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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

PLENARY MEETINGS

TEXT OF THE DEBATES

GENEVA, 1936

CONTENTS

	Page		Page
LETTER OF CONVOCATION	8	18. Mandates :	
AGENDA ADOPTED BY THE ASSEMBLY	9	Draft Resolution submitted by the Norwegian Delegation	42
LIST OF MEMBERS OF THE DELEGATIONS OF THE ASSEMBLY	11	FIFTH PLENARY MEETING, September 24th, 1936, at 5 p.m. :	
PRESIDENT AND VICE-PRESIDENTS OF THE ASSEMBLY	31	19. Announcement of the Names of the Chairmen of Committees	42
FIRST PLENARY MEETING, September 21st, 1936, at 10.30 a.m. :		20. Election of the Six Vice-Presidents of the Assembly	42
1. Opening of the Assembly.	33	21. Composition of the General Committee of the Assembly	43
2. Opening Speech by M. Rivas Vicuña, President of the Council	33	SIXTH PLENARY MEETING, September 25th, 1936, at 10.30 a.m. :	
3. Election of the Committee to report on the Credentials of the Delegates	34	22. Question of setting up a Third Com- mittee of the Assembly :	
SECOND PLENARY MEETING, September 21st, 1936, at 5 p.m. :		Proposal of the General Committee of the Assembly for the Adjourn- ment of the Question	43
4. Credentials of Delegates : Report of the Committee on Cre- dentials	35	23. Amendment of the Covenant of the League of Nations in order to bring it into Harmony with the Pact of Paris : Examination of the Treaty of Non-Aggression and Con- ciliation concluded at Rio de Janeiro on October 10th, 1933 :	
5. Election of the President of the Seventeenth Ordinary Session of the Assembly	36	Application of the Principles of the Covenant of the League of Nations : Communication from the General Committee of the Assembly	43
6. Presidential Address	36	24. Election of Non-Permanent Members of the Council :	
7. Provisional Programme of Work of the Assembly and its Committees	37	Proposals of the General Committee of the Assembly	44
8. Message of Sympathy and Good Wishes to M. Titulesco on the Occasion of his Illness	37	25. Mandates :	
THIRD PLENARY MEETING, September 22nd, 1936, at 10 a.m. :		Adoption of the Draft Resolution submitted by the Norwegian Delegation	44
9. Agenda : Examination and Adoption.	38	26. Report on the Work of the League of Nations in 1935/36 :	
10. Constitution of the Committees	38	Opening of the General Discussion	44
11. Agenda Committee : Appointment	38	[Speeches by the Right Hon. Anthony Eden (United King- dom) and M. Alvarez del Vayo (Spain).]	
12. Appointment of the Chairman of the Agenda Committee as a Member of the General Committee of the Assembly	39	SEVENTH PLENARY MEETING, September 26th, 1936, at 10 a.m. :	
13. Appointment of the Chairman of the Credentials Committee as a Member of the General Committee of the Assembly	39	27. International Relief Union :	
14. Agenda : Distribution of Items among the Committees.	39	Draft Resolution submitted by the Delegation of Venezuela	50
15. Election of Three Non-Permanent Members of the Council : Communication by the President	39	28. Elections to Vacancies among the Judges of the Permanent Court of International Justice :	
16. Election of the Chairmen of Com- mittees : Communication by the President	40	Communication by the President	50
FOURTH PLENARY MEETING, September 23rd, 1936, at 7 p.m. :		29. Report on the Work of the League of Nations in 1935/36 :	
17. Credentials of Delegates : Second Report of the Committee on Credentials	40	Continuation of the Discussion	51
		[Speeches by M. Delbos (France), M. Koht (Norway) and M. Solis (Panama).]	

	Page		Page
EIGHTH PLENARY MEETING, September 28th, 1936, at 3.30 p.m. :		TWELFTH PLENARY MEETING, October 1st, 1936, at 10 a.m. :	
30. International Relief Union : Adoption of the Draft Resolution submitted by the Delegation of Venezuela	56	39. Constitution of a Third Committee of the Assembly : Communication by the President on behalf of the General Committee concerning the Proposal by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden	91
31. Election of Three Non-Permanent Members of the Council	56	40. Composition of the Council : Report of the First Committee : Resolution	91
32. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by General Táncoz (Hungary), M. Litvinoff (Union of Soviet Socialist Republics) and M. Munch (Denmark).]	57	41. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by M. Lozano y Lozano (Colombia), M. de Vasconcellos (Portugal), M. Henriquez Ureña (Dominican Republic), M. Levillier (Argentine Republic) and M. Costa du Rels (Bolivia).]	92
33. Question of the Constitution of the Third Committee of the Assembly : Proposal by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden	66	THIRTEENTH PLENARY MEETING, October 2nd, 1936, at 10 a.m. :	
NINTH PLENARY MEETING, September 29th, 1936, at 10 a.m. :		42. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by M. García Oldini (Chile), M. Kaya (Turkey), M. Parra-Pérez (Venezuela), M. Bassols (United States of Mexico) and M. de Blanck (Cuba).]	97
34. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by the Right Hon. W. L. Mackenzie King (Canada), M. Schmidt (Austria) and Dr. Wellington Koo (China).]	67	43. Reduction and Limitation of Armaments: Reference to the Third Committee of the Part of the Report on the Work of the League in 1935/36 concerning Disarmament : Adoption of the Draft Resolution proposed by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden	102
TENTH PLENARY MEETING, September 29th, 1936, at 3.30 p.m. :		FOURTEENTH PLENARY MEETING, October 3rd, 1936, at 10.30 a.m. :	
35. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion (Speeches by M. Undén (Sweden), the Right Hon. S. M. Bruce (Australia), His Highness the Aga Khan (India), Mr. Jordan (New Zealand) and M. Krofta (Czechoslovakia).]	74	44. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by M. Ossorio y Gallardo (Spain), M. Zaldumbide (Ecuador) and M. Tudela (Peru).]	102
36. Settlement of the Assyrians of Iraq : Resolution adopted by the Council on September 25th, 1936	81	45. Permanent Court of International Justice : (1) Method of Election to the Three Seats vacated by Mr. Kellogg, M. Schücking and M. Wang Chung-Hui. (2) Participation, in the Election of the Judges, of a State which is not a Member of the League, but is a Party to the Statute of the Court. Report of the First Committee : Resolutions	105
37. Question of prohibiting, under the Provisions of the Covenant, the Supply of Arms and War Material to Belligerents : Communication from the Chairman of the Committee of Jurists appointed to study this Question	81		
ELEVENTH PLENARY MEETING, September 30th, 1936, at 10.30 a.m. :			
38. Report on the Work of the League of Nations in 1935/36 : Continuation of the Discussion [Speeches by M. Tazaz (Ethiopia), M. Monteiro (Portugal), M. Cantilo (Argentine Republic) and M. Mayard (Haiti).]	82		

