd, 1925.

The regulations regarding postal consignments have been amended in consequence of the entry into force of the Stockholm Convention (Law of August 9th, 1925).

### *Article 10 (Travellers' Samples).*

The offices referred to in Article 10, paragraph 6, are those open to goods dutiable at more than 20 francs per hundred kilogrammes or classified therewith. A list of these offices appears in No. 37 of the "Introductory Remarks to the Tariff". They are grouped in twenty-seven districts.

Nos. 461 to 462(b) of the "Introductory Remarks" establish the regime for samples of foodstuffs, samples of manufactured articles, samples accompanying commercial travellers, samples belonging to them but not accompanying them, samples addressed to commercial representatives in charge of branches, to commission agents or traders, and samples of tobacco.

No. 510 of the same document gives the model for identity cards.

The Conventions of July 13th, 1921, with Finland (Article 18); of December 15th, 1922, with Canada (Article 23); of October 30th, 1924, with Latvia (Article 15); of June 22nd, 1923, with Austria (Article 27); of December 9th, 1924, with Poland (Article 27); of October 13th, 1925, with Hungary (Article 31); of September 8th, 1926, with Greece (Article 16); and of August 17th, 1927, with Germany (Articles 19 to 21 and Protocol) lay down the facilities accorded by France to commercial travellers of these various countries provided with identity cards of the type approved by the contracting parties.

### *Article 11 (Certificates of Origin).*

Nos. 66 to 74 *bis* and 76 of the "Introductory Remarks to the Customs Tariff" specify the cases in which proof of origin is required, the reasons determining the formality of proof of origin and the texts on which it is based, the form of certificates of origin and the authorities competent to issue them.

Further, in order that the departments and the public may know exactly when certificates of origin or other documents in lieu thereof are required on importation for the purposes of the Customs tariff, the Customs Administration published in the *Customs Bulletin*, No. 447, of March 15th, 1927, a note giving a detailed and up-to-date statement of the regulations now applicable in the matter.

Further, in various conventions, France has endeavoured to reduce to a minimum the cases in which certificates of origin are required. The Franco-Italian Agreement of July 28th, 1923, concerning silks provides in Article 27 that the products dealt with in the said Agreement shall, if accompanied by a certificate of origin issued by the officially authorised producers' syndicate of one of the high contracting parties, be admitted into the territory of the other contracting party without being subject to Customs examination, except in the case of fraud or possible substitution.

Article 22 of the Franco-Hungarian Convention of October 13th, 1925, Article 16 of the Franco-Greek Convention of September 8th, 1926, and Article 22 of the Franco-German Convention of August 17th, 1927, specify the cases in which certificates of origin may be required and the conditions governing their issue. Further, the Franco-Belgian Agreement of April 4th, 1925, exempts certain products from proof of origin. A notice published in the *Official Journal* of April 10th, 1925, gave French importers a list of the goods exempt from proof of origin when imported from Belgium and Luxemburg.

As regards the question of Chancellery dues, the Ministry of Foreign Affairs has concluded with a large number of countries special agreements reducing to 5 gold francs the charge for the consular visa on the invoices and certificates of origin required by the French Customs and exempting from payment consignments of less than 100 gold francs in value. Quite recently again, in Article 22 of the above-mentioned Franco-German Commercial Agreement, it is provided that certificates issued by Chambers of Commerce shall be visaed gratis by the French consular authorities when the value of the consignment in question does not exceed 100 francs gold parity. When the value exceeds this sum, the charge for the issue of the consular visa shall not exceed 5 francs gold parity. If the certificate of origin visaed by the consular authority mentions the value of the goods, it may take the place of a consular invoice. In such cases, no supplementary charge may be made by the consular authority for attesting the value of the goods.

#### *Article 12 (Invoices).*

The "Introductory Remarks to the Customs Tariff" (Nos. 74 *ter* and 82) specify the cases in which consular invoices may be required.

Article 7 of the Franco-German Agreement of August 17th, 1927, provides that, in the case of *ad valorem* assessment, the declaration of the value of the goods shall be corroborated by an invoice legalised by the French diplomatic or consular authority or, failing this, by the competent bodies, offering the necessary guarantees, previously approved by the French Government. Under Article 23 of the said Agreement, nationals of either of the high contracting parties may present certificates of value which both Governments promise to take into consideration without, however, thereby renouncing their right of assessment. Both Governments promise similarly to take into consideration all material for the purposes of assessment which may be transmitted and which purports to originate from reputable industrial bodies authorised to furnish it; such material shall be utilised more particularly when presumption of fraud in regard to the invoiced prices may involve the application of fines or other penalties.

#### *Article 13 (Certificates of Analysis).*

Article 13 of the Convention has been applied by France, more particularly in the Franco-Spanish Convention of July 8th, 1922. Article 17 of this Agreement provides that the High Contracting Parties undertake, each in so far as it is concerned, to accept certificates of analysis issued by the official laboratories of the other country as a proof that the natural products originating in the country which issued the certificate of analysis and imported into the territory of the other country comply with the provisions of the internal legislation of the last-named country. Each of the High Contracting Parties retains the right, if necessary, more particularly in case of suspected fraud, to carry out the necessary examinations, notwithstanding the production of the certificate of analysis provided for above.

Similar provisions have been inserted in the Franco-Canadian Convention of December 15th, 1922 (Article 20); in the Franco-Greek Convention of September 8th, 1926 (Article 17); and in the Franco-German Commercial Agreement of August 17th, 1927 (Article 24).

#### *Article 14 (Simplifications).*

France applies the recommendations mentioned in the Annex to this article.

No. 33 of the "Introductory Remarks" gives a list of the towns where there are inland Customs offices.

No. 154 of the same document lays down the ways of paying duties other than in currencies accepted as legal tender.

As regards bonded warehouses, this subject was completely codified by the Decree of May 30th, 1921. Damaged goods and deficiencies in warehouses are covered by Nos. 166-166 *bis*, 170 *ter* and 173 *bis* of the "Introductory Remarks".

*Article 15 (Transit).*

As stated above, No. 33 of the "Introductory Remarks" gives a list of the inland Customs offices qualified to clear goods contained in baggage registered from the place of despatch abroad to an inland office, and forwarded directly as of right, without a Customs examination at the frontier.

*Article 16 (Temporary Importation and Exportation).*

The provisions concerning temporary importation and exportation are published in France in the same way as the other Customs regulations. They are codified in the "Introductory Remarks to the Tariff", Nos. 217-274 and 384-415; they are published in the *Customs Bulletin* as supplementary decisions are taken.

*Article 17 (Exceptions).*

As stated above, the "Introductory Remarks to the Customs Tariff" lay down the principle that there shall be no import, export or transit prohibitions in the trade relations between the contracting States. They give, further, a list of exceptions to this rule so far as they apply to all countries or to countries where the same conditions prevail.

Taking as a basis the draft Convention for the Abolition of Import and Export Prohibitions and Restrictions, Article 12 of the Franco-German Agreement of August 17th, 1927, specifies the cases in which France reserves the right to introduce exceptions to this principle:

- (a) Prohibitions or restrictions imposed for reasons of public safety;
- (b) Prohibitions or restrictions imposed for reasons of public health, for the protection of persons, animals or plants against diseases or parasites;
- (c) Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies;
- (d) Prohibitions or restrictions designed to extend to foreign products the provisions established under French law in respect of the production, trade in and transport and consumption of native products of the same kind within the country; this provision also applies to goods which are or may in future be the subject of a State monopoly or similar institution;
- (e) Import or export prohibitions or restrictions necessary for the performance by each one of the High Contracting Parties of international undertakings to which they are Parties or of reciprocal obligations.

*Article 18 (League of Nations).*

It is in application of this provision that the Treaties recognise that the Saar shall be subject to the French Customs regime.

*Article 19 (References to the Convention).*

France has applied this article more particularly in the Franco-German Commercial Agreement of August 17th, 1927 (Articles 12 and 19).

The second of these Articles provides, for example, that industrial identity cards shall be drawn up in accordance with the models established by the International Convention relating to the Simplification of Customs Formalities signed at Geneva on November 3rd, 1923.

Article 10 of the Franco-Hellenic Convention of September 8th, 1926, also refers to the provisions of the Convention concluded at Geneva on November 3rd, 1923, in the matter of import prohibitions and restrictions and limitations in regard to freedom of trade.

*Article 20 (Application of Article 23 (e) of the Covenant).*

The reservations mentioned in Article 20 have been applied by France, more particularly in the Franco-Hungarian Convention of October 13th, 1925, (Article 3); the Franco-Hellenic Convention of September 8th, 1926 (Article 4); and the Franco-German Convention of August 17th, 1927 (Article 11 (c)).

*Article 22.*

In conformity with Article 22, Article 32 of the Franco-Hellenic Convention of September 8th, 1926, provides that, should a dispute arise between the high contracting parties as to the interpretation or application of the Convention, and should such dispute not be settled through the diplomatic channel, it may be submitted, by agreement between the parties, either to the Permanent Court of International Justice or to an Arbitral Tribunal, under the conditions and in conformity with the procedure laid down in the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Articles 40 to 47 of the Franco-German Commercial Agreement of August 17th, 1927, contain similar provisions.

---

**Hungary.**

SUMMARY COMMUNICATED BY LETTER DATED DECEMBER 27TH, 1927, FROM THE  
HUNGARIAN DELEGATION ACCREDITED TO THE LEAGUE OF NATIONS.

In conformity with the obligation assumed under Article 9 of the Convention, the Royal Hungarian Government has the honour to submit a first summary of the measures it has taken.

In the interval between the signature of the Convention and its entry into force in Hungary on May 25th, 1926, the Hungarian Customs legislation was completely recast. The new legislation is based on the undertakings and recommendations embodied in the Convention, and is thus entirely in accordance with the latter's purpose, which is that the greatest possible liberty shall be ensured in regard to Customs formalities, and in general in all matters affecting State control over foreign trade.

As regards questions of detail, the Royal Hungarian Government has the honour to submit the following observations :

*Article 1 of the Convention.*

Law XIX of 1924, regulating Customs administration, came into force on July 1st, 1926. By this law, the old out-of-date regulations have been considerably simplified and all unnecessary trade barriers suppressed, though without detriment to the essential interests of the Treasury or to other State interests.

*Article 2.*

Neither Law XIX, nor Law XXI of 1924 concerning the Customs tariff, which came into force on January 1st, 1925, contains provisions which might serve as a basis for discrimination against the commerce of any foreign State. Customs formalities, inspection and chemical analyses are reduced to a minimum, and are carried out with all possible despatch.

*Article 3.*

Simultaneously with the entry into force of this law concerning the Customs tariff, all the import prohibitions formerly imposed by economic needs were abolished; further, export prohibitions in general were suppressed, except those on hides of oxen, calves and horses, bone and horn waste, skins for glue, and waste of rubber, paper, glass and metal, for the export of which licences are still provisionally required. These articles form the most valuable raw materials of Hungarian industry, and it was essential, in the presence of economic fluctuations, to secure at all events a limited supply of them, especially in view of the export prohibitions and prohibitive export duties which most countries, and more particularly Hungary's neighbour States, levied on these raw materials and waste products. In addition to the above restrictions, the Royal Hungarian Government maintained a number of others based upon considerations of public health, agriculture or stock-breeding, public security or State monopolies, the preservation of national historical monuments, and, lastly, international undertakings. They were made public, simultaneously with the abolition of the other prohibitions and restrictions, by decrees duly published in the *Official Journal*; their general character is a guarantee of their maintenance for some considerable time. Licences granting exemption from these restrictions are issued with all possible despatch, and traffic in licences is absolutely precluded.

*Article 4.*

The provisions concerning Customs administration and the Customs tariff were introduced by legislative enactments inserted in Laws XIX and XXI of 1924, which were duly published in the *Collection of Laws*. Similarly, the *Official Journal Budapesti-Közlöny* published the text of the public administrative regulations containing the ministerial instructions for the application of the laws in question; this was done before the laws came into force, so that the authorities and the public alike might have time to study them.

*Article 5.*

In addition to the official publication of the tariff, the State gives material and moral support to all private publications designed to bring the existing Customs tariff, together with the necessary explanations, to the knowledge of as wide a public as possible. This also applies to publications setting forth and explaining the other dues levied on the clearance of goods. All consumption and other internal taxes levied, in addition to Customs dues, on goods of foreign origin are applicable also to home products. All Customs services are bound to furnish, on application, particulars of the import rates applicable to any given class of goods; further, the Law on Customs Administration provides that in doubtful cases application for tariff information shall be made in writing to the Ministry of Finance, which, on receipt of such a request, is bound to give the relevant information with all possible despatch.

*Article 6.*

The Royal Hungarian Ministry of Foreign Affairs always communicates in duplicate, immediately upon publication, to the diplomatic representative of each contracting State, or to such other representative as may be designated for the purpose by those States, all measures relating to Customs administration. It may be noted that the Government seldom receives Customs tariffs from other countries, and further it appears desirable that such communications should be made not in duplicate but in four copies, in order that each of the competent authorities (legations and ministries) may be in possession of a copy. Ten copies of all the publications in question are forwarded to the Secretariat of the League of Nations. As regards the Hungarian Government's obligations towards the International Office for the Publication of Customs Tariffs at Brussels, these have always been carried out, even before the entry into force of the Convention.

*Article 7.*

Provision is made for appeal by administrative procedure, consisting of two stages, from decisions of the Customs services. The procedure is laid down in the Law on Customs Administration, to which reference has already been made, and in the public administrative regulations for its application.

*Article 8.*

In the case of a dispute as to the tariff applicable, this law provides that the goods shall be placed at the disposal of the declarant, subject to guarantees for the payment of higher Customs duties, pending the settlement of the dispute by the higher authorities.

*Article 10.*

The treatment applicable to commercial travellers' samples liable to import duties is governed by the Customs law and the public administrative regulations for its application, in strict conformity with the provisions of this article. The model for identity cards follows the specimen given in the Convention.

*Article 11.*

Hungary has in principle abolished compulsory certificates of origin. They are maintained only for thirteen commodities, namely, cheeses and cognacs coming from certain specific districts, liqueurs, brandy, wines, sparkling wines, sardines, anchovies, olive oil, coats and other clothing rationed by treaty, and Venetian glass beads and trinkets. This list shows the limited application of certificates of origin; the latter, moreover, are of importance only in that they entail the benefit of the Customs reductions accorded by treaties, for all the commodities in question can be imported freely if the declarant is prepared to pay the regular tariff duties. Apart from these cases, proof of origin is required — as elsewhere — only for the purpose of preventing injury to plant or animal life. The Hungarian Government has already communicated to the Secretariat of the League a list of the organisations in Hungary which are authorised to deliver certificates of origin.

*Article 12.*

Hungary does not at present require consular invoices.

*Article 13.*

Certificates, stamps or marks given or affixed in the exporting country are duly taken into consideration. Subject to reciprocity, a fresh analysis is not carried out, except where there is very strong presumption of abuse. Scientific methods are employed in all analyses and other tests.



*Article 14.*

With a view to the rapid passage of goods through the Customs, when the nature of the goods or the place of destination makes this desirable, arrangements are made for the formalities to be carried out, if necessary, by the inland Customs offices. Provision is also made for the clearance of perishable goods outside ordinary office hours. The declaration concerning goods to be cleared must be made by the consignee or his authorised agent, on a form drawn up in accordance with the recommendations of paragraph 5 of the Annex. Offences committed without intent to smuggle the goods into the country are punishable under the Customs law by small fines. An experiment was made in the use of postal money-orders for the payment of Customs duties and other State dues payable at the same time; but after two years, at the request of the parties concerned, it was decided to abandon this innovation and revert to the previous practice. Import duties are refunded on re-exportation, provided that the goods have remained continuously under Customs supervision. Trade catalogues and other printed advertising matter, provided they are sent by post in separate copies; printed advertising matter intended for distribution by foreign firms taking part in sample fairs, exhibitions, etc.; and printed matter of the same kind packed with the goods and not exceeding 150 grammes in weight are admitted duty free, and are therefore dealt with expeditiously.