	Page		Page
46. Composition of the Council: Provisional Creation of Two New Non-Permanent Seats: Resolution adopted by the Council on October 2nd, 1936	106	55. Reports of Committees for the Presentation of which the Simplified Procedure provided in Rule 14(a) of the Rules of Procedure is not applied:	
FIFTEENTH PLENARY MEETING, October 8th, 1936, at 5 p.m.:		I. Composition of the Supervisory Commission: Report of the Fourth Committee: Resolution	114
47. Participation, in the Election of the Judges of the Permanent Court of International Justice, of States not Members of the League of Nations but Parties to the Statute of the Court: Convocation of the Committee on Credentials	107	II. Constitution, Procedure and Practice of the Committees of the League of Nations: Report of the Second Committee: Resolutions	114
48. Request by China for Re-eligibility for Election to the Council	107	III. Work of the Communications and Transit Organisation: Report of the Second Committee: Resolution	114
49. Election of Two Non-Permanent Members of the Council.	108	56. Reports of Committees submitted to the Assembly for Approval in accordance with the Provisions of Rule 14(a) of the Rules of Procedure:	
50. Appointment of a Special Main Committee for the Question of the Application of the Principles of the Covenant and Problems connected therewith: Resolution proposed by the General Committee of the Assembly	108	I. International Repression of Terrorism: Report of the First Committee: Resolution	114
51. Credentials of Delegates: Third Report of the Committee on Credentials	109	II. Rules of Procedure of the Assembly: Report of the First Committee: Resolutions	114
52. Elections to fill the Vacancies among the Judges of the Permanent Court of International Justice: Election to fill the Two Vacancies caused by the Death of M. Schücking and the Resignation of Mr. Kellogg	110	III. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States: Report of the First Committee: Resolution	115
Election to fill the Vacancy caused by the Resignation of M. Wang Chung-Hui	111	IV. Reduction and Limitation of Armaments: Report of the Third Committee: Resolution	115
53. Reports of Committees submitted to the Assembly for Approval in accordance with the Provisions of Rule 14(a) of the Rules of Procedure:		V. Assistance to Indigent Foreigners: Report of the Fifth Committee: Resolution	115
I. Work of the Health Organisation: Report of the Second Committee: Resolutions	111	VI. Penal and Penitentiary Questions: Report of the Fifth Committee: Resolution	115
II. Traffic in Women and Children: Report of the Fifth Committee: Resolutions	111	VII. Child Welfare: Report of the Fifth Committee: Resolutions	115
III. Traffic in Opium and Other Dangerous Drugs: Report of the Fifth Committee: Resolutions	111	VIII. International Relief Union: Report of the Fifth Committee: Resolution	115
IV. Nutrition: Report of the Second Committee: Resolutions	111		
SIXTEENTH PLENARY MEETING, October 10th, 1936, at 10 a.m.:			
54. Commission of Enquiry for European Union: Resolution proposed by the General Committee of the Assembly	113		

	Page		Page
IX. Mandates :		I. Economic and Financial Questions :	
Report of the Sixth Committee :		Report of the Second Committee :	
Resolution	115	Resolutions	117
X. Work of the Intellectual Co-operation Organisation :		II. International Assistance to Refugees :	
Report of the Sixth Committee :		Report of the Sixth Committee :	
Resolutions	115	Resolutions	117
57. Application of the Principles of the Covenant of the League of Nations and Problems connected therewith :		III. Financial Questions :	
Report of the Special Main Committee :		General Report of the Fourth Committee :	
Resolution	115	Resolutions	118
SEVENTEENTH PLENARY MEETING, October 10th, 1936, at 3.30 p.m.		IV. Contributions in Arrear :	
58. Status of Women : Communication, dated September 30th, 1936, from the Women's Consultative Committee on Nationality :		Report of the Fourth Committee :	
Letter from Certain Delegations requesting the Inclusion of this Item in the Agenda of the Next Ordinary Session of the Assembly	116	Resolution	118
59. Acceptance of their Election by the New Judges of the Permanent Court of International Justice	116	V. Allocation of the Expenses of the League :	
60. Report of Committees for the Presentation of which the Simplified Procedure provided in Rule 14(a) of the Rules of Procedure is not applied :		Report of the Fourth Committee :	
		Resolution	118
		VI. Composition of the Supervisory Commission :	
		Report of the Fourth Committee	118
		61. Closing Speech by the President. . .	118

LIST OF ANNEXES

	Page		Page
1. Agenda of the Seventeenth Ordinary Session of the Assembly and Supplementary List of Items, communicated to the Assembly in virtue of Rule 4 of the Rules of Procedure	123	4. Resolution adopted by the Assembly at its Fourteenth Meeting, Saturday, October 3rd, 1936, at 10.30 a.m.	130
2. Report of the Credentials Committee submitted to the Assembly on September 23rd, 1936 : Letter, dated October 2nd, 1936, from the Delegation of Panama . .	129	5. Resolutions adopted by the Assembly at its Fifteenth Meeting, Thursday, October 8th, 1936, at 5 p.m.	130
3. Resolution adopted by the Assembly at its Twelfth Meeting, Thursday, October 1st, 1936, at 10 a.m.	129	6. Resolutions adopted by the Assembly at its Sixteenth Meeting, Saturday, October 10th, 1936, at 10 a.m.	134
		7. Resolutions adopted by the Assembly at its Seventeenth Meeting, Saturday, October 10th, 1936, at 3.30 p.m.	141

CONVOCATION
OF THE
SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY

LETTER OF CONVOCATION ADDRESSED BY THE SECRETARY-
GENERAL TO ALL THE MEMBERS OF THE LEAGUE OF NATIONS
ON BEHALF OF THE RIGHT HON. S. M. BRUCE, PRESIDENT
OF THE COUNCIL.

Geneva, May 7th, 1936.

The Secretary-General of the League of Nations is directed by the Right Honourable S. M. Bruce, President of the Council, acting under Rule 3, paragraph 1, of the Rules of Procedure of the Assembly, to summon the Assembly to meet at Geneva, in accordance with Rule 1, paragraph 1, of the Rules of Procedure, on Monday, September 7th, 1936,¹ at 10.30 a.m.

¹ The opening date of the Assembly was subsequently postponed until September 21st, 1936.

AGENDA *
OF THE
SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY

ADOPTED BY THE ASSEMBLY ON SEPTEMBER 22ND, 1936.

Election of Officers, Appointment of Committees and Adoption of Agenda.