On trains proceeding from one country to another, passengers' luggage is examined at the frontier station, and on board ship during the voyage.

The Hungarian Customs legislation provides for all kinds of warehouses, the charges fixed being very moderate. Any person having goods in a warehouse can withdraw damaged goods, in accordance with the recommendations of paragraph 16 of the Annex to Article 14.

Hungary has concluded Customs agreements for co-operation between the services with Austria, the Serb-Croat-Slovene Kingdom and Czechoslovakia; the Agreements with Austria and Czechoslovakia provide, in the case of busy lines, for the establishment of Customs offices in the same place.

*Article 15.*

The traveller has the choice of declaring his luggage at the first office of entry; if he fails to exercise this privilege, the luggage is forwarded automatically to a non-frontier Customs office. All inland Customs offices are qualified to clear goods forwarded to them. A list of Customs offices was published in the *Official Journal* and communicated to all the contracting States.

*Article 16.*

The Customs law regulates the question of temporary import and export in accordance with the principles of modern commercial life. The identity of the goods is established in the simplest possible way, apart from the affixing of stamps or marks, from the description of the goods. The time-limit for re-import or re-export is fixed as a rule at six months, though it may be prolonged on the application of the party concerned. The Hungarian Customs legislation allows a great variety of guarantees in addition to payment in cash, e.g., properly secured bonds, etc. The guarantee is refunded as soon as the contractual obligations have been fulfilled.

Having thus shown in detail the measures taken by Hungary to carry out her obligations under the Convention, and having demonstrated that her present laws and regulations are entirely in keeping both with the spirit and with the actual provisions of the Convention, the Royal Hungarian Government desires to mention that in all the commercial and Customs conventions concluded since the signature of the said Convention, and more particularly in the Additional Clause concluded on April 9th, 1926, with the Republic of Austria; in the Additional Clause concluded on December 18th, 1926, with France; in the Treaty of Commerce and Navigation concluded on July 23rd, 1926, with the United Kingdom of Great Britain and Ireland; in the Treaty of Commerce concluded on July 24th, 1926, with the Serb-Croat-Slovene Kingdom; and in the Treaty of Commerce concluded on May 31st, 1927, with the Czechoslovak Republic, a special clause exists stipulating that the provisions of the Convention shall be applied in the relations between Hungary and those States.

**French Protectorate in Morocco.**

**SUMMARY COMMUNICATED BY LETTER FROM THE MINISTRY OF FOREIGN AFFAIRS  
OF FRANCE DATED JANUARY 14TH, 1928.**

*Articles 1 and 2.*

The Moroccan Customs Statute established under the Act of Algeciras of April 7th, 1906, is based on the principle of the economic equality of all Powers. The law and practice in force in the French zone of the Protectorate are wholly in conformity with the rules laid down in Articles 1 and 2 of the Geneva Convention.

*Article 3.*

The import and export prohibitions at present in force are few in number and were imposed for reasons of public health or social security. Some of the export prohibitions were framed with the object of promoting the economic development of the country and in view of the necessity of ensuring its food supply. Where exceptions to export prohibitions are allowed, the licences issued always state the name of the holder. In order to obtain a licence of this kind, the applicant need only send a request, stating reasons, to the General Board of Agriculture, Trade and Colonisation.

*Articles 4 and 5.*

Modifications of tariffs, regulations, prohibitions or restrictions never become applicable until they are published in the *Official Bulletin* of the Protectorate.

The publication of a pamphlet entitled *Customs Regulations and Internal Consumption Taxes*, showing import and export duties and internal consumption charges, was ordered in 1924; it has been supplied at a small charge to all persons and concerns on application.

*Article 6.*

The Customs administration is now engaged in a general revision of the pamphlet referred to in the previous article; it will be brought up to date and will contain all information of use to traders regarding Customs clearance procedure. When this publication appears, it will at once be sent to the countries which are parties to the Convention, to the Secretariat of the League of Nations and to the Brussels International Bureau for the Publication of Customs Tariffs.

*Article 7.*

Persons required to pay duty may appeal to the courts of law for the purpose of claiming compensation for any prejudice they may have suffered through the arbitrary or unjust application of the regulations.

Disputes concerning the dutiable value of goods are settled by payment in kind or the exercise of the right of pre-emption. This method of settlement, though expressly *provided by the Act of Algeciras*, is unsatisfactory both to traders and to the Administration itself and is no longer suited to the economic conditions of the country. The reforms attempted by the Moroccan Government, however, have hitherto been unsuccessful owing to the opposition of certain economic groups.

*Article 8.*

Unless they are subject to prohibition, goods over which a dispute has arisen may be handed over to the declarants on provision of security for any duties or penalties that may be applicable.

*Article 10.*

The regime established by Article 10 for samples only differs on one point from that applicable in Morocco. Previously, commercial travellers had to re-export all samples declared on entry in order to settle the accounts for temporary importation. Instructions have been given, however, that accounts for payment of duty are to be settled even when only part of the goods are re-exported, the duty being retained on the quantities not shown as re-exported.

Further, the special facilities enjoyed by commercial travellers will in future be granted on production of an identity card issued by the authorities of their country.

A list of offices where temporary importation operations may be effected is given in the Vizierial Decree of June 13th, 1922, and was reproduced in the Customs Regulations issued in 1924. The identity cards of Moroccan commercial travellers are issued by the regional control authorities.

*Articles 11 and 12.*

Since the suspension of the special regime applicable to German goods, all goods imported into the French zone of Morocco pay the same import duty, irrespective of their origin, and production of certificates of origin has not been required since then.

Certificates of origin to accompany goods coming from Morocco are issued by the regional control authorities, the municipal authorities, the Customs Administration and the Chambers of Commerce. Similarly, the production by the declarant of a consular or trade invoice is still optional, no regulation having yet been passed making it obligatory. If the tariffs are to be applied properly and without difficulty, however, persons liable for payment of duty should be required to produce these documents in support of their declarations.

*Article 13.*

In all cases, due account is taken of certificates issued and seals or marks affixed by the authorities of the exporting country. The methods of analysis here are the same as those applied in French laboratories.

*Article 14.*

The Customs Regulations of the French zone in Morocco provide for most of the facilities and simplifications recommended in this article.

*A. Rapid Passage of Goods through the Customs.*

Instructions have been given to enable perishable goods to be cleared through the Customs at hours other than the office hours fixed by law.

Vessels may be loaded and unloaded on days and at times other than the ordinary Customs working days and office hours.

Consignees may either declare their consignments themselves or have them cleared by an agent.

The Customs form used is a printed document containing both the declaration to be filled up by the party concerned and the inspection certificate.

The recommendation referred to in paragraph 6 is fully observed.

The Administration accepts, in payment of duty, cash drafts on the State Bank or on an ordinary bank, and also guaranteed cheques.

The customary practice is to refund duties on re-exported goods if the goods have been under constant Customs surveillance and are re-consigned within a fixed time-limit. No export duty is levied on foreign goods re-consigned.

In accordance with the recommendation made in paragraph 9, commercial catalogues and printed matter intended for advertisement are sent to the addresses without delay *duty-free*.

The documents necessary for the fulfilment of Customs formalities only require the visa of the Protectorate authorities in quite exceptional cases, where certain privileged conditions are to be granted. The scale of charges for formalities carried out outside the regular hours has been fixed by the Administration at a very moderate rate. Transport companies, Customs agencies, etc., are also allowed to present their clients' declarations collectively and to make a single application for the fulfilment of formalities for a specified period outside the office hours fixed by law. Whenever possible, the same procedure is adopted in the case of other declarants, particularly where the transactions required are very simple and are carried out successively.

*B. Examination of Baggage.*

*Paragraph 11.* — This recommendation is observed on the Tangier-Fez railway at the junction of the French and Spanish zones.

*Paragraph 12.* — Instructions have been issued for some considerable time past to expedite the inspection of the baggage of passengers arriving by sea. The clearance formalities, which are reduced to a minimum, are carried out on the arrival of the ship in port, even if it comes alongside the quay at a time outside legal office hours.

*Paragraph 13.* — A list of the duties and charges payable on the principal articles usually carried by travellers and a list of prohibited articles are displayed in the Customs office and are sent to the transport companies concerned.

*C. Treatment of Goods in Warehouses.*

*Paragraphs 14, 15 and 16.* — The warehousing system is provided for in the Moroccan Customs laws, but none of the bodies to which bonded warehouses could be granted have yet applied for permission to establish any.

The system of establishing "constructive" warehouses (*entrepôts fictifs*) in commercial warehouses has been introduced for certain goods such as packing material, coal and ships' gear.

**D. Goods shown on the Manifest but not Landed.**

No import duty is charged on goods shown on a ship's manifest if there is documentary evidence to prove that the goods in question have not actually been landed.

**E. Co-operation of the Services concerned.**

There is an international station at Oujda, where a joint Algerian-Moroccan Customs office has recently been installed. The arrangements in this office are such that Customs formalities can be carried out simultaneously by the representatives of the Algerian and Moroccan Customs Administrations.

*Article 15.*

In view of existing conditions on the Moroccan railway system, the application of Article 15 of the Convention cannot be contemplated as yet. Postal parcels and packages, however, are sent through to Marakesh, Fez and Meknes, where they are dealt with by a special service at the post offices themselves.

*Article 16.*

The provisions in force in the Protectorate regarding temporary importation are in accordance with the recommendations of the Convention.

*Article 17 et seq.*

These articles do not call for special comment.

---

**Norway.**

SUMMARY COMMUNICATED BY A LETTER FROM THE NORWEGIAN MINISTRY OF FOREIGN AFFAIRS DATED JANUARY 4TH, 1928.

*Article 1.*

The existing Law of September 20th, 1845, relating to the Customs service, and the additional provisions and amendments annexed thereto, will be replaced in the near future by a fresh law, the draft of which was submitted to the Storting in 1927. There is reason to suppose that this draft will be discussed in 1928 and that the new law will take effect during the course of the year.

The existing Norwegian provisions relating to the levying of Customs duties on goods coming from abroad were drawn up when the Customs tariff for the budgetary year 1927-28 was adopted, after having been submitted first for the consideration of a Royal Commission, which presented its report in 1923, and subsequently, during the following years, to the Central Administration of the Customs service and to the Customs Committee of the Storting.

In addition, technical revision of the Customs tariff and fresh regulations in connection with the Customs Service are in course of preparation.

The aim of all the new provisions which have been or will be established is to simplify Customs formalities and make them as flexible as possible, while taking into account the country's interests from the point of view of Customs policy, the need for satisfactory methods of supervision and a system of treatment which will meet all reasonable requests put forward by merchants and other persons with a view to the convenient and rapid despatch of goods through the Customs.

*Article 2.*

As the principle of most-favoured-nation treatment already forms part of Norway's Customs policy, persons and goods receive the same treatment, irrespective of their nationality or origin, in everything connected with Customs duties and formalities.

*Article 3.*

Prohibitions on the import and export of certain commodities, which were previously in force in Norway, have now been abolished so far as is consistent with considerations of public health and national security and with the position of the national currency.

The provisions mentioned under (a)-(e) do not require to be enacted in Norway, as the existing regulations already agree with the fundamental principles set forth in that article.

*Articles 4 and 5.*

All legislative provisions — *inter alia*, those which refer to the Customs service — are made public through the *Norsk Lovtidende* (Norwegian Bulletin of Laws). Regulations, amendments and special commentaries, and provisions relating to the tariff assessment of goods and to their treatment in general, which are published by the Customs administration, are reproduced in the *Meddelelser til Tollvesenet fra Finans- og Tolldepartementets Tollavdeling* (*Communications to the Customs Service from the Customs Section of the Ministry of Finance and Customs*).

These two publications, which appear at short intervals, may be obtained from the Ministry of Finance and Customs on payment of a small subscription.

These publications contain all the information which the public needs. Further information may be obtained free of charge from the Customs offices or from the Ministry of Finance and Customs.

*Article 6.*

Copies of the Norwegian tariff and the *Meddelelser til Tollvesenet fra Finans- og Tolldepartementets Tollavdeling* will be sent to the International Bureau for the Publication of Customs Tariffs at Brussels, to Norwegian legations abroad and to the Secretariat of the League of Nations.

*Article 7.*

With the exception of questions which, in virtue of special legislative provisions, are settled administratively, all disputes relating to the interpretation of Customs laws and of the provisions of the Customs tariff, etc., may be brought before the courts by the parties concerned, whether Norwegian nationals or foreigners.

*Articles 8 and 10.*

The regulations set forth in these articles relating to goods which form the subject of a dispute, or to samples and goods in respect of which Customs duties are refunded on their re-export abroad, are already applied in Norway in virtue of existing provisions.

*Article 11.*

The production of a certificate of origin is not required for goods imported into Norway, with the exception of port and Madeira wines from Portugal, for which certificates are required in virtue of a special treaty with that country.

*Article 12.*

Consular invoices are not required in Norway for imported goods.

*Article 13.*

On the import into Norway of goods the wrappers of which bear seals, or which are accompanied by certificates setting forth the nature, weight, composition, quality, etc., of the commodity, such information will be taken into account in so far as it can be used to fix the duties to which the goods are subject and is compatible with the supervisory measures in force at the time.

*Articles 14 and 16.*

See remarks on Article 1 concerning the new law and the new regulations relating to the Customs service.

*Article 15.*

The regulations set forth in this article with respect to the despatch, etc., of goods from the frontier to a Customs office within the country are already applied in Norway.

---

**Roumania.**

**SUMMARY COMMUNICATED BY THE ROUMANIAN DELEGATION ACCREDITED TO THE LEAGUE OF NATIONS.**

*Certificates of Origin.*

Under Instruction No. 34972 of February 10th, 1926, issued to the Customs offices, certificates of origin are no longer required for goods imported into Roumania.

*Deficiencies and Gains in the Case of Cabotage.*

Under Circulars No. 265008 of October 17th, 1927, and No. 4482 of January 1st, 1928, issued by the Directorate-General to Customs Offices, the following are the allowances for deficiencies and gains in the case of cereals sent by cabotage :

Two per cent in the case of cereals which have remained in the tows for less than three months ;

Four per cent in the case of cereals which have remained in the tows for over three months.

*Imports of Arms and Ammunition.*

Circular No. 182 of January 3rd, 1927, issued by the Directorate-General to the Customs offices removes the import restriction whereby sporting guns, parts of weapons, revolvers for the use of private persons and ammunition for these weapons could only be imported through the Bucharest Customs warehouses.

They may be imported by any Customs office in an area in which an army corps or division has its headquarters. Before being cleared, such articles will be examined by officers appointed by the local arms service.

*Foreign Exchange for Travellers.*

Under a Circular (No. 318178 of December 8th, 1927) issued by the Directorate-General to the Customs offices, the latter are instructed to require travellers in possession of foreign exchange in the form of cash, cheques or letters of credit to declare the sums which they carry with them on entering Roumania. Such sums will be entered on the passport or in a certificate issued by the Customs. In this way returning travellers leaving Roumania will be able to take with them an equivalent amount, thus obviating the necessity of applying to the Foreign Exchange Control Office for authorisation.

*Export of Living Animals and Meat.*

To facilitate and simplify the export Customs formalities, the Directorate-General has decided, by Circular No. 320726 of December 10th, 1927, issued to the frontier Customs offices, that wagons conveying living animals and meat for export will be cleared by the Customs offices on production of an export declaration drawn up in accordance with Form No. 31. For this purpose the Customs authorities will, when the export trains arrive at the station, be given a list with particulars of the cattle trucks, to which the relevant way-bills will then be affixed. This list will be entered immediately in the Customs Warehousing Register. The checking of the wagons will then take place at the same time as the veterinary examination carried out by the health officer. The latter will endorse receipt Form No. 31 and indicate on this document the number of living animals in each wagon and the number of diseased or dead animals evacuated.

In this way the clearance formalities will be reduced to an absolute minimum.