- (a) Appointment of a Credentials Committee.
- (b) Election of the President of the Assembly.
- (c) Adoption of the Agenda.
- (d) Appointment of the Main Committees of the Assembly.
- (e) Appointment of an Agenda Committee.
- (f) Election of the Vice-Presidents of the Assembly.

Report on the Work of the League of Nations in 1935/36.

Election of Non-Permanent Members of the Council.

Commission of Enquiry for European Union.

FIRST COMMITTEE.

Permanent Court of International Justice.

- (a) Participation of States not Members of the League in the Election of Members of the Court.
- (b) Election to Vacancies among the Judges of the Permanent Court of International Justice.

Rules of Procedure of the Assembly.

Composition of the Council.

International Repression of Terrorism.

Convention on Nationality concluded on December 26th, 1933, at the Seventh International Conference of American States.

SECOND COMMITTEE.

Committees of the League of Nations.

Nutrition.

Economic and Financial Work.

Communications and Transit.

Health Work.

THIRD COMMITTEE.¹

FOURTH COMMITTEE.

Composition of Bodies to which Appointments are made by the Assembly.

- (a) Supervisory Commission.
- (b) Administrative Board of the Staff Pensions Fund.

Audited Accounts of the Seventeenth Financial Period (1935) and Auditor's Report thereon.

Budget of the League of Nations for the Nineteenth Financial Period (1937).

Reports of the Supervisory Commission.

Contributions in Arrear.

Allocation of Expenses.

Report of the Administrative Board of the Staff Pensions Fund.

FIFTH COMMITTEE.

Traffic in Opium and Other Dangerous Drugs.

Social Work.

SIXTH COMMITTEE.

Appointment of the President of the Governing Body of the Nansen International Office for Refugees.

Refugees.

- (a) Report of the Nansen International Office for Refugees.
- (b) Results of the Work of the Committee on International Assistance to Refugees.

Intellectual Co-operation.

* For details of the items submitted to the Assembly, see Annex 1, page 122.

¹ The Third Committee was constituted by the Assembly on October 1st, 1936. On October 2nd, the Assembly decided, on the suggestion of the delegations of Denmark, Finland, the Netherlands, Norway and Sweden, to refer to it for examination the question of the reduction of armaments (see page 102).

SPECIAL MAIN COMMITTEE.

Question of prohibiting, under the Provisions of the Covenant, the Supply of Arms and War Material to Belligerents.

Amendment of the Covenant of the League of Nations in order to bring it into Harmony with the Pact of Paris: Examination of the Treaty of Non-Aggression and Conciliation concluded at Rio de Janeiro on October 10th, 1933.

Application of the Principles of the Covenant of the League of Nations.

In the course of the session, the following items were added to the agenda :

Reduction of Armaments (referred to the Third Committee).

International Relief Union (referred to the Fifth Committee).

Mandates (referred to the Sixth Committee).

Settlement of the Assyrians of Iraq (referred to the Fourth Committee).

LISTE DES MEMBRES DES DÉLÉGATIONS LIST OF MEMBERS OF THE DELEGATIONS

AFGHANISTAN

Son Excellence FAIZ Mohammed Khan.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence Ali MOHAMMED Khan.

Envoyé extraordinaire et Ministre plénipotentiaire à Londres, Délégué permanent en chef auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in London, Chief Permanent Delegate accredited to the League of Nations.

Son Excellence Mohammed HAIDAR Khan.

Délégué permanent auprès de la Société des Nations — Permanent Delegate accredited to the League of Nations.

Secrétaires — Secretaries:

A. QAYUM Khan.

S. IKBAL ALI Shah.

UNION SUD-AFRICAINE UNION OF SOUTH AFRICA

Mr. Charles Theodore TE WATER.

Haut Commissaire à Londres — High Commissioner in London.

Dr. Stephanus François Naudé GIE.

Envoyé extraordinaire et Ministre plénipotentiaire à Berlin — Envoy Extraordinary and Minister Plenipotentiary in Berlin.

Mr. H. T. ANDREWS.

Faisant fonction de représentant auprès de la Société des Nations — Acting Accredited Representative to the League of Nations.

Secrétaires — Secretaries:

Mr. W. D. VAN SCHALKWYK.

Attaché à la Légation à Berlin — Attaché at the Legation in Berlin.

Mr. H. NEETHLING.

Attaché, Bureau du Haut Commissaire à Londres — Attaché, High Commissioner's Office in London.

UNION SUD-AFRICAINE (suite) UNION OF SOUTH AFRICA (continued)

Miss M. BURNSIDE.

Secrétaire particulière du Haut Commissaire, Londres — Private Secretary to the High Commissioner, London.

Miss N. PHILLIPS.

Bureau du représentant accrédité, Genève — Accredited Representative's Office, Geneva.

ALBANIE — ALBANIA

Son Excellence le docteur Fuad ASLANI.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. Lec KURTI.

Envoyé extraordinaire et Ministre plénipotentiaire à Londres, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Delegate accredited to the League of Nations.

Secrétaire — Secretary:

M. Thomas LUARASSI.

Secrétaire de la Délégation permanente auprès de la Société des Nations — Secretary of the Permanent Delegation accredited to the League of Nations.

RÉPUBLIQUE ARGENTINE ARGENTINE REPUBLIC

Son Excellence le docteur Carlos SAAVEDRA LAMAS.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence M. José Maria CANTILLO.

Ambassadeur extraordinaire et plénipotentiaire à Rome — Ambassador Extraordinary and Plenipotentiary in Rome.

Son Excellence M. Robert LEVILLIER.¹

Ambassadeur à Mexico — Ambassador in Mexico.

¹ Pendant la durée de son séjour à Genève, M. R. Levillier a exercé les fonctions de délégué — During his stay in Geneva, M. R. Levillier acted as delegate.

RÉPUBLIQUE ARGENTINE (*suite*)
ARGENTINE REPUBLIC (*continued*)

Son Excellence le docteur Enrique RUIZ
GUIÑAZÚ.

Envoyé extraordinaire et Ministre plénipotentiaire,
Délégué permanent auprès de la Société des Nations
— Envoy Extraordinary and Minister Plenipoten-
tiary, Permanent Delegate accredited to the League
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Secrétaires — Secretaries:

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Premier Secrétaire de l'Ambassade à Rome — First
Secretary at the Embassy in Rome.

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Commercial Adviser at the Legation in Berne.

Le docteur Carlos ECHAGÜE.

Deuxième Secrétaire de l'Ambassade à Londres —
Second Secretary at the Embassy in London.

Le docteur Luis Mariano ZUBERBUHLER.