*Customs Clearance in the Train : Examination of Baggage.*

The Customs examination on the Simplon-Paris-Bucharest and the Orient Express trains is carried out as follows :

*When the train enters Roumania.*

(1) Hand (light) luggage taken by passengers in the carriages will be examined at Jimbolia and Curtici. If the examination is not completed at the station before the scheduled hour of departure of the train, it will be carried through *en route* by officials sent from Jimbolia and Curtici.

(2) Heavy luggage which cannot be conveyed through to a Customs office within the country will be unloaded at Timishoara and Arad, and will be examined and pay any duties there.

Under no circumstances will the departure of the train be delayed to enable Customs formalities to be completed.

*When the train leaves Roumania.*

(1) Hand baggage will be examined in the train itself by officials of the Jimbolia and Curtici Customs services.

(2) Heavy baggage coming from Bucharest or other towns where there are Customs offices may be handed in and examined in such Customs offices before the departure of the train.

After examination, the Customs authorities will seal and forward the baggage and will affix thereto a list to enable the seals to be checked at the frontier.

To facilitate the Customs examination, passengers are requested to prepare before their departure two separate notes (declarations) giving a list of the articles in their hand and heavy baggage and of such of these articles as are dutiable or prohibited, both on importation and exportation.

---

### Switzerland.

#### SUMMARY TRANSMITTED BY THE SWISS FEDERAL GOVERNMENT.

##### Ad Article 1.

The principles of Article 1 have always been applied in Swiss Customs Law. This is the case more particularly as regards :

The Federal Law of October 1st, 1925, on the Customs ;

The Federal Law of October 10th, 1902, on the Swiss Customs Tariff ; and

The Executive Regulations concerning these laws.

The Federal Law on the Customs, which only came into force recently, has considerably simplified formalities ; the Law on Customs Tariffs is in course of revision.

##### Ad Article 2.

The existing Customs laws are primarily based on the principle of equitable treatment — a principle which has always been applied — in regard to the formalities and procedure referred to in Article 2. Special attention has also been given to the methods and procedure of obtaining redress (see ad Article 7.).

The Swiss Customs laws contain uniform and general provisions, with which the administration itself, as well as the declarant, must comply, and which preclude any possibility of unjust and exceptional treatment.

##### Ad Article 3.

No restrictions are imposed upon the importation of goods into the territory of the Swiss Confederation.

As regards export, the only article for which restrictive measures still exist is cheese ; but it is proposed to repeal these measures at the end of July 1928. Until then the necessary authorisations can be obtained, by a simple and expeditious procedure, from the Federal Department of Agriculture and Industry (*Economie publique*). The holder's name is entered on the export licence, which can only be transferred with the consent of the issuing authority.

##### Ad Article 4.

The particulars referred to in Article 4 are published in the *Official Code of Laws of the Confederation*, which is a supplement to the *Federal Gazette (Feuille fédérale)*. This can be obtained direct, the subscription price being 5 francs, or can be consulted at Cantonal or Federal offices.

As a rule, no new Customs service regulation is put into force before being brought to the notice of the public.

Ad Article 5.

The latest tariff in use (*tarif d'usage*), revised by Decree of the Federal Council dated June 8th, 1921, and showing the Customs duties leviable by the Customs Administration, came into force on July 1st, 1921, and was recently brought up to date (November 15th, 1927). It can be purchased through the usual trade channels or from the principal offices of the Customs administration. All changes in assessment and new regulations regarding the classification of goods not mentioned by name in the tariff (*assimilations*) are published in summarised form in the *Federal Gazette*.

The official list of articles in the Swiss Customs Tariff has also been brought up to date (November 29th, 1927) and published by the Customs administration. It can be obtained for a small sum from any Customs office.

Information as to the classification of goods and other particulars relating to the tariff are given as provided in Article 22 of the Customs Law of October 1st, 1925, and Article 8 of the Executive Regulations thereto.

Ad Article 6.

We have fulfilled the obligations laid down in this article by sending to the League of Nations and to the legations of German-speaking countries the prescribed number of copies of the publications in question, in a volume entitled *Swiss Customs Laws*, an official text issued at the instance of the Federal Customs Department. The other legations will receive the prescribed number of copies of the French edition as soon as it is ready (now in the press).

The prescribed number of copies of publications are duly sent to the "International Office for the Publication of Customs Tariffs".

Ad Article 7.

The Customs Law of October 1st, 1925, contains a special chapter on "Redress" indicating all the available methods by which the declarant can appeal against decisions of the competent public authorities. Further, Article 114 of the Customs Law expressly lays down that, if appeal may be made to a higher authority, the fact must be mentioned in the notice of the administrative decision, which must also state the name of the higher authority (court of appeal) and the period within which the appeal must be made.

Ad Article 8.

The recommendations made in this article were already adopted in the former Customs Law, and have been liberally followed in the new Customs Law also (Articles 56 *et seq.* of the Executive Regulations for the Customs Law).

Ad Article 10.

The principles of Article 10 are strictly applied in Swiss Customs law and have also been embodied in commercial treaties concluded by Switzerland. The list of Swiss Customs offices competent to clear samples (having a commercial value) was published in the *Federal Gazette*, 1927, Vol. I, pages 801 and 802. The list of authorities recognised as competent to issue identity cards has also been sent to the contracting States and to the Secretariat of the League of Nations.

Ad Article 11.

As Switzerland now accords most-favoured-nation treatment to all the States with which she maintains commercial relations, no certificates of origin are required as a rule. Consequently, no certificate of origin or similar documentary evidence need be produced to clear imports into Switzerland unless the production of such a document is expressly prescribed in the special regulations that exist for certain categories of goods. In all these cases the importer is not bound to show the invoice.

The more recent Swiss commercial treaties are all based on the principle of Article 11 of the Convention. (See Article 4 of the Austro-Swiss Commercial Treaty of January 6th, 1926; Article 7 of the German-Swiss Commercial Treaty of July 14th, 1926; Article 4 of the Commercial Treaty concluded on February 16th, 1927, with Czechoslovakia; and Article 3 of the Commercial Convention concluded on May 4th, 1927, with the Turkish Republic.) No consular visa is required.

A list of the organisations authorised to issue certificates of origin in Switzerland was communicated to the Secretariat of the League of Nations as an annex to the Order of the Federal Council dated December 13th, 1926, regarding certificates of origin.



*Ad Article 12.*

Consular invoices are not required by the Swiss Customs administration.

*Ad Article 13.*

The provisions at present in force and the method of applying them, and indeed Swiss Customs practice as a whole, are in accordance with the principles of Article 13.

*Ad Article 14.*

The recommendations of Article 14 have for long been given practical application by the Swiss Customs administration.

*Ad 1.* — Generally speaking, inland offices are authorised to carry out clearance operations as provided in Sections 40 and 41 of the Customs Order regarding Railway Traffic dated December 6th, 1926.

*Ad 2.* — In practice, the lead or other seals affixed by a foreign State are recognised and respected. There are special regulations on this point in international agreement.

*Ad 3.* — The clearance of perishable goods is expressly provided for in Section 3, paragraph 7, of the Customs Order regarding Railway Traffic dated December 6th, 1926, and Annex III thereof.

*Ad 4.* — Under Article 9 of the Customs Law, the consignee has the option of declaring goods himself or appointing a representative for that purpose.

*Ad 5.* — In Switzerland, the declaration form used is tripartite. It is filled up in triplicate by the use of tracing paper, so that the import declaration (Customs declaration), the commercial statistical declaration and the certificate of payment (receipt) are made out simultaneously.

*Ad 6.* — In the event of failure to observe the Customs Regulations, the procedure adopted is that laid down in the third chapter of the Customs Law: "Contraventions of Customs Regulations". An exhaustive list of acts constituting contraventions is given in this chapter; apart from the cases specified, infringements are regarded as minor offences against the regulations, a nominal fine being imposed or a warning given.

*Ad 7.* — Provided there is adequate security, the Swiss Customs administration accepts postal money orders or cheques in payment or in guarantee of Customs duties.

*Ad 8.* — The provisions of (8) are found in Article 16 of the Customs Law, in conjunction with Articles 37 and 38 of the Executive Regulations thereto.

*Ad 9.* — Commercial catalogues and other printed matter of the same kind intended for advertisement are dealt with by the Swiss Customs in exactly the same manner as all other consignments.

*Ad 10.* — The procedure adopted is in every respect the same as that recommended in this article.

*Ad 11.* — As a rule, hand baggage is examined by the Customs when the train stops at a frontier station. On the principal international through trains, baggage is examined *en route*.

*Ad 12.* — The only journeys to which this provision applies in Switzerland are those on the Lake of Geneva and on Lake Constance, when the Customs examination takes place on board during the journey whenever circumstances permit.

*Ad 13.* — The best method of applying the [recommendation made in this article is at present under consideration.

*Ad 14.* — In Switzerland, certain classes of goods may be placed in private warehouses either by means of a provisional release (*acquit-à-caution*) for completion within two years or by a current account entry (see Customs Law, Article 42 and Articles 98-102 of the Executive Regulations).

*Ad 15.* — The decision of the Federal Customs Department dated September 13th, 1926, regarding the levying of charges and the insurance of goods placed in Customs warehouses directed by the Swiss Customs Administration (*Federal Gazette*, 1926, Vol. II, page 542, *et seq.*) takes fully into account the measures referred to in this article.

*Ad 16.* — Article 127 of the Customs Law expressly stipulates that the whole or part of the duties on goods cleared but still under official supervision or placed in a Federal warehouse is returned if the goods have been wholly or partly damaged by accident or by *force majeure*, or if, by order of the authorities, they have been wholly or partly destroyed or any or all of them returned.

**Ad 18.** — On the basis of international conventions, Switzerland co-operates at the following international stations with the various national services installed there: Basle, Waldshut, Singen, Constance, St. Margrethen, Buchs, Chiasso, Luino, Domodossola, Vallorbe, Pontarlier.

**Ad Article 15.**

The procedure followed by the Customs administration is the same as that indicated in this article. The list of competent Customs offices appeared as Annex II to the Customs Order regarding Railway Traffic dated December 6th, 1926, and was published in the *Official Legal Gazette*, 1926, Vol. XLII, page 799.

**Ad Article 16.**

Reference may be made primarily to Article 47 of the Customs Law, in conjunction with Articles 103-110 of the Executive Regulations, which fully take into account the principles of the Convention.

**Ad 3 (a).** — The marks affixed by the Customs authorities of other States with a view to the identification of goods are recognised as far as possible.

**(b)** — This recommendation is taken specially into account in Article 106, paragraph 4, of the Executive Regulations for the Customs Law.

**Ad 4.** — Special arrangements on this point are made in Switzerland: the goods are shipped in virtue of a provisional release (*acquit-à-caution*) to an office in the interior of the country and are not cleared until they arrive there (see Executive Regulations, Article 78, paragraph 1 (b)).

**Ad 5.** — According to the Table *ad* Article 103 of the Executive Regulations for the Customs Law, a period of twelve months is granted as a rule. This period may be extended under Article 109 of the Executive Regulations.

**Ad 6.** — The duty may be guaranteed either by a cash deposit or by the deposit of security or of bonds (see Articles 65-72 of the Customs Law).

**Ad 7.** — This procedure is followed automatically and without further formality.

---

Geneva, May 7th, 1928.

**LEAGUE OF NATIONS**

**INTERNATIONAL CONVENTION  
FOR THE ABOLITION OF IMPORT AND EXPORT  
PROHIBITIONS AND RESTRICTIONS**

**OBSERVATIONS MADE BY VARIOUS GOVERNMENTS ON THE  
EXCEPTIONS CLAIMED IN VIRTUE OF ARTICLE 6 OF THE  
CONVENTION.**

*Note by the Secretary-General.*

Article 6 of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, signed at Geneva on November 8th, 1927 (document C.559.M.201.1927.II), left it open to the signatory States to submit before February 1st, 1928, applications for exceptions from the obligation laid down in Article 2 of the Convention.

*Applications for exceptions* were communicated to the Secretary-General before February 1st, 1928, by the Governments of the following States:

Belgium	Poland
Bulgaria	Portugal
Czechoslovakia	Sweden
Estonia	United States of America
Norway	

These applications, as well as other declarations by various Governments concerning certain provisions of the Convention, are reproduced in document C.I.A.P.23 and Addendum.

The present document contains the *observations made on the exceptions claimed* and notified to the Secretary-General before May 1st, 1928, by the Governments of the following States:

Austria	Norway
Denmark	Poland
Great Britain	Portugal
Hungary	Sweden
India	Switzerland
Italy	United States of America
Latvia	

**Austria.**

LETTER TO THE SECRETARY-GENERAL FROM THE AUSTRIAN FEDERAL CHANCERY,  
DATED APRIL 24TH, 1928.

[*Translation.*]

With reference to its communication of January 30th, 1928, No. 87,056-14a/1928<sup>1</sup>, the Federal Government desires to make the following observations:

**I. *Claims for Exceptions under Paragraph 1.***

***Czechoslovakia.*** — Upon the export of:

(a) *Motor-cars.* — If the Czechoslovak Government's claim for this exception should be approved by the Conference in July, the Federal Government would be compelled to claim a similar exception for itself.

<sup>1</sup> Reproduced in document C.I.A.P.23.

(b) *Pink clover seed.* — The Federal Government is aware that the natural conditions of climate and soil necessitate a selection, and hence a supervision, of pink clover seed. Nevertheless, in the view of the Federal Government, it is not necessary for this purpose to have recourse to a prohibition. For instance, Austria has endeavoured to overcome the difficulties referred to in the Czechoslovak Government's Note by issuing detailed instructions regarding seeds both of native and foreign origin.

The Federal Government is therefore opposed to the acceptance of the exception claimed by the Czechoslovak Government.

(c) *Wine.* — The Czechoslovak Government bases its claim under this head solely on the need for protecting national products. The same considerations apply to Austrian viticulture. The Federal Government considers that national viticulture can be protected without difficulty by means of import duties, that adulteration and fraudulent imitations can be dealt with by legislation, and that, in consequence, there is no reason to resort to prohibition unless it is to be used as a means of discriminating between products of different origins. The Federal Government is consequently opposed to this exception.

## II. *Exceptions claimed under Paragraph 2.*

*Czechoslovakia.* — Upon the import of:

*Seeds of conifers; shoots of forest trees.* — In regard to this point, the Federal Government begs to make the same observations as in regard to clover seed.

Upon the export of:

(a) *Sugar beet.* — The Federal Government is unable to consent to the claim for an exception put forward by the Czechoslovak Government and, if it should be approved, would be forced to make a similar claim for the maintenance of its own export prohibition.

(b) *Timber, rounded.* — The Federal Government is definitely opposed to this exception.

(c) The same applies as regards *quartzite*. The reasons advanced by the Czechoslovak Government for the maintenance of this prohibition do not appear conclusive to the Federal Government. The agreements concluded with the neighbouring States regarding the supply of quotas are subject to denunciation. If there are rich deposits in other States — which the Federal Government believes not to be the case — this fact should also be of advantage to Czechoslovakia, which is, moreover, protected by the cost of transport.

(d) *Hop shoots.* — The Federal Government begs to point out that the conditions upon which the Federal Government is prepared to allow unrestricted trade in hop shoots — namely, that the appellation of origin "Czechoslovak hops" should be effectively protected — are already fulfilled as regards Austria by the terms of the Final Protocol to the Treaties of November 27th, 1924, and of July 22nd, 1927.

## III. *Exceptions claimed under Article 6, without reference to any Special Paragraph.*

*Czechoslovakia.* — On the import of:

*Matches.* — The regulations in force in Czechoslovakia in regard to the manufacture and sale of matches are almost identical with those in force in Austria. If the reservation of the Czechoslovak Government should be accepted, the Federal Government would be compelled to claim similar treatment for itself.

## IV. *Communications from the French Government.*

The same considerations which have led the French Government to propose a certain form of control in regard to *cinema films* have also induced Austria to establish a system which, although not falling within the definition of prohibitions under the Convention of November 8th, 1927, nevertheless institutes a certain control over the circulation of films, and is designed to secure opportunities for the Austrian cinema industry to display Austrian films abroad. If the system of control proposed by the French Government is admitted to be consistent with its obligations under the Convention of November 8th, 1927, the Federal Government desires an assurance that the system which it has introduced is also in conformity with the Convention.

V. Finally, the Federal Government must make the most express reservations in regard to the *Polish Government's* declaration. According to this declaration, the Polish Government proposes to maintain its whole system of prohibitions until such time as free circulation is restored for certain products coming under prohibitions, the maintenance of which, for a period of three years, has already been approved by the Annex to Article 6.

In its letter of February 27th, 1926, No. 96,513-14a/1926, the Department of Foreign Affairs had already pointed out that the Federal Government considered that an essential condition for the coming into force of the Convention as regards Austria was that it should also come into force in the States adjacent to Austria, and in the other Successor States to the Austro-Hungarian Monarchy. Poland is one of those States, and the Federal Government feels bound to maintain its attitude on that point.

In any case, the Federal Government desires to state very clearly that, in its opinion, it is under no obligation whatever to concede the advantages arising from the Convention of November 8th, 1927, to States which have not ratified that Convention nor acceded to it, except in so far

as such States are prepared to observe reciprocity; that is to say, to assume the obligations entailed by the Convention.

*For the Federal Chancellor:*  
*(Signed) WILDNER.*

**Denmark.**

LETTER TO THE SECRETARY-GENERAL FROM THE DANISH MINISTER AT BERNE,  
DATED APRIL 28TH, 1928.

[*Translation.*]

.....

I have the honour to state, in pursuance of my instructions, that the Royal Government, while reserving its final opinion on these matters, does not feel called on to present any detailed observations in regard to the claims for exceptions put forward by other signatory States, and not approved at the time of the signature of the Convention, having regard to the fact that a large number of the reservations appear, for the very reasons advanced in support of them, to be of a character inconsistent with the aims and spirit of the Convention.

For this reason, Denmark would find it difficult to accede to these claims.

*(Signed) Gustav RASMUSSEN.*

**Great Britain.**

LETTER TO THE SECRETARY-GENERAL FROM THE FOREIGN OFFICE, DATED APRIL 5TH, 1928.

I am directed by Secretary Sir Austen Chamberlain to inform you that His Majesty's Government regret to find that the list of exceptions claimed by contracting States under Article 6 of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions are more numerous than they had been led to hope. Taken as a whole, they do in fact constitute a considerable derogation from the generality of the Convention.

I am to add that His Majesty's Government would prefer to leave over the consideration of the lists in detail until they come up for examination at the adjourned meeting of the International Conference, which is to be held this summer.

*(Signed) G. W. VILLIERS.*

**Hungary.**

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTER FOR FOREIGN AFFAIRS,  
DATED APRIL 27TH, 1928.

[*Translation.*]

.....

It appears from the document annexed to your letter (C.I.A.P.23) that certain States which play a predominant part in the foreign trade of Hungary are claiming exceptions to the obligations arising under Article 2 of the Convention. Thus, Czechoslovakia desires to maintain her prohibitions on the import of motor-cars, salicylic acid and its derivatives, pink clover seed, sugar-beet seed, cattle and swine for slaughtering and breeding, wine (ex No. 109 of the Czechoslovak Customs Tariff), seeds of conifers, shoots of forest trees, and matches, and also prohibitions on the exportation of pink clover seed (ex No. 56), sugar-beet seed, rounded timber (ex No. 134), hop shoots (ex No. 56), live game (hares, partridges and pheasants) and quartzite.

It must be remembered that, in addition to these claims for exceptions, the Czechoslovak Government declared at the time of the signature of the Convention that it intended to maintain its export and import prohibitions on coal, coke, peat, lignite and briquettes of every description.

The majority of the exceptions claimed by the Czechoslovak Government affect the economic interests of Hungary so very closely that — although the commercial Convention concluded with the Czechoslovak Republic and the regime which it establishes in regard to these matters between the two countries mitigate the effects of these exceptions — the Hungarian Government is compelled to make express reservations in regard to their acceptance; for these exceptions would produce their undesirable effects at any moment, if the Commercial Treaty between the two countries should cease to be in force. But even apart from that consideration, the Hungarian Government would be unable, on grounds of principle, to express approval of the exceptions claimed by the Czechoslovak Government. It would indeed be difficult for a country like Hungary, which has of its own initiative entirely discarded the system of import restrictions, to subscribe to obligations, such as those of the Geneva Convention, if a neighbouring country which plays so important a part in Hungary's foreign trade were able, in virtue of the Convention itself, to maintain prohibitions on the import of articles which are all more or less important from Hungary's point of view.

The same observations apply to the claim of the Polish Government regarding the export prohibition on crude oil — a raw material which is of great importance to Hungarian industries, and which the latter will have all the more difficulty in obtaining because the Roumanian Government announced its intention of maintaining this prohibition at the time of the signature of the Convention, and the Conference accepted this reservation, subject to certain restrictions.

Similarly, the claim for an exception submitted by Portugal in regard to the export prohibition on raw cork would be seriously detrimental to Hungarian industrial interests.

The signature at Geneva on March 16th, 1928, of the two Protocols concerning hides and skins and bones<sup>1</sup> renders it unnecessary for the Hungarian Government to present any observations on the reservations made by different States on those matters.

The Hungarian Government trusts that the Conference, which is to meet next July at Geneva to decide on these points, will refuse its approval to the greater part of the claims for exceptions, and that these will, in consequence, be withdrawn by the States which have presented them, and will therefore cease to have any purpose.

To sum up, the following are the claims which, if maintained by the States which have presented them, would render it difficult for Hungary to ratify the Convention:

1. The exceptions claimed by Czechoslovakia relating to prohibitions and restrictions on the importation of automobiles, salicylic acid and its derivatives, pink clover seed, sugar-beet seed, cattle and swine for slaughtering and breeding, wine (ex No. 109 of the Czechoslovak Customs Tariff), seeds of conifers, shoots of various trees, and matches; and the export prohibitions on pink clover seed (ex No. 56), sugar-beet seed, rounded timber (ex No. 134), hop shoots (ex No. 56), live game (hares, partridges and pheasants) and quartzite.
2. The exception claimed by the Polish Government regarding exports on crude oil.
3. The exception claimed by Portugal regarding exports of raw cork.

*For the Minister,*

(Signed) KHUEN-HEDERVARY.

#### India.

LETTER TO THE SECRETARY-GENERAL FROM THE INDIA OFFICE,  
DATED APRIL 24TH, 1928.

In communicating the following observations, I am to state that, in view of the meagre nature of the information supplied by several Governments in support of their applications, these observations are to be regarded as provisional and the Government of India wish to retain full liberty to modify their views at the forthcoming Conference in the light of further information received.

*Application for exception claimed by Portuguese Government under Article 6 (1).* — It appears from the letter of the Portuguese delegate dated February 1st<sup>2</sup>, that these exceptions are formulated not only under Article 6 (1) but also under Article 5. It is observed that no details are supplied to substantiate the view that these exceptions are necessary "for the purpose of protecting in extraordinary and abnormal circumstances the vital interests of the country". In view of the important exports of cleaned rice from India to Portugal, it is doubtful whether the Government of India will be able to acquiesce in the claim to the maintenance of restrictions on import in the case of "other agricultural products used for food".

*Application for exception claimed by the Norwegian Government under Article 6 (2) in regard to the import of cereals.* — Before 1925-26 there was trade in wheat from India to Norway. The exception claimed by the Norwegian Government does not seem, therefore, to satisfy the condition that the trade of other countries would not be prejudicially affected.

*Application for exception claimed by the Polish Government under Article 6 (2) in regard to exports of crude oil.* — The Government of India agree with the views expressed in Section IV(c) of the Protocol and doubt whether the reasons adduced by the Polish delegate warrant an exception in favour of Poland in regard to a product of such importance in the markets of the world.

*Application for exception claimed by the Bulgarian Government in regard to "products used for the falsification of national products".* — The Government of India consider that there are grave objections to an exception worded in so general a manner and capable of being applied to a large and ill-defined range of products.

*Application for exception claimed by the Czechoslovak Government in regard to the import of matches.* — The Government of India prefer to reserve their opinion on this application until they are in possession of fuller information in regard to the *de facto* monopoly which is stated to exist.

Finally, with reference to the remarks of the delegate of Finland in his letter dated January 27th, reproduced in Part III of document C.I.A.P.23, the Government of India assume that the Finnish Government are not claiming that an exception in regard to the export of wood should be admitted under Article 6, but are intimating that a prohibition of the export of wood may at some future date be justified under Article 5. If this assumption be correct, the Government of India would content themselves with observing that as Article 5 refers to extraordinary and abnormal circumstances, the proper application of it in a particular instance cannot be anticipated.

(Signed) E. J. TURNER.

<sup>1</sup> Document C.149, M. 39, 1928, II.

<sup>2</sup> Document C.I.A.P.23.

Italy.

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTRY FOR FOREIGN AFFAIRS OF ITALY,  
DATED APRIL 20TH, 1928.  
[Translation.]

.....  
The Royal Government desires to mention that its policy—like the policy of its delegates to the Conference held in Geneva in October-November 1927—has always been based on the principle that the utility and efficacy of any multilateral agreement in the matter of import and export prohibitions must be judged by the real and tangible improvement which it produces in the conditions of international trade, that is, by the extent to which it promotes liberty and progress in that sphere.

• Adhering to this principle, the Royal Government considers it highly important that the undertaking to abolish all prohibitions of a protectionist nature in virtue of Article 2 of the Convention of November 8th, 1927, should be fully and strictly observed, or at all events that any exception allowed in view of the special difficulties which still exist should be reduced to an absolute minimum. This is obviously essential if the Convention is to be really effective.

Accordingly, the Royal Government desires to sum up its conclusions as follows:

1. It has no objection to reservations referring to prohibitions which would have a purely local effect and whose maintenance would not therefore seriously obstruct international trade. A case in point is Bulgaria's reservation concerning the export of "rose trees and roots and shoots".

2. *A fortiori*, it does not object to the applications for exceptions submitted by various Governments in regard to special restrictions which cannot really be included among the prohibitions to be abolished under the Convention but are rather in the nature of measures of control designed to ensure the quality or origin of the goods exported or for other purposes entirely unconnected with customs protection. This category includes, for example, the restrictions applicable to the export of butter and eggs in Estonia, the export of hop shoots in Czechoslovakia, the purchase of vessels and shipping shares in Norway and the import of matches into Czechoslovakia (in view of the monopoly in that country enjoyed by the State, which controls the manufacture and sale of this commodity).

3. The Royal Government, however, is most certainly unable to agree to the various other important exceptions which, seriously extending the reservations the Conference already had to admit would be so considerable as fatally to detract from the value and efficacy of the Convention of November 8th, 1927. To allow prohibitions affecting the export of raw materials which are essential for the industrial requirements or food supplies of other countries (for example, rounded timber, crude oil, bread cereals) or import prohibitions applicable to goods figuring on a large scale in international trade (such as motor cars, wines, colouring matter, edible oils, etc.) would be tantamount to sanctioning and consolidating, perhaps for years to come, a situation which is a menace to world economy and may even heavily penalise countries which, like Italy, have long pursued a policy virtually equivalent to non-restriction.

And the danger attaching to such exceptions is all the greater when it is remembered that, in addition to the individual countries who made the reservations, their example will probably call forth the same reservations from all the other countries in any way interested.

Accordingly, if such exceptions are to be allowed, the Italian Government, in the interests of its own legitimate economic requirements, must reserve full liberty of action as regards both the ratification of the Convention of November 8th, 1927, and the right to submit similar reservations of its own, should it decide to accept the Convention with these exceptions.

The Royal Government desires to make two additional observations:

(a) For the reservations made by certain countries concerning prohibitions relating to the export of bones and undressed hides and skins, it would refer to the statements in its note of to-day's date in connection with the Protocols of March 16th, 1928<sup>1</sup>;

(b) With reference to the declaration in the French Government's letter of January 27th, 1928, which is reproduced on page 10 of document C.I.A.P.23, the Royal Government desires to state that its competent Departments are at present studying the question of restrictive measures in regard to cinematograph films, on the lines already adopted or now being adopted in other countries. It is not yet in a position to say what form these measures may take. It desires, however, to state that they will not in any case be in the nature of real restrictions such as the Convention of November 8th, 1927, is designed to abolish.

(Signed) GRANDI,

Under-Secretary of State.

---

1 This note will be communicated separately to the Signatory States of the Convention of November 8th, 1927.

Latvia.

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTRY FOR FOREIGN AFFAIRS OF LATVIA,  
DATED APRIL 27TH, 1928.

[Translation.]

I venture to submit below some general observations which the Latvian Government desires to present in virtue of Section IV *d*, of the Protocol of the Convention.

(1) At the time of the signature of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions the Latvian Government, in view of explanations received from the Secretariat of the League of Nations regarding the purport of certain provisions of Article 4, decided not to submit any reservations under paragraphs (1) and (2) of Article 6 of that Convention. It is, however, evident that, when signing the Convention, the Latvian Government, and indeed all the other signatory Governments, were only cognisant of the claims for exceptions appearing in the annex to Article 6. Accordingly the Latvian Government declares that, speaking generally, it considers that if any of the exceptions subsequently claimed by certain States (document C.I.A.P.23) were maintained in one or more of the other States which, by signing the Convention without reservations, had shown their intention of renouncing such claims or of justifying them under Article 4 or some other article, the States in question should also be entitled to maintain such prohibitions or restrictions.

(2) The Latvian Government considers that, when deciding on the claims for exceptions, the meeting of representatives of the signatory States convened under Article 17 of the Convention for July 3rd, 1928, should draw a distinction between the two categories of reservations, that is to say: a State which signed the Convention after November 8th, 1927, should be considered as not having thereby renounced its right to reciprocal treatment except in regard to the exceptions appearing in the annex to Article 6; whereas in regard to claims for exceptions subsequently put forward (so far as such claims refer to prohibitions or restrictions which might also exist in other signatory States), these States should be entitled to rely on the principle of reciprocity until the whole of the claims put forward have been definitively approved.

Moreover, it would seem desirable to analyse the arguments on which the reservations put forward up to February 1st, 1928, were founded, in order to avoid misunderstandings which might arise in interpreting the Convention. This would apply especially in case one of the signatory States should proceed, in virtue of different arguments and without invoking the terms of Article 6, to maintain certain prohibitions and restrictions which some other signatory State had claimed to maintain as an exception under that article.

The Latvian Government proposes to deal further with the claims put forward after November 8th, 1927, at the meeting of signatory States on July 3rd, 1928.

(3) In view of the fact that the abolition of export prohibitions and restrictions on hides and skins, and bones has been dealt with by special Protocols<sup>1</sup>, the Latvian Government suggests that these products should be excluded from the discussion on the admissibility of the reservations.

(Signed) G. ALBATS,  
Secretary-General.

Norway. ●

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTRY FOR FOREIGN AFFAIRS,  
DATED APRIL 12TH, 1928.

[Translation.]

I have the honour to inform you that the Royal Government has no observations to offer in regard to the requests for exceptions by the Signatory States as set forth in document C.I.A.P.23.

For the Minister,  
(Signed) August ESMARCH,

Poland.

LETTER TO THE SECRETARY-GENERAL FROM THE POLISH DELEGATION ACCREDITED  
TO THE LEAGUE OF NATIONS, DATED MAY 2ND, 1928.

[Translation.]

(1) The Polish Government refrains from making any observations on the special exceptions claimed by certain Governments. It desires, however, to state that, generally speaking, the retention of prohibitions and, in particular, restrictions applicable to agricultural produce and stock-raising, whether recognised in the Convention or agreed to at the Conference of July 3rd, 1928 is in its

<sup>1</sup> Document C.149.M.39.1928.II.



opinion detrimental to the freedom of international trade and prejudicial to the interests of the great body of consumers of absolutely necessary food products.