Deuxième Secrétaire de Légation — Second Secretary
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AUSTRALIE — AUSTRALIA

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Haut Commissaire à Londres — High Commissioner
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Suppléante — Substitute:

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*Secrétaire particulière de M. Bruce — Private
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Miss M. E. WOOD, M.B.E.

Secrétaire — Secretary:

Major O. C. W. FUHRMAN, O.B.E.

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Secretary of State for Foreign Affairs.

Son Excellence M. Emerich PFLÜGL.

Envoyé extraordinaire et Ministre plénipotentiaire,
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Suppléants — Substitutes:

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Envoyé extraordinaire et Ministre plénipotentiaire —
Envoy Extraordinary and Minister Plenipotentiary.

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Envoyé extraordinaire et Ministre plénipotentiaire —
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*Délégué adjoint et Secrétaire général — Assistant
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Secrétaire de Légation — Secretary of Legation.

*Secrétaire particulier de M. Schmidt — Private
Secretary to M. Schmidt:*

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Secrétaire de Légation — Secretary of Legation.

*Chef du Service de presse — Head of the Press
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Le docteur Martin FUCHS.

BELGIQUE — BELGIUM

Son Excellence M. Paul Henri SPAAK.

Ministre des Affaires étrangères et du Commerce
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Trade.

Son Excellence le comte CARTON DE WIART.

Ministre d'Etat, Délégué permanent à la Société
des Nations — Minister of State, Permanent Delegate
to the League of Nations.

Son Excellence M. Paul Emile JANSON.

Ministre d'Etat — Minister of State.

Suppléants — Substitutes:

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Membre du Sénat — Member of the Senate.

BELGIQUE (suite) — BELGIUM (continued)

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Le baron VAN ZUYLEN.

Ambassadeur extraordinaire et plénipotentiaire, Directeur général au Ministère des Affaires étrangères et du Commerce extérieur — Ambassador Extraordinary and Plenipotentiary, Director-General of the Ministry for Foreign Affairs and External Trade.

M. Maurice BOURQUIN.

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BOLIVIE — BOLIVIA

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ROYAUME-UNI DE GRANDE-BRETAGNE
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Mr. J. CHAPLIN.

Mr. P. E. LEWIS.

Comptable — Accountant.

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Ministry of Agriculture and Fisheries:

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Ministère du Commerce — Board of Trade:

Mr. R. J. SHACKLE.

Office des Dominions — Dominions Office:

Mr. B. COCKRAM.

Ministère des Affaires étrangères — Foreign Office:

Mr. F. T. A. ASHTON-GWATKIN, C.M.G.

Mr. J. C. STERNDALÉ-BENNETT, C.M.G., M.C.

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Sir Frederick PHILLIPS, K.C.M.G., C.B.

Mr. E. W. PLAYFAIR.

Secrétaire particulier de M. Eden — Private Secretary to Mr. Eden:

Mr. O. C. HARVEY.

Secrétaire particulier du vicomte Halifax — Private Secretary to Lord Halifax:

Mr. R. M. A. HANKEY.

Secrétaires particuliers de M. MacDonald — Private Secretaries to Mr. MacDonald:

Mr. J. J. S. GARNER.

Mr. C. E. R. BROCKLEBANK, M.P.

ROYAUME-UNI (suite)
UNITED KINGDOM (continued)

Secrétaire particulier de M. Morrison — Private Secretary to Mr. Morrison:

Mr. I. L. ORR-EWING, M.P.

Secrétaire particulier de M. Shakespeare — Private Secretary to Mr. Shakespeare:

Mr. G. E. YATES.

Secrétaires particuliers du vicomte Cranborne — Private Secretaries to Lord Cranborne:

Mr. P. MASON.

Mr. C. M. PATRICK, M.P.

Secrétaire particulière de sir William Malkin — Private Secretary to Sir William Malkin:

Miss T. SCURFIELD.

Secrétaire particulière de M^{me} Graves — Private Secretary to Miss Graves:

Miss J. JACKSON, O.B.E.

BULGARIE — BULGARIA

Son Excellence M. Georges KIOSSÉIVANOFF.

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BULGARIE (suite) — BULGARIA (continued)

Le docteur Milu MILEFF.

Chef de Cabinet du Président du Conseil — " Chef de Cabinet " to the Prime Minister.

Secrétaire général — Secretary-General:

M. Evguèni SILIANOFF.

Secrétaire de Légation — Secretary of Legation.

CANADA

The Right Honourable W. L. Mackenzie KING, M.P.

Premier Ministre, Président du Conseil privé du Canada, Secrétaire d'Etat pour les Affaires extérieures — Prime Minister, President of the Privy Council of Canada, Secretary of State for External Affairs.

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CHILI — CHILE

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CHILI (suite) — CHILE (continued)

Son Excellence M. Luis V. DE PORTO SEGURO.

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Secrétaire — Secretary:

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Attaché:

Le docteur Armando ALONSO V.

CHINE — CHINA

Son Excellence le docteur V. K. Wellington KOO.

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Son Excellence M. Quo Tai-Chi.

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CHINE (suite) — CHINA (continued)

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Le docteur SCIE Ton-fa.

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M. PAO Hua-Kuo.

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Troisième Secrétaire de la Légation à Copenhague — Third Secretary at the Legation in Copenhagen.

M. H. C. SUNG.

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M. HSIEH Ching-Kien.

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CHINE (suite) — CHINA (continued)

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COLOMBIE — COLOMBIA

Son Excellence le docteur Gabriel TURBAY.

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Secrétaire — Secretary:

Le docteur Rafael GUIZADO.

Secrétaire adjointe — Assistant Secretary:

Mlle LEONOR CESPEDES.

CUBA

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CUBA (*suite*) — (*continued*)

Le docteur Mariano BRULL Y CABALLERO.

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Secrétaires — Secretaries:

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M. Luis VALDÉS ROIG.

Consul à Genève — Consul at Geneva.

DANEMARK — DENMARK

Le docteur Peter MUNCH¹.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. Erik DE SCAVENIUS.

Ancien Ministre des Affaires étrangères, ancien Envoyé extraordinaire et Ministre plénipotentiaire à Stockholm — Former Minister for Foreign Affairs, former Envoy Extraordinary and Minister Plenipotentiary in Stockholm.

M. Hartvig FRISCH.

Professeur de l'enseignement secondaire, Député — Professor of Secondary Education, Member of the Chamber of Deputies.

Suppléants — Substitutes:

M. R. CHRISTIANI.

Docteur, Ingénieur — Doctor, Engineer.

M. Ole Björn KRAFT.

Rédacteur, Député — "Rédacteur", Member of the Chamber of Deputies.

M. Jesper SIMONSEN.

Conseiller à la Cour supérieure — Councillor at the High Court.

M. William BORBERG.

Envoyé extraordinaire et Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

M^{lle} Henni FORCHHAMMER.