(2) The Polish Government presumes that the reservations made by the German Government concerning "the dispute between Germany and a neighbouring country in regard to a factory making nitrogenous products", refers to the Chorzów factory, though it is doubtful whether a description of this kind, which is not in keeping with the general character of the reservation clauses, is sufficiently clear to be understood by all the signatories of the Convention. Apart from this remark, the Polish Government feels compelled to insist upon Article 6 of the Convention, on which the reservations in question are understood to be based. This article provides for the enumeration of "certain specified products". The generic appellation of "nitrogenous products" "made by a factory which was formerly in German ownership" would appear not to come within Article 6 of the Convention, providing for the maintenance of certain prohibitions.

Further, the Polish Government is not aware of the legal principle in virtue of which the German Government believes itself entitled to "reserve the right to exclude the products manufactured by this factory from the German market" "should this dispute not have been settled between the parties concerned by the date of the entry into force of the Convention". As the dispute is *sub judice*, the German Government's reservation would appear to be designed to prejudice the decision of the Court of International Justice in favour of German interests.

Again, the admission of the principle of such a reservation on behalf of a State — a reservation which is of an entirely special character and subject to the result of a suit either before an international authority or the courts of the country — might constitute a precedent whereby other States could adopt, outside the framework of the Convention, similar measures detrimental to a foreign concern.

For these reasons, the Polish Government trusts that the German reservation will not be accepted by the Conference of July 3rd 1928.

(Signed) F. SOKAL.

Minister Plenipotentiary, Delegate to the League of Nations.

**Portugal.**

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTRY FOR FOREIGN AFFAIRS OF PORTUGAL, DATED APRIL 20TH, 1928.

[Translation.]

I have the honour to inform you that the Portugese Government has no observations to offer with regard to the requests for exceptions put forward by the other signatory States.

(Signed) DR. BETTENCOURT RODRIGUES.

**Sweden.**

LETTER TO THE SECRETARY-GENERAL FROM THE MINISTRY FOR FOREIGN AFFAIRS, DATED APRIL 28TH, 1928.

[Translation.]

I have the honour to inform you that the Royal Swedish Government has no observations to make in regard to the exceptions claimed.

You also forwarded to me, for information, declarations and observations made by certain Governments in connection with various provisions of the Convention. The Royal Swedish Government is of opinion that, among these declarations, there are reservations which would be equivalent to applications for exceptions under Article 6, paragraphs (1) and (2), and also important interpretations of various provisions of the Convention. The Swedish Government, however, does not think it necessary to give its opinion at present on this matter, as it assumes that the signatory Powers will have an opportunity of submitting their observations on the declarations in question at the Conference which is provided for in Article 17 of the Convention and is to meet on July 3rd next.

For the Minister.

(Signed) W. WINTHOR,

ad interim Head of Political Section,

**Switzerland.**

LETTER TO THE SECRETARY-GENERAL FROM THE FEDERAL DEPARTMENT OF PUBLIC ECONOMY, DATED APRIL 30TH, 1928.

[Translation.]

We have the honour, in the name and by order of the Federal Council, to inform you and to request you to inform the other signatory States as follows:

Switzerland is opposed to the exceptions mentioned below, which were communicated to you between November 8th, 1927, and February 1st, 1928, under paragraph 1 of Article 6 of the Convention:

1. *Raw bones (fresh or boiled), including pounded bones:*  
Conditional claim submitted by Belgium for exports.

2. *Hides and skins, raw bones and parings, including pounded bones:*  
Conditional claim submitted by Czechoslovakia for exports.

3. *Synthetic organic dyestuffs and colours or colouring matter containing them, as well as organic intermediate products used in the manufacture of such dyestuffs, colours and colouring matter:*  
Claim submitted by Poland for imports.

4. *Salicylic acid and its derivatives:*  
Claim submitted by Czechoslovakia for imports.

5. *Cattle and swine for slaughter and breeding:*  
Claim submitted by Czechoslovakia for imports.

(Signed) SCHULTHESS,  
Federal Department of Public Economy.

United States of America.

LETTER TO THE SECRETARY-GENERAL FROM THE LEGATION OF THE UNITED STATES OF AMERICA  
AT BERNE, DATED APRIL 28TH, 1928.

.....

The Government of the United States is greatly disappointed to note the number and extent of the exceptions requested by the signatory States and considers that such extensive exceptions are clearly contrary to the spirit and purpose of the Convention. Acceptance of the exceptions claimed would detract very materially from its usefulness if not tend to render it nugatory. Furthermore, the Government of the United States regrets to find in certain of the declarations and observations presented a disposition to prepare the way for subsequently claiming additional exceptions.

The observations and communications of a number of Governments indicate a tendency to claim for their own part the right to make exceptions that may be admitted in favour of other Governments. Accordingly, exceptions specified by particular countries have to be considered not merely in relation to the foreign commerce of those countries in the articles in question but rather in the light of the possible effect of the general application of such exceptions by other countries as well.

The Government of the United States is strongly of the opinion that every effort should be made to dispense with exceptions, and in principle is not disposed to agree to exceptions under the terms of Article 6 of the Convention unless it clearly appears that such exceptions would not be contrary to the spirit and purpose of the Convention. The Government of the United States therefore reserves the right to object at the appropriate time to any or all of the exceptions specified or desired by the signatory States.

(Signed) Hugh R. WILSON.

---

Geneva, May 22nd, 1928.

**LEAGUE OF NATIONS**

**PROTOCOLS**

**CONCERNING THE EXPORT OF HIDES, SKINS AND BONES, DRAWN UP BY THE  
MEETING OF REPRESENTATIVES OF STATES INTERESTED,  
HELD AT GENEVA FROM MARCH 14th TO 16th, 1928.**

**DECISIONS COMMUNICATED BY THE GOVERNMENTS  
WITH REGARD TO THE AGREEMENT FORESEEN  
BY THESE PROTOCOLS**

*Note by the Secretary-General.*

In accordance with the terms of the two Protocols concerning the export of hides, skins and bones, signed at Geneva on March 16th, 1928, the States represented at the meeting at which these Protocols were drawn up<sup>1</sup>, were requested to inform the Secretary-General, before May 15th, 1928, of the decisions taken by them regarding the agreement foreseen by the said Protocols. The other States signatories to the Convention of November 8th, 1927, for the abolition of import and export prohibitions and restrictions<sup>2</sup> were also requested, in conformity with the wish expressed at the above-mentioned meeting, to adhere to the agreement envisaged by the Protocols.

Up to May 22nd, 1928, the Governments of the following States have communicated their decision to the Secretary-General, viz.:

- |                |             |
|----------------|-------------|
| Austria        | India       |
| Belgium        | Italy       |
| Czechoslovakia | Netherlands |
| Denmark        | Norway      |
| Finland        | Portugal    |
| France         | Roumania    |
| Germany        | Sweden      |
| Hungary        | Switzerland |

Their replies are reproduced below.

**Austria.**

**LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE AUSTRIAN FEDERAL  
CHANCELLERY ON APRIL 28TH, 1928.**

*[Translation.]*

The Federal Government is prepared to conclude an agreement regarding the export of hides and skins, and an agreement regarding the export of bones, based in substance on the provisions of the Protocols signed at Geneva on March 16th, 1928.

Austria's acceptance is contingent, in the case of the agreement regarding the export of hides and skins, on acceptance by Czechoslovakia, Germany, Hungary, Italy and the Kingdom of the Serbs, Croats and Slovenes; and, in that of the agreement regarding the export of bones, on acceptance by Czechoslovakia, Germany, Hungary and Italy.

The Federal Government desires further to submit the following observations:

\* Under the terms of the Protocol regarding the export of hides and skins, the contracting States undertake not to render the export of hides, skins or pelts subject to any prohibition or

<sup>1</sup> Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Hungary, Italy, Netherlands, Poland, Roumania, Kingdom of the Serbs, Croats and Slovenes.

<sup>2</sup> Bulgaria, Egypt, Estonia, Finland, Great Britain, Japan, Latvia, Luxemburg, Norway, Portugal, Siam, Sweden, Switzerland, United States.

restriction and not to maintain or establish any export duty on such products. On the other hand under the terms of the Protocol regarding the export of bones, the contracting States, while undertaking, it is true, not to render the export of glue-stock hide subject to any prohibition or restriction, recognise the right to maintain or establish on such exported products an export duty not exceeding three gold francs.

As the result of this provision, the leather industry, which, after the abolition of the export prohibition, would no longer be the sole consumer of the Austrian hides and skins output, would be penalised as regards the utilisation of glue-stock hide, an important waste product. If, in order to remedy the situation, a State exempts this product from export duties, it has no guarantee, under the present terms of the Protocols, that the other signatory States will do the same. Should glue-stock hide be exempted from export duties in one State but not in others, the glue industry in the first State might find itself in difficulties, as there would be the risk of the glue-stock hide in the country being bought by foreign manufacturers, while purchases on foreign markets would have to pay the export duties levied in those countries.

In order to obviate all these drawbacks, the Federal Government proposes that the agreement to be based on the two Protocols of March 16th, 1928, should be supplemented by a further agreement under which all the contracting States would undertake simultaneously to abolish the export duties on glue-stock hide. It is understood that this would not in any way affect the agreement, in the matter of the export duties on bones and other articles enumerated in Article 1 of the Protocol regarding the export of bones.

The Federal Government is of opinion that its proposal might be put into effect by the introduction of a relevant clause into Article 2 of the Protocol regarding the export of bones, which might read as follows:

“ The contracting States reciprocally agree to recognise the right to maintain or establish, on exported products enumerated in the preceding article, *with the exception of glue-stock hide*, an export duty not exceeding three gold francs per hundred kilogrammes, etc., etc. ”

*For the Federal Chancellor,*  
*(Signed) SCHÜLLER.*

**Belgium.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON  
MAY 7TH, 1928.

[*Translation.*]

.....

The Belgian Government accepts the drafts prepared by the meeting of representatives of States interested, which was held at Geneva from March 14th to 16th, 1928, with the object of establishing the bases of an agreement regarding the export of hides, skins and bones.

The Royal Government would, however, be bound to make its signature of any agreement based on those drafts conditional upon the engagements involved thereby being at the same time entered into by the countries most closely interested in the question.

*(Signed) HYMANS.*

**Czechoslovakia.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON  
MAY 12TH, 1928.

[*Translation.*]

.....

The Czechoslovak Government is prepared to conclude agreements based substantially on the provisions contained in the Protocols regarding the export of skins, hides and bones, drawn up at the meeting of the representatives of the States concerned, held at Geneva from March 14th to 16th, 1928, on condition, however, that the results of the meeting are accepted by Austria, Hungary, Italy, Poland, Roumania and the Kingdom of the Serbs, Croats and Slovenes.

*For the Minister for Foreign Affairs,*  
*(Signed) M. BOŽINOV.*

**Denmark.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE DANISH LEGATION AT BERNE  
ON MAY 14TH, 1928.

[*Translation.*]

.....

There is no obstacle to the Royal Government accepting the Protocols, provided that they receive general approval and that the countries with which Denmark maintains her principal economic relations in this field are also willing to accede.

*(Signed) Gustav RASMUSSEN.*

**Finland.**

LETTER TO THE SECRETARY-GENERAL FROM THE FINNISH MINISTER FOR FOREIGN AFFAIRS  
ON MAY 11TH, 1928.

.....

The Finnish Government, in accordance with the decision taken to-day, has declared itself ready to accede to the agreements mentioned in your Circular Letter 54.1928.II, with regard to the abolition of export prohibitions for skins, hides and bones.

The Finnish Government has, however, thought it necessary to take advantage of the reservations mentioned in the Geneva Protocols of March 16th, 1928, with regard to the export of skins, hides and bones. It has therefore made its acceptance of the agreements dependent on that of certain other European countries specially interested in the question, viz., Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Greece, Hungary, Italy, Netherlands, Poland, Roumania, and the Kingdom of the Serbs, Croats and Slovenes.

(Signed) J. E. SUNILA,  
Prime Minister,  
//. Minister for Foreign Affairs.

**France.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS  
ON MAY 14TH, 1928.

[Translation.]

.....

The French Government accepts the draft agreement, the main principles of which are indicated in the two Protocols.

For the Minister,  
(Signed) R. MASSIGLI,  
Head of the French League of  
Nations Service.

**Germany.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS  
ON MAY 9TH, 1928.

[Translation.]

.....

The German Government has examined the contents of the two Protocols and is prepared in due time to conclude an agreement based upon these Protocols, provided that those Governments whose representatives signed them are similarly disposed.

(Signed) KÖPKE.

**Hungary.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTRY OF FOREIGN AFFAIRS,  
DATED MAY 2ND, 1928.

[Translation.]

.....

The delegates to the International Conference for the Abolition of Export Prohibitions on Hides, Skins and Bones, held in March last at Geneva, undertook to request their respective Governments to inform you before May 15th next of their decisions regarding the agreements the bases of which are indicated in the two Protocols established by the Conference.

In view of the fact that the Hungarian delegate signed the two Protocols, I have the honour to inform you that the Hungarian Government accepts without comment the provisions of the Protocol regarding the export of hides and skins, but that its signature and ratification of the agreement based on those provisions is conditional upon the agreements being also signed and ratified by Austria, Czechoslovakia, Germany, Roumania and the Kingdom of the Serbs, Croats and Slovenes.

The Hungarian Government likewise accepts the provisions of the Protocol regarding the export of bones. It desires, however, to point out that the agreement to be concluded on the basis of those provisions — Hungary's signature and ratification of which agreement will be conditional upon those of Austria, Czechoslovakia, Italy, Poland and Roumania — should leave every contracting State the option of resuming, within six months after denouncing the agreement, its freedom of action in regard to the rate of export duties, in case the Conference, which in accordance with the aforesaid Protocol is to meet with the object of proceeding after two years to abolish all export duties or reduce the maximum rate, should reach a majority decision regarded by such State as conflicting with its interests.

•  
For the Minister,  
(Signed) KHUEN HEDERVÁRY.

**India.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE INDIA OFFICE ON MAY 11TH, 1928.

As India has become a signatory of the Convention for the Abolition of Import and Export Prohibitions and Restrictions, the Secretary of State has consulted the Government of India in the expectation that the other signatories would desire to know the views held on behalf of India on the subject of the Protocols regarding the export of hides, skins and bones.

The Secretary of State and the Government of India attached great importance to the declaration contained in Article 5, paragraph 1 of the Final Act of the Convention for the Abolition of Prohibitions, in which the Conference declared that the Convention did not affect the tariff systems in the participating countries. Although the Chairman of the Conference on Hides, Skins and Bones has stated that it was not the intention of the Hides Conference to create a precedent or to invalidate this declaration, it is difficult to see how the Protocols can fail to have this result. There has been considerable controversy in the Indian Legislature on the subject of the existing export duty on hides, and the Legislature has already on one occasion declined to assent to its abolition. In these circumstances, the eventual ratification by India of the Convention on Prohibitions and Restrictions would be gravely compromised if that Convention involved any obligation extending beyond the range of import and export prohibitions and restrictions.

I am accordingly directed to inform you that India cannot accede to the Protocols on hides, skins and bones in their present form.

(Signed) E. J. TURNER.

**Italy.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON APRIL 20TH, 1928.

[Translation.]

The Royal Italian Government has taken note of the Protocols regarding the export of hides, skins and bones which were communicated by the Secretariat in document C.149.M.39.1928.II, and desires to submit the following observations:

1. As regards the export of hides and skins, the Royal Government, in conformity with the principles followed at the Conference for the Abolition of Prohibitions, declares its readiness to accept the proposed agreement, which provides for the total abolition of export prohibitions on hides and skins and, at the same time, makes it incumbent on the different States not to maintain or establish any duty or charge in respect of such exports.

The Italian Government considers that exemption from all export duties, together with the abolition of the prohibition, gives the countries concerned an absolute guarantee as regards the restoration of freedom of trade for these important raw materials.

While declaring its acceptance of the agreement, the bases of which are laid down in the Protocol, the Italian Government desires, however, to make the following remarks:

From the statistics for Italy's foreign trade in the matter of hides and skins, it is abundantly clear that, in relation to the other countries represented at the meeting on March 14th to 16th last, and indeed to the majority of European countries, Italy is in the position of a supplier rather than a buyer of these raw materials. Both before the war, when trade was unrestricted, and since the war, under the system of partial restrictions, Italy has supplied large quantities of raw hides and skins to many European countries, receiving far smaller quantities from them in return. She has always obtained, and still obtains, her own principal supplies from non-European countries, such as the Argentine, Uruguay, China, Australia, India, etc.

This being the position, it is clear that the agreement will not provide Italy with a really concrete guarantee — nor compensate her adequately for the loss to her tanning industry involved by the relinquishment of the prohibition—unless it is accepted not only by the different European States concerned, but also by the countries from which Italy obtains her chief supplies.

The Royal Government has, however, no wish to obstruct the work of the League in the matter under consideration, and accordingly does not propose to make her accession conditional on the acceptance of the agreement by all the above-mentioned countries. Italy's adhesion will be made contingent on that of the following States only:

- (a) Countries represented at the meeting on March 14th to 16th, 1928;
- (b) Albania, Bulgaria, Greece, Switzerland, Spain, Turkey, the Baltic States (Estonia, Latvia, Lithuania);
- (c) Egypt, Tunis, United States, Australia, India.

2. In the matter of the Protocol regarding the export of bones, however, the Italian Government is obliged, to its regret, to come to a different conclusion. While recognising that the solution embodied in this Protocol represents an inevitable compromise between the divergent views expressed at the meeting on March 14th to 16th, the Italian Government desires to point out that

the proposed agreement, in that it recognises the right—after the abolition of the prohibition—to maintain an export duty not exceeding three gold francs per hundred kilogrammes, is not calculated to ensure between the different countries concerned that equality of conditions which would appear to be essential for a multilateral agreement of this nature.

Certain countries, including Italy, impose extremely low duties on the export of bones, and do not intend to (or, in view of undertakings in bilateral agreements, cannot) increase those duties, and the fact of other States maintaining or establishing duties up to the high percentage of the value of the goods provided for in the Protocol might mean that, while for the first-mentioned States there would be a real and complete abolition of the export prohibition, in the case of the second such abolition would be—to a large extent—fictitious.

Further, even under the system of freedom of trade, Italy experiences considerable difficulties in obtaining foreign bones, owing to the distance between the factories which employ these raw materials and the big meat-consuming centres abroad, and to the heavy costs of transport entailed for foreign goods. Hence, even if a multilateral agreement were concluded providing for the total abolition of prohibitions and export duties on these commodities, the potential export of Italian bones would probably exceed the foreign supplies obtainable by the Italian factories. This natural inequality would be very much accentuated if a relatively high duty were imposed on the foreign goods, thus putting up prices to the detriment of Italian factories desirous of buying abroad.

In these circumstances, the Italian Government, should it agree to the levying of export duties up to the amount mentioned in the Protocol, must reserve full liberty of action as regards the possible maintenance of the prohibition on bones, if it considers that other countries have not fulfilled the conditions of reciprocity which are for Italy an essential condition for the abolition of the prohibition.

Being desirous, however, of investigating any means which might assist the purpose of the Convention concerning prohibitions, the Royal Government requests the Secretariat to consider whether it might not be expedient—at the meeting referred to in the Protocol to discuss the situation created by the declarations of the different Governments—to examine the possibility of an agreement framed on new lines, which would prove more effectual in abolishing the restrictions and obstacles to trade in the raw materials under discussion.

(Signed) GRANDI,  
Under-Secretary of State.

**The Netherlands.**

(a) TELEGRAM ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON MAY 15TH, 1928.

[Translation.]

Regarding the question of the export of hides and skins, the Netherlands Government entirely approves the conclusion of an agreement on the bases of the Protocol. Regarding the question of the export of bones, the Netherlands Government is prepared to adhere to an agreement on the bases of the Protocol if such agreement is accepted by Belgium, France and Germany, and if a clause is inserted providing for the possibility of renouncing in advance the option of introducing export duties. Such a clause might facilitate additional arrangements between countries not at present applying export prohibitions or duties and desiring to renounce, while the agreement is in force, any restriction in the form of export duties. Letter follows. — BEELAERTS.

(b) LETTER ADDRESSED TO THE SECRETARY-GENERAL FROM THE MINISTRY OF FOREIGN AFFAIRS, DATED MAY 15TH, 1928.

As regards the question of the export of hides and skins, the Netherlands Government entirely approves the conclusion of an agreement on the bases of the Protocol.

As regards the question of the export of bones, the Netherlands Government is prepared to accede to an agreement concluded on the bases of the Protocol if, in the first place, the agreement is accepted by France, Belgium and Germany, and if, in the second place, a clause is inserted providing for the possibility of renouncing in advance the option of establishing an export duty. Such a clause might facilitate an arrangement between countries in which export prohibitions and export duties do not at present exist or are not in practice enforced, with a view to abstaining from any export restriction in the form of an export duty as long as the agreement is in force.

For the Minister,  
(Signed) A. M. SNOUCH HURGRONJE,  
The Secretary-General.

Norway.

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON MAY 12TH, 1928.

[Translation.]

The Royal Government would be prepared — should occasion arise — to adhere to the two Protocols regarding the export of hides, skins and bones.

For the Minister,  
(Signed) Aug. ESMARCH.

Portugal.

TELEGRAM ADDRESSED TO THE SECRETARY-GENERAL BY THE PORTUGUESE MINISTER AT BERNE ON MAY 14TH, 1928.

[Translation.]

In accordance with my Government's instructions, I have the honour to inform you that Portugal, for imperative reasons of defence of its national economy, cannot accede to the two Protocols concerning the export of skins, hides and bones. — Bartholomeu FERREIRA, Portuguese Minister.

Roumania.

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE ROYAL ROUMANIAN LEGATION, ACCREDITED TO THE LEAGUE OF NATIONS, ON MAY 18TH, 1928.

[Translation.]

In accordance with the view expressed at the Geneva International Conference of October 17th to November 8th, 1927, Roumania is, in principle, in favour of the abolition of import and export prohibitions. She applied this policy even before the meeting of the International Conference, and she signed the International Convention of November 8th, 1927, for the abolition of import and export prohibitions and restrictions.

In accordance with this policy, Roumania has permitted the free exportation of raw hides and skins since 1924, and she is also prepared to abolish the prohibition on raw bones if a majority of the countries which retain this prohibition are willing to abandon it.

Roumania has therefore no objection to Article 1 of the Protocol regarding the export of bones, or to Article 1 of the Protocol regarding the export of hides and skins, both of which Protocols were drawn up by the Conference in March 1928.

As Roumania holds that these agreements come within the general scope of the International Conference of October 17th to November 9th, 1927, and within that of the International Convention of November 8th, 1927, which led to these agreements being framed, and as the sole purpose of the Conference and the Convention was to secure the abolition of import and export prohibitions and restrictions, Roumania, in conformity with the declarations previously made, does not feel that she can accede to an international agreement which, while abolishing prohibitions and restrictions, establishes, in addition, a system of export duties for certain commodities. Accordingly, she cannot accede to Article 2 of the Protocol regarding the export of hides and skins, or to Article 2 of the Protocol regarding the export of bones, or to the other articles connected with Article 2 in the two Protocols.

In making this declaration Roumania has, as regards these commodities, no intention whatever of maintaining in a disguised form, by means of excessive export duties, the prohibitions which have been abolished; she merely desires to retain full liberty with a view to arriving at a normal situation by the progressive reduction of export duties, a course which she has, moreover, pursued in the case of other raw materials.

(Signed) ANTONIADE.

Sweden.

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE MINISTER FOR FOREIGN AFFAIRS ON MAY 8TH, 1928.

[Translation.]

The Royal Government entirely approves the provisions of the Protocols, and is accordingly quite prepared to accede to the agreements which may be concluded on the bases thereof.

(Signed) E. LÖFGREN.



**Switzerland.**

LETTER ADDRESSED TO THE SECRETARY-GENERAL BY THE FEDERAL  
POLITICAL DEPARTMENT ON MAY 14TH, 1928.

[Translation.]

.....

It appears from the report submitted to the Council of the League by M. D. Serruys, Chairman of the meeting of these delegates held at Geneva from March 14th to 16th, that, in their opinion, it would be desirable to invite the other States signatories of the Convention of November 8th, 1927, to accept the agreements embodied in the two Protocols. You accordingly requested the Federal Council to inform you whether it was prepared to accede to the proposed agreements.

We are directed by the Federal Council to define as follows its attitude in regard to the two Protocols submitted by you.

The Federal Council is prepared to accept the Protocol regarding the export of hides and skins.

• It cannot, however, accept the Protocol regarding the export of bones, for the following reasons:

While noting with great satisfaction that the Conference of March 14th has decided upon the abolition of all prohibitions or restrictions, under whatever form or denomination, on the export of raw or dried bones, the Federal Council regrets that the Conference did not also see its way to provide for the immediate abolition of export duties on those products. Inasmuch as it recognises the right of the States concerned to maintain an export duty not exceeding three gold francs per 100 kilogrammes on bones, the Conference is willing to allow a duty equivalent to 25 per cent *ad valorem* to be imposed on a raw material. The Federal Council holds that such a tariff imposition is insupportable. In its opinion, it would be desirable for the States concerned to come to an arrangement in the near future for the complete abolition of export duties on bones.

Further, the settlement proposed at Geneva covers not only bones but glue-stock hide. At present, however, few countries interfere with the export of this commodity, and in many cases the introduction of an export duty would make the situation worse instead of better. There is even less justification for a duty of three gold francs on glue-stock hide than on bones, since, in the former case, it represents a tariff incidence of 35 per cent of the value.

For the above reasons the Federal Council feels bound to refuse its accession to the Protocol of March 16th, 1928, regarding the export of bones.

(Signed) MOTTA,

*Federal Political Department.*

---

Geneva, May 21st, 1928.

LEAGUE OF NATIONS

**Eighteenth Quarterly Report of the Refugee  
Settlement Commission**

Athens, May 14th, 1928.

FINANCIAL SITUATION

A. SITUATION ON MARCH 31ST, 1928.

*Liabilities:*

	£	s.	d.
Proceeds of the 7% 1924 Loan . . . . .	9,970,016	6	9
Proceeds of the 6% 1928 Loan . . . . .	499,759	17	0
Contributions of the Greek Government for the purchase of cereals in 1924 . . . . .	219,619	13	0
Receipts (interest, etc.) . . . . .	329,335	9	4
Bonds deposited by refugees as security for their debts . . . . .	144,425	0	0
Commitments . . . . .	167,320	5	10
Various <i>per contra</i> accounts . . . . .	350,001	3	11
	£11,680,477	15	10

*Assets:*

Balances available at Bank and Head Office. . . . .	1,260,442	12	6
Bonds deposited . . . . .	144,425	0	0
Recoverable advances. . . . .	4,164	9	9

*Expenditure:*

*Agricultural Settlement:*

	£	s.	d.	£	s.	d.
Establishment ex- penses . . . . .	7,723,010	12	4 1/2			
General expenses . . . . .	753,915	16	6 1/2			
				8,476,926	8	11

*Urban Settlement:*

Establishment ex- penses . . . . .	1,153,582	10	4			
General expenses . . . . .	21,375	19	9			
				1,174,958	10	1

*Central Administration:*

General charges . . . . .	139,386	7	0			
Furniture and fittings . . . . .	23,610	5	1	9,814,881	11	1
Sums applied to redemption of the 7% 1924 Loan . . . . .				106,562	18	7
Various <i>per contra</i> accounts . . . . .				350,001	3	11
Total . . . . .				£11,680,477	15	10

The following notes facilitate the reading of this balance-sheet.

LIABILITIES.		£	s.	d.
<i>Proceeds of the 6% 1928 Loan</i>		499,759	17	0

In accordance with the Protocol signed at Geneva on September 15th, 1927, the Hellenic Government was enabled to contract a loan of £9,000,000 for the purpose of stabilising the Greek currency, liquidating the budget arrears of the Hellenic State and continuing the work of the establishment of the refugees.

With this object, in February 1928, the Government, through the intermediary of the Hambro and Speyer Banks, raised a 6% Loan for £4,070,960 and \$17,000,000 (approximately £6,500,000). The equivalent of the other £2,500,000, in accordance with the Agreement concluded between the Hellenic Government and the Government of the United States of America dated January 18th, 1928, will be furnished by the latter by a loan of \$12,167,000 at 4 per cent.

The total sum destined for the establishment of the refugees is £3,000,000, of which £500,000 (*i.e.*, £266,666 and \$1,137,498) is to be charged against the proceeds of the £6,500,000 Loan, and the remainder against the proceeds of the American Loan, which, in virtue of Article 6 of the Agreement mentioned above, is to be devoted in its entirety to the establishment of the refugees.

The first sum of approximately £500,000 was paid to the Commission by the Hambro and Speyer Banks during the months of February and March, *i.e.*, £266,666 by Hambros Bank and \$1,137,498 by Speyer & Co. These two sums added together produce the amount mentioned above of £499,759 17s., dollars having been converted into £ sterling at the rate of \$4.88.

With regard to the proceeds of the American Loan of \$12,167,000, these have not as yet been paid to the Commission, in view of the fact that the Agreement relating thereto must previously be ratified by the American Congress (it has already been ratified by the Greek Chamber). This Agreement has already been transmitted by a Note of the President of the United States dated February 6th, 1928, to Congress, and has been examined by the Ways and Means Committee of the House of Representatives, which has pronounced favourably upon it. Although everything would point to an early ratification, it is not possible to state with absolute certainty when the funds in question will be placed at the disposition of the Commission.

	£	s.	d.
<i>Receipts</i>	329,335	9	4

The analysis of this heading is as follows :

	£	s.	d.
Interest on balances	252,752	5	2
Caution money forfeited.	8,652	10	4
Various receipts	10,792	6	4
Share of the Refugee Settlement Commission in the payments by refugees (25 per cent of capital repayments and 100 per cent of the payments of interest)	57,138	7	6
	<hr/>		
	329,335	9	4

By the agreement concluded between the Government and the Commission in September 1927, the Commission undertook that the income resulting from payments by the refugees, other than the 75 per cent of same paid to the International Financial Commission for the extraordinary amortisation of the 7% 1924 Loan, would in the future be employed for the ordinary service of the same loan, in accordance with Article 16 of the Organic Statutes, excepting in the case of unforeseen accident, when the Commission might be called upon to use this income to meet extraordinary expenditures unforeseen in its budget.

Unfortunately, various disasters (drought, hail, plague of grasshoppers, floods, etc.) affecting many districts in Macedonia during the last six months have obliged the Commission to take advantage of its right to use this income, in view of the fact that neither the Government nor the Commission possessed any other funds with which to help the stricken refugees.

Consequently, while the income in question received since the conclusion of the said Agreement only amounts to £25,070, the extraordinary credits available for unforeseen expenditure amounted to £45,143, viz :

	£	s.	d.
Purchases of seed, etc., for those districts in Macedonia attacked by drought and hail	28,000	0	0
Subsidies to districts whose crops were ruined by floods	17,143	0	0
	<hr/>		
Total	£45,143	0	0

To this amount must be added the sum of 3,500,000 drachmas (£10,000) employed for the organisation of the service of the indemnification of agricultural refugees, undertaken by the Commission for the account of the Government, the cost of which, at the special request of the Government, is to be charged against the receipts in question. This expenditure will later be covered by the proceeds of a special tax levied on those refugees to be indemnified.

*Bonds deposited by the refugees in provisional account as security for their debts* . . . . .

	£	s.	d.
	144,425	0	0
Bonds of the 6% 1923 Loan for the indemnification of immigrants from Bulgaria, 30,838,000 drachmas . . . . .	77,095	0	0
Bonds of the 8% 1926 Loan for the indemnification of exchangeable refugees from Turkey, 26,932,000 drachmas . . . . .	67,330	0	0
(Converted on the basis of £2 10s. per 1,000 drachmas.) . . . . .	£144,425	0	0
<i>Commitments</i> . . . . .		£167,320	5 10
(a) Share of the International Financial Commission (75 per cent) of repayments of capital by refugees and 100 per cent of the proceeds of sales to non-refugees . . . . .	106,562	18	7
(b) Rents to be refunded . . . . .	3,538	5	9
(c) Caution money and sundry creditors . . . . .	57,219	1	6
<b>Total</b> . . . . .	167,320	5	10

ASSETS.