Présidente d'honneur du Conseil national des Femmes danoises et Vice-Présidente d'honneur du Conseil international des Femmes — Honorary President of the National Council of Danish Women and Vice-President of the International Council of Women.

¹ En l'absence du Dr Munch, M. Erik de Scavenius a fait fonction de premier délégué et de président de la délégation — In the absence of Dr. Munch, M. Erik de Scavenius acted as first delegate and President of the Delegation.

DANEMARK (*suite*) — DENMARK (*continued*).

Délégué technique — Expert:

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Premier Secrétaire de la Délégation permanente auprès de la Société des Nations — First Secretary at the Permanent Delegation accredited to the League of Nations.

Secrétaire — Secretary:

M. T. FROM.

Secrétaire au Ministère des Affaires étrangères — Secretary at the Ministry for Foreign Affairs.

RÉPUBLIQUE DOMINICAINE
DOMINICAN REPUBLIC

Son Excellence le docteur Max HENRIQUEZ UREÑA.

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ÉQUATEUR — ECUADOR

Son Excellence M. Gonzalo ZALDUMBIDE.

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Suppléant et Secrétaire — Substitute and Secretary:

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Consul général en Suisse, Secrétaire de la Délégation permanente auprès de la Société des Nations — Consul-General in Switzerland, Secretary of the Permanent Delegation accredited to the League of Nations.

ESPAGNE — SPAIN

Son Excellence M. Julio ALVAREZ DEL VAYO.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. Antonio FABRA RIBAS.

Ancien Sous-Secrétaire au Travail — Former Under-Secretary for Labour.

Son Excellence M. Angel OSSORIO Y GALLARDO.

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ESPAGNE (suite) — SPAIN (continued)

Suppléants — Substitutes:

M. Pascual TOMÁS TAENGUA.
Membre des Cortès — Member of the Cortes.

Son Excellence M. Carlos ESPLÁ.
Député, ancien Sous-Secrétaire à la Présidence du Conseil — Member of the Chamber of Deputies, former Under-Secretary in the Prime Minister's Department.

M^{me} Isabel OYARZABAL DE PALENCIA.
Inspectrice provinciale du Travail — Provincial Inspector of Labour.

Secrétaire général — Secretary-General:

M. Cipriano RIVAS CHERIFF.
Consul général à Genève — Consul-General in Geneva.

ESTONIE — ESTONIA

Son Excellence le docteur Frédéric AKEL.
Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. August SCHMIDT.
Envoyé extraordinaire et Ministre plénipotentiaire à Londres et à Berne, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in London and Berne, Permanent Delegate accredited to the League of Nations.

Le docteur Nicolas KAASIK.
Directeur des Affaires politiques au Ministère des Affaires étrangères — Director of Political Affairs at the Ministry for Foreign Affairs.

Suppléant — Substitute:

M. Johannes KÕDAR.
Conseiller de Légation, Secrétaire de la Délégation permanente auprès de la Société des Nations — Counsellor of Legation, Secretary of the Permanent Delegation accredited to the League of Nations.

ÉTHIOPIE — ETHIOPIA

Son Excellence Azaj Workeneh C. MARTIN.
Envoyé extraordinaire et Ministre plénipotentiaire à Londres — Envoy Extraordinary and Minister Plenipotentiary in London.

Ato Lawrence TAEZAZ.
Président du Tribunal spécial — President of the Special Tribunal.

Mr. Everett A. COLSON.
Ancien Conseiller financier du Gouvernement éthiopien, Conseiller juridique — Former Financial Adviser to the Ethiopian Government, Legal Adviser.

FINLANDE — FINLAND

Son Excellence M. Antti HACKZELL.
Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence le docteur Rudolf HOLSTI.
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Le professeur Väinö VOIONMAA.
Député, Président de la Commission des Affaires extérieures à la Chambre des Représentants, ancien Ministre des Affaires étrangères — Member of the Chamber of Deputies, President of the Foreign Affairs Committee of the Chamber of Deputies, former Minister for Foreign Affairs.

Suppléants — Substitutes:

Son Excellence le docteur Harri G. HOLMA.
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Le docteur Ensio HIITONEN.
Chef du Bureau de la Société des Nations au Ministère des Affaires étrangères — Head of the League of Nations Office at the Ministry for Foreign Affairs.

Secrétaire général — Secretary-General:

M. H. R. MARTOLA.
Secrétaire de Légation — Secretary of Legation.

FRANCE

Son Excellence M. Léon BLUM.
Président du Conseil — Prime Minister.

Son Excellence M. Yvon DELBOS.
Député, Ministre des Affaires étrangères — Member of the Chamber of Deputies, Minister for Foreign Affairs.

Son Excellence M. J. PAUL-BONCOUR.
Sénateur, Délégué permanent à la Société des Nations — Senator, Permanent Delegate to the League of Nations.

Son Excellence M. Charles SPINASSE.¹
Député, Ministre de l'Economie nationale — Member of the Chamber of Deputies, Minister for National Economy.

¹ Pendant le séjour à Genève de M. Blum, M. Spinasse est devenu délégué suppléant — During M. Blum's stay at Geneva, M. Spinasse acted as substitute delegate.

FRANCE (*suite*) — (*continued*)

Suppléants — Substitutes:

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Member of the Chamber of Deputies, Minister for
Commerce and Industry.

M. VIENOT.

Député, Sous-Secrétaire d'Etat aux Affaires étran-
gères — Member of the Chamber of Deputies,
Under-Secretary of State for Foreign Affairs.

M. Henry BÉRENGER.

Ambassadeur, Sénateur, Président de la Commission
des Affaires étrangères du Sénat — Ambassador,
Senator, President of the Foreign Affairs Committee
of the Senate.

M. Jean MISTLER.

Député, Président de la Commission des Affaires
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the Chamber of Deputies, President of the Foreign
Affairs Committee of the Chamber of Deputies.

Délégués adjoints — Assistant Delegates:

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Secrétaire général de la Confédération générale du
Travail — Secretary-General of the General Labour
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M. QUEUILLE.

Sénateur, ancien Ministre — Senator, former Minister.

M. GRUMBACH.

Député, Vice-Président de la Commission des Affaires
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Foreign Affairs Committee of the Chamber of
Deputies.

M. Camille PLANCHE.

Député — Member of the Chamber of Deputies.

M. Jules GAUTIER.

Président de section honoraire au Conseil d'Etat —
Honorary President of Section in the Council of State.

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Ministre plénipotentiaire, Directeur adjoint des
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M. BASDEVANT.

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Legal Adviser at the Ministry for Foreign Affairs.