	£	s.	d.
<i>Balances available</i> . . . . .	1,260,442	12	6

By balances available we mean the sums which still remain at our disposal at banks and at the Head Office. Naturally, these do not refer to balances available in the budgetary meaning of the word, all the available balances of the Commission being already engaged in order to meet various credits opened.

	£	s.	d.
<i>Bonds deposited</i> . . . . . (See analysis above, "bonds deposited by refugees," etc.)	144,425	0	0
<i>Sums applied to extraordinary amortisation of the 7% 1924 Loan</i> . . . . .	106,562	18	7

This sum represents 75 per cent of the capital repayments made by the refugees, in addition to the whole of the sums collected from non-refugees for the value of land sold. The following analysis shows the detail :

	£	s.	d.
Payments by refugees . . . . .	105,921	0	0
Payments by non-refugees . . . . .	641	18	7
	£106,562	18	7

<i>Various per contra accounts</i> . . . . .	350,001	3	11
Value of buildings made over by the Caisse d'Assistance . . . . .	321,251	13	2
Sums to be derived from the sale of urban property . . . . .	28,134	0	7
State debtors . . . . .	95	14	3
Various deposits . . . . .	519	15	11
	£350,001	3	11

B. BUDGET FOR THE YEAR 1928.

When the budget for the new financial period was under consideration, the Commission found itself in a difficult position by reason of the fact that the supplementary funds resulting from the American Loan (to be concluded) of \$12,167,000 (or £2,500,000) had as yet not been made available.

It is evident that, since the loan in question had not as yet been effectively contracted, it was not possible for the Commission to commit itself to expenditure over and above its available funds.

Consequently, the Commission was obliged to draw up two budgets, one provisional, with a programme within the limits of the effective balances in its hands, the other with a comprehensive programme the execution of which is subject to the realisation of the \$12,167,000 Loan.

The provisional budget allows for new credits up to an amount of £948,000 (£500,000 of the supplementary Hambro-Speyer Loan and £448,000 balance outstanding of the old loan), which is to be applied as follows :

	Drachmas
1. General expenses, Central Administration (for one year) . . . . .	13,300,000
2. Agricultural establishment . . . . .	245,000,000
3. Urban establishment . . . . .	73,500,000
Or, converted at the rate of 350 drachmas £948,000. . . . .	331,800,000

The detailed analysis of the credits granted to the agricultural establishment is as follows :

	Macedonia Drachmas	Thrace Drachmas	Old Greece Epirus, Crete, etc. Drachmas	Total Drachmas
I. Animals . . . . .	39,000,000	2,300,000	14,950,820	56,250,820
II. Houses . . . . .	35,000,000	2,000,000	8,687,286	45,687,286
III. Agricultural imple- ments . . . . .	2,000,000	1,950,000	3,299,600	7,249,600
IV. Loans in kind . . . . .	41,000,000	550,000	11,265,600	52,815,600
V. Public utility works . . . . .	17,500,000	11,100,000	8,370,944	36,970,944
VI. General expenses . . . . .	32,000,000	3,500,000	4,375,750	39,875,750
VII. Health . . . . .	5,000,000	—	—	5,000,000
VIII. Reserve for unfore- seen expenditure . . . . .	—	1,000,000	150,000	1,150,000
<b>Total . . . . .</b>	<b>171,500,000</b>	<b>22,400,000</b>	<b>51,100,000</b>	<b>245,000,000</b>

The following credits have been approved for the urban settlement :

I. New constructions :		Drachmas	Drachmas •
Houses		2,062,500	
Livadia . . . . . 55 . . . . .		1,687,500	
Carditsa . . . . . 45 . . . . .		11,250,000	
Patras . . . . . 300 . . . . .		3,750,000	
Pyrgos . . . . . 100 . . . . .		2,362,500	
Argos . . . . . 63 . . . . .		11,100,000	
Salonika . . . . . 300 . . . . .		1,875,000	
Chryssopolis . . . . . 50 . . . . .		3,750,000	
Pravi . . . . . 100 . . . . .		3,750,000	
Caterini . . . . . 100 . . . . .		5,625,000	
Verria . . . . . 150 . . . . .		2,925,000	
Alexandropolis . . . . . 78 . . . . .		3,870,000	
Florina . . . . . 100 . . . . .		1,125,000	55,132,500
Canea . . . . . 30 . . . . .			
2. Administrative expenses (salaries, travelling expenses, etc.) . . . . .			4,091,000
3. Upkeep of quarters and works . . . . .			2,505,000
4. Public utility works . . . . .			4,235,000
5. Survey of refugee quarters in Thrace . . . . .			125,000
6. Unforeseen expenses . . . . .			1,294,000
			<b>67,382,500</b>

There remains a balance of 6,117,500 drachmas, the allocation of which has not yet been determined.

The general budget, the execution of which, as has already been seen, is conditional upon the realisation of the \$ 12,167,000 (£2,500,000) Loan, is based on a programme for two years (1928 and 1929) for both the agricultural and urban settlements. We give below details of the receipts and expenditure foreseen as finally approved.

**BUDGET OF THE REFUGEE SETTLEMENT COMMISSION FOR THE FINANCIAL PERIOD 1928-29.**

*Receipts.*

(On a basis of 350 drachmas to the £.)

I. Balance of the 7% 1924 Loan on December 31st, 1927 :		
(a) Funds deposited with the National Bank of Greece, the Bank of England and the Head Office of the Refugee Settlement Commission . . . . .	£	£
	1,040,309	
(b) Cash in provincial bureaux . . . . .	<u>137,005</u>	1,177,314
II. Recoverable advances . . . . .		5,293
III. Supplementary 1928 Loan . . . . .		3,000,000
IV. Interests and sundries . . . . .		100,000
V. Receipts to be applied in accordance with Article 18 of the Bankers' Agreement and Article 16 of the Organic Statutes :		
(a) Payments by refugees . . . . .		(See note <sup>1</sup> )
(b) Dime for 1926 : 53,000,000 drachmas . . . . .		150,000 *
(c) Dime for 1927 . . . . .		(See note <sup>2</sup> )
		<u>£4,423,607</u>

<sup>1</sup> 75 per cent of capital repayments are paid to the International Financial Commission for extraordinary amortisation of the 7% 1924 Loan. The remaining 25 per cent of these repayments, as also the total amount of the payment of interest, has to be paid to the International Financial Commission for the ordinary service of the same loan, subject to the conditions of Article 16 of the Organic Statutes. In view of the fact that the majority of these payments are made in 6% and 8% Bonds the amortisation period of which has not yet been fixed, no definite estimate of these collections is, for the moment, possible.

\* In accordance with the Agreement concluded at Geneva in September 1927, the amount of this dime will be paid by the Government to the Refugee Settlement Commission from the proceeds of the £3,000,000 Loan destined to the liquidation of the floating debt; the Refugee Settlement Commission will then pay this over to the International Financial Commission for the ordinary service of the 7% 1924 Loan, subject to the conditions of Article 16 of the Organic Statutes.

<sup>2</sup> The amount is not yet known. The proceeds of this dime will be used in accordance with the provisions of Article 16 of the Organic Statutes.

BUDGET OF THE REFUGEE SETTLEMENT COMMISSION FOR THE FINANCIAL PERIOD 1928-29.

*Expenditure.*

		(On a basis of 350 drachmas to the £.)		£
I.	Credit balances of the 1927 Budget :	208,701,527.00	drachmas	596,290
II.	Recoverable advances			62,632
<i>New Credits, 1928.</i>				
III.	General administration, 1928-29 :	26,600,000	drachmas	76,000
		£		
IV.	Industries :			
	(a) Carpets	100,000		
	(b) Arts and crafts	28,570		128,570
<hr/>				
V.	Reserves :			
	(a) General expenses (1930)	100,000		
	(b) Unforeseen (1928-29)	149,115		
<hr/>				
VI.	Construction of roads, Trans-Nestos :	52,500,000	drachmas	249,115
VII.	Agricultural establishment :	682,500,000	drachmas <sup>1</sup>	150,000
VIII.	Urban establishment :	374,500,000	drachmas	1,950,000
				<hr/>
Total I—VIII.				£4,282,607
IX.	Receipts to be paid over to the International Financial Commission for the ordinary service of the 7% 1924 Loan, subject to the conditions of Article 16 of the Organic Statutes <sup>2</sup> .			150,000 <sup>3</sup>
				<hr/>
				£4,432,607

*Analysis of the Chapter "Agricultural Settlement".*

	Macedonia Drachmas	Thrace Drachmas	Old Greece Epirus, Crete, etc. Drachmas	Total Drachmas
I. Animals	120,600,000	10,275,000	29,173,725	160,048,725
II. Houses	62,000,000	6,000,000	52,110,493	120,110,493
III. Agricultural implements	9,000,000	1,950,000	4,799,953	15,749,953
IV. Loans in kind	49,000,000	2,700,000	18,594,014	70,294,014
V. Public utility works	86,900,000	28,075,000	17,258,815	132,233,815
VI. General expenses	109,800,000	13,000,000	17,413,000	140,213,000
VII. Reserve for unforeseen expenditure	42,200,000	1,000,000	650,000	43,850,000
<hr/>				
Total	479,500,000	63,000,000	140,000,000	682,500,000

Owing to the uncertainty which unfortunately still prevails with regard to the date of the ratification of the Greco-American Agreement by the American Congress, it is not yet possible to say when this programme can be put into execution. This delay is very regrettable from every point of view, for, on the one hand, the execution of urgent work and the furnishing of certain supplies for which the need was urgent and which should have been dealt with at the beginning of the year have had to be postponed, and, on the other hand, general expenses necessarily remain at a level which is out of all proportion to productive expenditure, owing to the fact that it is impossible for the Commission to proceed to a temporary reduction of its cadres or to the dissolution of services which are necessary for the execution of its future programme. In view of the risk of an entire stoppage of works, which would certainly result in the early exhaustion of the credits of the provisional budget, the Commission was obliged to enter into negotiations with the Government for the grant of an advance of £1,000,000 on account of the future Loan of £2,500,000, in order to allow it to make commitments at once for work judged of the most pressing nature. The Government has considered this request favourably and has come to an understanding with the National Bank on the matter. It is to be hoped that the relevant agreement will be concluded in the course of this month.

C. COLLECTIONS.

• Collections credited during the three months January—March 1928 amount to :

- (a) In cash : £19,352 2s. 1d., of which sum £5,478 2s. 2d., (75 per cent of capital repayments) was paid to the International Financial Commission for additional amortisation of the 7% 1924 Loan;
- (b) In bonds : 15,229,000 drachmas or £38,072 10s. (at the rate of £2 10s. per 1,000 drachmas).

<sup>1</sup> Macedonia : 479,500,000 drachmas ; Thrace : 63,000,000 drachmas ; Old Greece, etc. : 140,000,000 drachmas.

<sup>2</sup> These receipts include the dime, the share of the Refugee Settlement Commission (25% cent) of the capital repayment made by refugees and 100 per cent of the payments of interest by refugees. No definite estimate of these two last amounts is possible for the present.

<sup>3</sup> This sum represents the amount of the dime collected in 1926.

The distribution of these payments between agricultural refugees, urban refugees and non-refugees is as follows :

	Agricultural refugees			Urban refugees			Non-refugees			Total		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
In cash . . .	13,537	1	11	5,807	10	2	7	10	0	19,352	2	1
In bonds . . .	32,293	15	0	5,778	15	0	—	—	—	38,072	10	1
Total . . .	45,830	16	11	11,586	5	2	7	10	0	57,424	12	1

(a) *Payments by agricultural refugees*<sup>1</sup> :

Payments made during the three months January to March amounted to 16,934,657 drachmas (in bonds and cash), an increase of 550 per cent in comparison with the collections of the corresponding quarter of the preceding year (3,295,484 drachmas). This increase is due to the fact that the number of refugees making payments has increased, their establishment having been meantime completed.

The following table compares the payments made between 1926 and 1927. Payments made during the latter year show an increase of 50 per cent.

Quarter	1926 Drachmas	1927 Drachmas
January—March . . .	726,444	3,295,484
April—June . . . . .	4,224,712	6,158,111
July—September . . . .	16,148,296	11,564,267
October—December . . .	3,563,783	15,161,959
	24,663,235	36,179,821

Owing to the fact that the year 1927 was not a particularly favourable one from an agricultural point of view, due to various disasters—drought, hail, etc.—which ruined the harvest of a large number of districts in Macedonia, the increase in collections noted for 1927 in comparison with the previous year must primarily be attributed to the facility granted to the refugees of making payments on account of their debts in 6% and 8% bonds, instead of in cash. The average price of the said bonds during the year in question was, for the 6% bonds, 500 drachmas and for the 8% bonds, 623 drachmas.

This method of payment is thus a considerable relief, of the advantages of which the refugees have not failed to avail themselves, by buying bonds on the market.

(b) *Payments by Urban Refugees.*

Payments made during the three months January—March 1928 amounted to 4,245,428 drachmas (in bonds and cash). Payments for the corresponding quarter of the previous year were 1,327,498 drachmas.

A comparison between payments made in 1926 and 1927 gives the following results : 1926, £35,754 ; 1927, £59,435.

A much larger increase in these receipts might have been expected were it not for the fact that a very large number of houses in all our quarters continue to remain unsold. Thus, in the five quarters of Athens, the Piræus and Eleusis, out of 10,734 houses, only 5,069 (or 47 per cent) have been sold up to the present time. The remainder are unsaleable for the moment, either because the houses are occupied by several families and it would therefore be necessary first of all to transfer the surplus families elsewhere before finding an owner for any particular house, or that the occupants of the houses are too poor to buy them. Amongst this latter class of refugees there are some who await the payment of their indemnities in order to be able to pay.

There are also a certain number of recalcitrants, against whom the Commission will be regretfully obliged to take action should they persist in their attitude.

With regard to the houses occupied by more than one family, the Commission's new programme allows for the construction of a certain number of houses, which will permit of the clearance of over-crowded houses, thus rendering them saleable.

D. VALUATION OF TURKISH AND BULGARIAN HOUSES.

The technical commissions appointed with the object of making a valuation of the Turkish and Bulgarian houses occupied by refugees are continuing their work.

This work was begun in May 1927. Up to April 11th, 1928, out of a total number of 65,113 houses, the commissions had made an estimation of 29,527 houses, the value of which amounts to £988,205, or an average of £33 10s. per house.

Each refugee whose house has been valued receives from the Commission a document recognising him as definite owner of the house. It has been proved—and this is one of the most satisfactory results of the work in question—that, as soon as they are in possession of their titles, the refugees begin to repair their houses, which were generally in very bad condition. This proves once again the economic advantage which is to be found in transferring as rapidly as possible to the refugees the possession of the lands and houses which they occupy.

<sup>1</sup> The figures are given in drachmas, payments actually being made in this currency.

#### E. INDEMNIFICATION OF URBAN REFUGEES EXCHANGED FROM TURKEY.

In our Sixteenth Report (Financial Situation, Section F), we gave details of the measures taken by the Government to indemnify the urban refugees, and we indicated that besides the first issue of bonds of 3,000 million drachmas, the Government would be obliged to make an additional issue to pay claims remaining in suspense.

A new Convention dated April 14th, 1928, has just been concluded between the Government and the National Bank of Greece authorising the latter to issue further 8% bonds for an amount of 3,000 million drachmas. These bonds, as well as those of the first issue, the service of which (interest and amortisation) is guaranteed by the State revenues, will have as cover<sup>1</sup> :

- (a) The exchangeable Mussulman properties already transferred to the Bank, the value of which was originally estimated at about 4,600,000,000 drachmas ;
- (b) Certain other Mussulman properties, of an estimated value of 320,000,000 drachmas ;
- (c) Sums to be paid eventually by refugees as amortisation of capital and interest of the supplementary loan of £3,000,000 ;
- (d) A portion of the Commission's properties in Crete, the value of which will be fixed by agreement between the Commission, the Government and the National Bank ;
- (e) The funds which will be eventually at the disposition of the State from the proceeds of the sale of urban quarters already constructed or to be constructed by it.