M. Jean RÉVEILLAUD.

Président honoraire du Conseil de préfecture de la
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FRANCE (*suite*) — (*continued*)

Secrétaire général — Secretary-General:

M. LAGARDE.

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M. Jacques KAYSER.

M. LAUGIER.

Directeur du Cabinet du Ministre des Affaires
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M. Raymond TREUIL.

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FRANCE (suite) — (continued)

M. de BOISANGER.
Secrétaire d'Ambassade — Secretary of Embassy.

M. SPITZMULLER.
Secrétaire d'Ambassade — Secretary of Embassy.

M. DE PANAFIEU.
Secrétaire d'Ambassade — Secretary of Embassy.

M. BARADUC.
Secrétaire d'Ambassade — Secretary of Embassy.

M. BRINCARD.
Consul.

Secrétaires — Secretaries:

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Vice-Consul.

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GRÈCE (suite) — GREECE (continued)

Secrétaires — Secretaries:

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M. Jean PAPAYANNIS.
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GUATEMALA

HAITI

Son Excellence M. Constantin MAYARD.
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HONDURAS

HONGRIE — HUNGARY

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Son Excellence M^{me} la comtesse Albert
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Le colonel Rodolphe ANDORKA.

M. Paul SEBESTYÉN.

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M. Zoltán BARANYAI.

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Ministry for Foreign Affairs.

M. Francis DE MAROSY.

Conseiller de Légation, Chef du Bureau de presse au
Ministère des Affaires étrangères — Counsellor of
Legation, Head of the Press Bureau at the Ministry
for Foreign Affairs.

M. Georges DE OTTLIK.

Conseillers techniques — Experts:

M. Paul DE BALLA.

Premier Secrétaire de Légation — First Secretary of
Legation.

M. László BARTÓK.

Premier Secrétaire de Légation à la Délégation
permanente auprès de la Société des Nations —
First Secretary of Legation at the Permanent
Delegation accredited to the League of Nations.

HONGRIE (suite) — HUNGARY (continued)

M. Etienne GOMBÓ.

Secrétaire ministériel au Ministère des Affaires
étrangères — Ministerial Secretary at the Ministry
for Foreign Affairs.

INDE — INDIA

His Highness the Right Honourable the AGA
Khan, G.C.S.I., G.C.I.E., G.C.V.O.

Sir Denys BRAY, K.C.S.I., K.C.I.E., C.B.E.

Membre du Conseil de l'Inde — Member of the
Council of India.

Sir V. T. Krishnama CHARI, K.C.I.E.

« Dewan » de l'Etat de Baroda — Dewan of Baroda
State.

Suppléant — Substitute:

Mr. Charu Chandra BISWAS, C.I.E.

Secrétaire général — Secretary-General:

Mr. W. D. TOMKINS (India Office).

*Secrétaire général adjoint — Assistant Secretary-
General:*

Mr. E. W. R. LUMBY (India Office).

Secrétaire — Secretary:

Mr. L. E. LEBURN (India Office).

*Secrétaire particulière de Son Altesse l'Aga Khan —
Private Secretary to His Highness the Aga Khan:*

Miss F. BLAIN.

IRAK — IRAQ

His Excellency General NOURY-AL-SAID.

Ministre des Affaires étrangères — Minister for
Foreign Affairs.

Mr. Sabih NAJIB.

Délégué permanent auprès de la Société des Nations
— Permanent Delegate accredited to the League of
Nations.

Mr. A. MACDOUGALL.

Conseiller juridique au Ministère des Affaires étran-
gères — Legal Adviser at the Ministry for Foreign
Affairs.

Secrétaires — Secretaries:

Mr. Awni KHALIDY.

Secrétaire de la Délégation permanente auprès de
la Société des Nations — Secretary of the Permanent
Delegation accredited to the League of Nations.

M. Harhim JAWAD.

IRAN

Son Excellence Anochirevan SEPAHBODI.
Ambassadeur à Moscou — Ambassador in Moscow.

Son Excellence Mostafa ADLE.
Envoyé extraordinaire et Ministre plénipotentiaire à Berne, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in Berne, Permanent Delegate accredited to the League of Nations.

Son Excellence Mohsen RAÏS.
Envoyé extraordinaire et Ministre plénipotentiaire à Berlin — Envoy Extraordinary and Minister Plenipotentiary in Berlin.

Délégués adjoints — Assistant Delegates :

Mme. Fatmah SAYAH.

M. Nasrollah ENTEZAM.
Délégué permanent adjoint auprès de la Société des Nations — Assistant Permanent Delegate accredited to the League of Nations.

M. Ziaedine GHARIB.
Conseiller à la Légation à Paris — Counsellor at the Legation in Paris.

Le docteur Hossein GHADIMY.
Conseiller de Légation, Chargé d'Affaires *ad interim* à Berne — Counsellor of Legation, Acting Chargé d'Affaires in Berne.

M. Abdollah ENTEZAM.
Consul à Prague — Consul in Prague.

Secrétaire — Secretary :

M. Rahmat ATABEKI.
Attaché de Légation — Attaché of Legation.

Attachés :

M. Djevad FOROUGHI.

Mme. HEKIMI.

ÉTAT LIBRE D'IRLANDE
IRISH FREE STATE

Mr. Francis T. CREMINS.
Délégué permanent auprès de la Société des Nations — Permanent Delegate accredited to the League of Nations.

Dr. Michael RYNNE.
Chef du Bureau de la Société des Nations au Département des Affaires étrangères — Head of the League of Nations Section at the Department of External Affairs.

Mr. Denis DEVLIN.¹
Département des Affaires étrangères — Department of External Affairs.

¹ M. Devlin a rempli les fonctions du Secrétaire général de la Délégation — Mr. Devlin acted as Secretary-General of the Delegation.

ITALIE — ITALY

LETTONIE — LATVIA

Son Excellence M. Wilhelms MUNTERS.
Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence M. Ludvigs EKIS.
Ministre des Finances — Minister for Finance.

Son Excellence M. Jules FELDMANS.
Envoyé extraordinaire et Ministre plénipotentiaire à Berne, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in Berne, Permanent Delegate accredited to the League of Nations.

Suppléants — Substitutes :

Son Excellence le docteur Olgerts GROSVALDS.
Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Madrid et Lisbonne — Envoy Extraordinary and Minister Plenipotentiary in Paris, Madrid and Lisbon.

M. Andréjs KAMPE.
Chef de la Section juridique du Ministère des Affaires étrangères — Head of the Legal Section at the Ministry for Foreign Affairs.

Suppléant et Secrétaire — Substitute and Secretary :

M. Karlis KALNIŅŠ.
Premier Secrétaire de la Légation à Berne et de la Délégation permanente auprès de la Société des Nations — First Secretary at the Legation in Berne and at the Permanent Delegation accredited to the League of Nations.