It should be noted that, in order that paragraph (c) may become effective, the application of Article 16 of the Organic Statutes of the Refugee Settlement Commission is necessary. As to paragraph (d), it should be noted that the agreement in question will in no case result in the cessation of the colonisation work in Crete.

#### F. AGRICULTURAL ESTABLISHMENT.

In the financial part of this report we gave the division of the sum of 245,000,000 drachmas to be employed for agricultural colonisation between Macedonia, Thrace and Greece, for the financial period of 1928. It is evident that this sum is quite insufficient to meet the immediate needs of the agricultural establishment.

As already explained above, the Commission felt it could not grant credits exceeding the amount of its available funds. Nevertheless, this situation would be relieved if, as we hope, the Commission obtains an advance of £1,000,000 from the State on account of the proceeds of the future loan. At the moment, this lack of funds is rendered more serious by the fact that an unexpected disaster has occurred, affecting a considerable portion of our colonisation work in Macedonia.

*The Floods in Macedonia.* — The winter of this year has been extremely severe throughout the whole of Greece. In February, and even in spring, there were heavy snowfalls, followed by a long period of bitter cold, which were experienced even in the southern provinces. Flooding of rivers occurred as a result of the torrential rains which followed the cold spell, the damage done being particularly serious in Macedonia. The Haliacmon flooded the plain of Gida as far as Lake Yenidjé ; the Axios a portion of the Salonika plain up to Yannitsa. The flooding of the Struma, the most considerable river, destroyed a large area of growing crops in the plains of Serres and Sidirokastro. The majority of the refugees affected will have no harvest, and it is doubtful whether they will be able to do their autumn sowings, their fields having been transformed into marshes. Besides this, large areas of pasture-land have been silted up and a very serious crisis threatens the stock belonging to the refugees.

According to the earliest information sent us from Macedonia, we learn that the rising of the rivers Haliacmon, Axios and Struma has caused damage amounting to the sum of 52,000,000 drachmas ; 75,000 stremmas of crops lost and 160 colonies affected in whole or in part. Our services are now obtaining exact information about the disaster, which will be given in our next report.

The floods which have occurred this year, which were far more serious than in previous years, have brought to their highest pitch the distress and discouragement of both the native and refugee populations of Macedonia. Feeling is high in the districts affected, and the inhabitants are demanding the execution of works for the regulation of the rivers in Macedonia, particularly the Struma.

The Government is at present examining various proposals submitted to it with this object in view, and it is believed that a rapid and satisfactory solution of this important question will soon be found. But even under the most favourable circumstances works of this order cannot be terminated before five years at least, and meanwhile the immediate future of our colonies which are affected by the disasters is a pressing problem.

We have already mentioned, in the financial portion of this report, the extraordinary credit voted by the Commission for the benefit of the stricken refugees.

Independently of the floods just mentioned, in many of our colonies, notably in those of western Macedonia, the live-stock of our colonists have suffered severely through the bad weather and the extreme cold in the past winter. The death rate, the extent of which cannot as yet be determined, was very high.

<sup>1</sup> The present price of bonds of the first issue is 777 drachmas.



*Survey.* — In our last report we gave an account of our negotiations with the Minister of Agriculture with regard to the execution of the survey. Formal co-ordination of the topographical services of the Agricultural Department with our departments has not yet been realised; nevertheless, both the *équipes* of the Ministry and those of the Commission (the latter having been considerably increased) work in very close co-operation with each other. In spite of the very difficult winter and the floods, which lasted well into the spring, the work of surveying has continued as normally as possible, thanks to the devotion and perseverance shown by our *équipes*. The summer season, now beginning, will permit of an increase in the work.

The Commission is also discussing the matter with the National Bank, which, as is known, is administering a number of rural properties obtained from the exchange, in order that the Bank may undertake this work in districts where we have properties which are near to or border on each other, upon reimbursement by the Commission for its share of the cost.

We hope to be able to furnish detailed information on the work accomplished in this direction in our next report.

The Commission considers this work to be of the highest importance, more particularly as the inconveniences resulting from the absence of a survey make themselves increasingly felt, either through the difficulties of allotment of land, or through differences arising between the refugees and natives, or by various other consequences resulting from the present uncertainty of boundaries.

*Income from Fallow Lands and Pastures for Refugee Colonies.* — By a decision dating from 1926, the Commission fixed the method and conditions of the application of the income realised by our colonies through the renting of certain lands ceded to them, *i.e.*, fallow lands, forests and common pasturage available over and above those required for their own needs. This income is generally employed for the construction of schools, churches and works of public utility in the villages.

This income amounts to :

	Drachmas
For the colonies of Macedonia (including a sum of 5,085,163 drachmas not yet received) . . . . .	11,931,255
For the colonies of Thrace . . . . .	1,014,725
Other provinces of Greece . . . . .	3,035,093
Total . . . . .	15,981,073

Out of this total, only 2,500,000 drachmas have been expended up to the present.

*Agricultural Improvements.* — In previous reports we gave an account of the measures taken by our services in Macedonia for the improvement of the crops and the introduction of modern rational methods in the work of the refugees.

Our services have created a similar organisation for the colonies in Old Greece. A nursery for fruit-trees has been established at Jannina (Epirus), others at Argos and Artaki (Eubœa); demonstration fields in several colonies in the Volo sector (at Agrinion and elsewhere) for the use of chemical fertilisers, choice of seeds, etc.

Efforts are also being made in Acarnania, Eubœa and Attica to develop apiculture, and also to develop the production of forage and ameliorate the condition of the grazing industry in other parts of Greece.

#### G. URBAN SETTLEMENT.

In the financial part of this report we give the division of the credit of 73,500,000 drachmas granted to the Urban Department out of its total budget for the years 1927 and 1928, amounting, as has been seen, to 374,500,000 drachmas.

In Livadia, 55 houses are incorporated in the system of urban settlements of Eastern Greece, of which we spoke in our last report. Cardizza, after Volo, is the first town in Thessaly where the Commission will build houses for the urban refugees. Here conditions are dissimilar from those met with in Volo, which is above all a commercial and industrial town, which has been able to absorb thousands of refugee families. Like other towns in the Plain of Thessaly, Cardizza is really only an agricultural centre, and, as in all these towns, only a limited number of urban families can settle themselves there, but, as far as those families able to do some sort of agricultural work are concerned, the capacity of absorption of these centres increases considerably.

The same may be said of the towns in the Peloponnesus (Patras, Pyrgos, Argos) with regard to the urban refugees capable of working as agricultural labourers in the vineyards. The small towns on the south coast of the Gulf of Corinth (*e.g.*, Vello, Assos, etc.) often contain refugee families equivalent in number to half of the native population, and it is established that all these families are able to earn their living by dividing their time between some occupation in the town and agricultural work on neighbouring properties.

The houses in Chryssoupolis and Pravi (in Eastern Macedonia) are destined for the reception of urban refugees of category C, which the General Direction of Colonisation in Macedonia intends to send there from Salonika or Cavalla. Colonisation has resulted in an increase in the number of agriculturists inhabiting these small towns, and, provided a certain limit is not exceeded, it is certain that the urban families to be settled will have their living assured them. The same applies to the town of Ekaterini (Macedonia).

Verria belongs to the group of western Macedonian towns where the presence and employment of water power permits us to regard favourably the future of any urban refugees settled there.

Finally, the 78 houses of Alexandropolis (Dedeagatch) will be occupied by the same number of families employed in the Eastern Railways. Expelled from Turkey during the exchange of population, these employees have been living since their arrival in Greece in railway carriages.

\* \* \*

It is to be seen that, in selecting the towns for the construction of urban quarters, we are not guided by any fixed plan. In point of fact, decisions with regard to construction are taken as the lands demanded by us from the State become available for our disposition. The larger part of these lands are handed over to us after they have been expropriated for reasons of public utility, and this process often takes considerable time. The total credit of 374,500,000 drachmas has already been divided by the Council between those towns where the needs of urban refugees have been proved, but the Council did not wish to carry out its decision while it is not in possession of the funds foreseen for this work, preferring to be free to make any modifications of details in its original plan as circumstances might meanwhile demand.

The number of urban houses to be built in each town is a delicate problem, which is being very carefully studied by the Commission. The number of families given in category C in the census can only be used here as a basis of operations. At a meeting held on January 24th, 1928, the Council decided that, in order to avoid constructing too many houses in each locality, those refugees destined to occupy each house would be required to sign a declaration undertaking to purchase it in accordance with the regulations of the Refugee Settlement Commission.

*New Urban Quarters. — Situation as at May 9th, 1928.*

I. *Continental Greece and the Islands.*

- |             |                                |  |
|-------------|--------------------------------|--|
| 1. Styliis  | 40 houses under construction.  |  |
| 2. Lamia    | 80 houses under construction.  |  |
| 3. Volo     | 200 houses under construction. |  |
| 4. Larissa  | 68 houses under construction.  |  |
| 5. Canéa    | 80 houses under construction.  | It was decided to raise the number of these houses to 110. |
| 6. Livadia  | 55 houses.                     | The signing of the contract will take place in two days.   |
| 7. Cardizza | 45 houses have been awarded.   |  |
| 8. Patras   | 300 houses have been awarded.  |  |
| 9. Argos    | 63 houses have been awarded.   |  |
| 10. Pyrgos  | 100 houses.                    | Adjudication to be repeated on May 23rd, 1928.             |

II. *Macedonia* (the General Direction of Colonisation in Macedonia to be responsible for execution).

- |                   |   |
|-------------------|---|
| 11. Chryssoupolis | 50 houses under construction.                         |
| 12. Pravi         | 100 houses under construction.                        |
| 13. Ekaterini     | 100 houses under construction.                        |
| 14. Verria        | 150 houses under construction.                        |
| 15. Florina       | 100 houses. Construction decided upon by the Council. |

III. *Thrace* (execution entrusted to the Direction of Colonisation in Thrace).

- |                     |            |
|---------------------|------------|
| 16. Alexandroupolis | 78 houses. |
|---------------------|------------|

The Commission always reserves to itself the right of increasing by 25 or 30 per cent the number of houses granted.

*Scheme of Settlement in the Island of Mytilene.* — During the month of February, the Chairman of the Commission proceeded to Mytilene with the object of making an enquiry into the very precarious condition of the refugees concentrated there since 1922. He remained there for two weeks, divided between the chief city and the large and small villages of the island.

At the beginning of the activities of the Commission, Mytilene had been included in our system of colonisation—as had all the other provinces of Greece with available lands—and the Commission had begun to settle the refugees, who were mainly agriculturists, on the properties of exchanged Turks. Later, at the request of the Minister of Agriculture, who wished to be responsible for Mytilene himself, the Commission, in agreement with this Department, transferred these properties (principally olive-groves) to the State. These have been ceded, together with other property, to the National Bank of Greece in order to serve as security for the bonds issued for the indemnification of urban refugees. The value of these olive-groves is estimated at 675,000,000 drachmas.

Out of a native population of more than 100,000, there are at the present time approximately 40,000 refugees, of which nearly 16,000 live in the city of Mytilene, the remainder being divided up between the larger villages and the villages of the interior. Some live in houses built by the State, others in the mosques, warehouses and other buildings, which are generally in a miserable condition. Some refugees live with the natives, paying a rent. Many of them occupy houses of exchanged Turks.

In itself a very difficult problem, the problem of the refugees is still more difficult for the Commission, which nevertheless, as a result of a recent request, is disposed to do its share by the construction of a certain number of houses—perhaps 300—by the establishment of a market for the benefit of refugees engaged in retail trade of a workshop, etc.

With the object of studying this plan and putting it into effect, the Commission decided to create a special service to be placed under the direction of the Chairman; this service may later on include other islands of the Eastern Ægean, Chios—where it proposes also to operate—and eventually Samos.

*The Condition of the Refugees in Chios.* — As in the case of Mytilene, the neighbouring island of Chios, facing the coast of Asia Minor, was the first stage for the hordes of Greek emigrants in their exodus from Turkey, of whom it retained a large number. At the present time, there are 13,000 refugees in the chief town and 4,000 in the villages of the interior, or a total number of 4,500 families for the island of Chios, a thousand of which are agriculturists. As in Mytilene, this figure is out of proportion with the capacity for production and trade of the island. Here also all these people live in the most deplorable conditions, in requisitioned houses, in hovels which were formerly the houses of Turkish emigrants, or in the houses of native Greeks for which they pay rent. Those most fortunately situated are settled in the quarter constructed by the State.

The most pressing need of the urban refugees is houses, of which at least 1,000 should be constructed. With regard to the agricultural population, they are for the most part employed in working on the exchangeable properties, in market gardens, orchards, and in the fields, paying rent to the National Bank, which, as in Mytilene, administers these properties. Thus the problem is that of land for the agricultural refugees in Chios and houses for the urban.

The Commission, desirous of doing its share towards the solution of the problems in Mytilene and Chios, foresees the possibility of granting a credit of about £100,000 for this object.

*The Homeless-Stricken Refugees of Corinth and its Neighbourhood.* — The series of earthquakes which, from April 22nd, has entirely reduced Corinth and the small towns and villages of the district to ruins, rendering more than 20,000 persons homeless, also deprived the refugees already settled there of shelter. These latter, some of whom were agriculturists working as day-labourers in the fields, others urban carrying on different trades, had all settled themselves in the district by their own efforts, some of whom, thanks to their perseverance, had arrived at a certain degree of prosperity.

In the town of Corinth there lived 437 refugee families, some in lodgings, others in maisonnettes of brick, built on land which the State had granted them, others—the only ones who did not suffer from the earthquake shocks—in wooden barracks. Finally, there are 65 families who had succeeded in building maisonnettes for themselves out of their own money on land purchased with their own funds, the fruit of their labour, amassed with difficulty, or (if they were urban) thanks to the indemnity received by them from the State. There were some who had just taken possession of their houses and had occupied them the night before the catastrophe.

In several of the villages, large and small, of the district, other refugees had settled themselves in various ways similar to those of the Corinth refugees. For instance, in Loutraki there were 35 families, Klato 13, Xylokastro 53, Vello 70, and a score or so of families in other places affected by the shocks. The majority of all these people, like those mentioned above, are ruined by the disaster and need the assistance of the Commission to retrieve their losses.

Before the earthquake took place, the Commission decided to construct 35 houses at Corinth and contemplated the addition of another 25. Of these, 22 were in course of construction when the earthquake occurred which reduced them to ruins.

The Commission considered 60 houses sufficient for a town where the majority of the refugee families rented lodging in the houses of the natives; but, since to-day nothing remains of the town, all the refugees will have to be assisted, and about 300 houses will have to be built. There remains to be determined the system of anti-earthquake house construction to be adopted. The Commission's technical service has already prepared a scheme with plans based especially on the works carried out in Italy after the earthquake at Messina, but we considered it more desirable to defer the execution of the plans until the publication of the results of the discussions of a technical Commission appointed by the Ministry of Public Assistance to deal generally with the question of the reconstruction of the destroyed areas. The Commission will probably follow the lines laid down in the decisions taken by the above-mentioned commission when constructing the houses which it intends to build.

Some of the members of the Council went immediately to the scene of the disaster in order to confer with the local authorities as to the urgent measures to be taken. It was decided later that provisional shelter for the refugees similar to that provided for the natives would be assured by the Ministry of Public Assistance, and that the Commission, as already mentioned, would undertake their permanent settlement.

*Council.* — Sir John Hope Simpson, who attended the meetings of the Council of the League of Nations in Geneva last March, was obliged to go to London for reasons of health.

Unfortunately these same reasons prevent him from returning to Athens, and it is expected that he will not be able to return before August.

Mr. B. H. Hill is taking his place during his absence.

Signed: Charles B. EDDY.

Chairman of the Refugee Settlement Commission.