LIBERIA

Son Excellence le baron Othon DE BOGAERDE.
Envoyé extraordinaire et Ministre plénipotentiaire à Paris, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in Paris, Permanent Delegate accredited to the League of Nations.

Suppléant — Substitute :

M. Fenton MORAN.
Attaché à la Légation à Paris — Attaché at the Legation in Paris.

LITHUANIE — LITHUANIA

Son Excellence M. Stasys LOZORAITIS.¹

Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence M. Petras KLIMAS.

Envoyé extraordinaire et Ministre plénipotentiaire à Paris — Envoy Extraordinary and Minister Plenipotentiary in Paris.

Son Excellence M. Juozas URBŠYS.

Ministre plénipotentiaire, Directeur politique aux Affaires étrangères — Minister Plenipotentiary, Political Director at the Ministry for Foreign Affairs.

Suppléante — Substitute:

M^{me} S. ČIURLIONIS.

Professeur à l'Université de Kaunas — Professor at the University of Kaunas.

Conseiller juridique — Legal Adviser:

Le professeur André MANDELSTAM.

Secrétaire — Secretary:

M. S. A. BAČKIS.

Secrétaire particulier de M. Lozoraitis — Private Secretary to M. Lozoraitis.

LUXEMBOURG — LUXEMBURG

Son Excellence M. Joseph BECH.

Ministre d'Etat, Président du Gouvernement, Ministre des Affaires étrangères — Minister of State, Prime Minister, Minister for Foreign Affairs.

Son Excellence M. Emile REUTER.

Ministre d'Etat honoraire, Président de la Chambre des Députés — Honorary Minister of State, President of the Chamber of Deputies.

M. Gaston DIDERICH.

Député, Bourgmestre de la ville de Luxembourg — Member of the Chamber of Deputies, Burgomaster of the City of Luxembourg.

Suppléant — Substitute:

M. Albert WEHRER.

Docteur en droit, Conseiller de gouvernement — Doctor of Law, Governmental Adviser.

¹ Après le départ de M. Lozoraitis, M. Klimas est devenu premier délégué et Président de la délégation — After the departure of M. Lozoraitis, M. Klimas acted as first delegate and President of the delegation.

ÉTATS-UNIS DU MEXIQUE
UNITED STATES OF MEXICO

Son Excellence M. Narciso BASSOLS.

Ambassadeur, Président de la Délégation mexicaine à la Société des Nations, Envoyé extraordinaire et Ministre plénipotentiaire à Londres — Ambassador, President of the Mexican Delegation accredited to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary in London.

Son Excellence M. Primo VILLA MICHEL.

Envoyé extraordinaire et Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

Son Excellence M. Carlos Dario OJEDA.

Envoyé extraordinaire et Ministre plénipotentiaire à Bruxelles — Envoy Extraordinary and Minister Plenipotentiary in Brussels.

Secrétaire général et Délégué suppléant — Secretary-General and Substitute Delegate:

M. Manuel TELLO.

Premier Secrétaire du Service extérieur mexicain, Secrétaire de la Délégation permanente à la Société des Nations — First Secretary of the Mexican External Service, Secretary of the Permanent Delegation to the League of Nations.

NORVÈGE — NORWAY

Le docteur Halvdan KOHT¹.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. Carl J. HAMBRO.

Président du Storting — President of the Storting.

M. Jon SUNDBY.

Membre du Storting, ancien Ministre des Finances — Member of the Storting, former Minister for Finance.

Suppléants — Substitutes:

Le docteur Christian L. LANGE.

Ancien Secrétaire général de l'Union interparlementaire — Former Secretary-General of the Inter-Parliamentary Union.

Le docteur Frede CASTBERG.

Professeur de droit à l'Université d'Oslo, Jurisconsulte du Ministère des Affaires étrangères — Professor of Law at the University of Oslo, Legal Adviser at the Ministry for Foreign Affairs.

M^{lle} Johanne REUTZ.

Licenciée ès sciences économiques, Chef du Département de statistique de la Confédération des syndicats des ouvriers — Graduate in Economic Sciences, Head of the Statistical Department of the Confederation of Trade Unions.

¹ En l'absence de M. Koht ou d'un autre délégué, M. Lange est devenu délégué titulaire — In the absence of M. Koht or another delegate, M. Lange acted as full delegate.

NORVÈGE (*suite*) — NORWAY (*continued*)

M. Einar MASENG.

Délégué permanent auprès de la Société des Nations
— Permanent Delegate accredited to the League of Nations.

M. R. I. B. SKYLSTAD.

Directeur au Ministère des Affaires étrangères —
Director at the Ministry for Foreign Affairs.

Secrétaire — Secretary:

M. J. G. RAEDER.

Secrétaire au Ministère des Affaires étrangères —
Secretary at the Ministry for Foreign Affairs.

NOUVELLE-ZÉLANDE — NEW ZEALAND

Mr. William Joseph JORDAN.

Haut Commissaire à Londres — High Commissioner
in London.

The Honourable Sir James PARR, G.C.M.G.

Ancien Haut Commissaire à Londres — Former High
Commissioner in London.

Suppléants — Substitutes:

Mr. C. A. BERENDSEN, C.M.G., LL.M.

Chef permanent de la Présidence du Conseil — Per-
manent Head of the Prime Minister's Department.

Mr. R. M. CAMPBELL.

Conseiller économique du Gouvernement néo-zélan-
dais à Londres — New Zealand Government's
Economic Adviser in London.

Conseiller — Adviser:

Sir Cecil DAY, C.M.G., C.B.E.

Conseiller et Secrétaire — Adviser and Secretary:

Mr. C. A. KNOWLES, C.B.E.

Secrétaires particulières — Private Secretaries:

Miss Jean MCKENZIE.

Miss E. M. HANNAM.

PANAMA

Son Excellence M. Galileo SOLÍS.

Envoyé extraordinaire et Ministre plénipotentiaire à
Paris et à Londres — Envoy Extraordinary and
Minister Plenipotentiary in Paris and in London.

Son Excellence M. Antonio BURGOS.

Envoyé extraordinaire et Ministre plénipotentiaire à
Cuba — Envoy Extraordinary and Minister Plenipo-
tentiary in Cuba.

PARAGUAY

PAYS-BAS — NETHERLANDS

Son Excellence le Jonkheer A.C.D. DE GRAEFF.

Ministre des Affaires étrangères — Minister for
Foreign Affairs.

M. Joseph LIMBURG.

Membre du Conseil d'Etat — Member of the Council
of State.

M. Guillaume VAN LANSCHOT.

Membre de la Première Chambre des Etats-Généraux
— Member of the First Chamber of the States
General.

Son Excellence le Chevalier C. VAN RAPPARD¹.

Envoyé extraordinaire et Ministre plénipotentiaire à
Berne, Représentant permanent auprès de la Société
des Nations — Envoy Extraordinary and Minister
Plenipotentiary in Berne, Permanent Representative
accredited to the League of Nations.

Suppléants — Substitutes:

M. V. H. RUTGERS.

Professeur à l'Université libre d'Amsterdam, ancien
Ministre de l'Instruction, des Beaux-Arts et des
Sciences — Professor at the Free University of
Amsterdam, former Minister for Education, Fine
Arts and Sciences.

M. J. P. A. FRANÇOIS.

Chef de la Direction des Affaires de la Société des
Nations au Ministère des Affaires étrangères, Profes-
seur extraordinaire à l'Ecole des Hautes Etudes
commerciales à Rotterdam — Head of the League
of Nations Section at the Ministry for Foreign
Affairs, Extraordinary Professor at the School for
Higher Commercial Studies at Rotterdam.

M^{me} C. A. KLUYVER.

Directeur au Ministère des Affaires étrangères —
Director at the Ministry for Foreign Affairs.

Service de Presse — Press Service:

M. A. J. LIEVEGOED.

Chef du Service de Presse gouvernemental, Directeur
au Ministère des Affaires étrangères — Head of the
Governmental Press Service, Director at the Ministry
for Foreign Affairs.

¹ Pendant la présence du Jonkheer de Graeff à Genève, le
Chevalier van Rappard a été délégué suppléant — During the
stay in Geneva of Jonkheer de Graeff, Chevalier van Rappard
acted as substitute delegate.

PAYS-BAS (*suite*)
NETHERLANDS (*continued*)

Secrétaires — Secretaries:

Le Jonkheer O. REUCHLIN.
Secrétaire de Légation — Secretary of Legation.

Le baron E. O. VAN BOETZELAER.
Sous-Directeur au Secrétariat général du Gouvernement des Indes néerlandaises — Assistant Director at the General Secretariat of the Netherlands Indies Government.

PÉROU — PERU

Son Excellence M. Francisco TUDELA.
Ambassadeur, Chef de la Délégation permanente à la Société des Nations, ancien Président du Conseil, ancien Président de la Chambre des Députés, ancien Ministre des Affaires étrangères, ancien Ministre des Finances — Ambassador, Head of the Permanent Delegation to the League of Nations, former Prime Minister, former President of the Chamber of Deputies, former Minister for Foreign Affairs, former Minister for Finance.

Son Excellence M. Victor Andrés BELAUNDE.
Ministre plénipotentiaire, Délégué permanent à la Société des Nations, Plénipotentiaire en mission spéciale à Washington, ancien Ministre en Colombie et en Uruguay — Minister Plenipotentiary, Permanent Delegate to the League of Nations, Plenipotentiary on Special Mission to Washington, former Minister in Colombia and Uruguay.

Secrétaire général et Délégué suppléant — Secretary-General and Substitute Delegate:

M. Pedro UGARTECHE.
Chef du Bureau permanent auprès de la Société des Nations, ancien Sous-Secrétaire aux Affaires étrangères — Head of the Permanent Office accredited to the League of Nations, former Under-Secretary for Foreign Affairs.

Conseiller — Adviser:

M. José-Maria BARRETO.
Chargé d'affaires en Suisse, Conseiller permanent auprès de la Société des Nations — Chargé d'Affaires in Switzerland, Permanent Counsellor accredited to the League of Nations.

Secrétaire — Secretary:

M. Felipe TUDELA.

POLOGNE — POLAND

Son Excellence M. Józef BECK.
Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence M. Tytus KOMARNICKI.
Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations — Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

POLOGNE (*suite*) — POLAND (*continued*)

Son Excellence M. Adam ROSE.
Sous-Secrétaire d'Etat au Ministère de l'Industrie et du Commerce — Under-Secretary of State for Industry and Commerce.

Suppléants — Substitutes:

Son Excellence M. Jan DE MODZELEWSKI¹
Envoyé extraordinaire et Ministre plénipotentiaire à Berne — Envoy Extraordinary and Minister Plenipotentiary in Berne.

M. Tadeusz GWIAZDOSKI.
Directeur adjoint des Affaires politiques au Ministère des Affaires étrangères — Assistant Director for Political Affairs at the Ministry for Foreign Affairs.

Le docteur Apolonjusz ZARYCHTA.
Chef de Section au Ministère des Affaires étrangères — Head of Section at the Ministry for Foreign Affairs.

M. Władysław KULSKI.
Chef de la Division juridique au Ministère des Affaires étrangères — Head of the Legal Division at the Ministry for Foreign Affairs.

M. Jan FRYLING.
Chef du Service pour les Affaires de la Société des Nations à la Division des Organisations internationales au Ministère des Affaires étrangères — Head of the League of Nations Service in the International Organisations Division at the Ministry for Foreign Affairs.

Mme Stanisława ADAMOWICZ.
Chargé des cours à l'École d'Hygiène d'Etat, première Vice-Présidente de la Fédération internationale des Femmes diplômées des Universités — Lecturer at the State School of Hygiene, First Vice-President of the International Federation of University Women.

Chef du Service de Presse — Head of the Press Service:

M. Wiktor SKIWSKI.
Chef de la Division de Presse au Ministère des Affaires étrangères — Head of the Press Division at the Ministry for Foreign Affairs.

Conseillers techniques — Experts:

M. Tadeusz Lychowski.
Docteur en droit, Chef de Section de la politique commerciale au Ministère de l'Industrie et du Commerce — Doctor of Law, Head of the Commercial Section at the Ministry for Trade and Industry.

M. Kazimierz TRĘBICKI.
Premier Secrétaire de Légation à la Délégation permanente auprès de la Société des Nations — First Secretary of Legation at the Permanent Delegation accredited to the League of Nations.

M. Mieczysław SĘDZIELLOWSKI.
Chef du Service politique au Cabinet du Ministre des Affaires étrangères — Head of the Political Service in the Office of the Minister for Foreign Affairs.

¹ Pendant l'absence d'un des délégués titulaires, M. Jan de Modzelewski a été délégué titulaire — During the absence of a full delegate, M. Jan de Modzelewski acted as full delegate.

POLOGNE (suite) — POLAND (continued)

Secrétaires — Secretaries:

M. Stanisław GRZYMALA-SIEDLECKI.

Secrétaire du Ministre des Affaires étrangères — Secretary to the Minister for Foreign Affairs.

M. Paweł STARZEŃSKI.

Attaché de Légation à la Délégation permanente auprès de la Société des Nations — Attaché of Legation at the Permanent Delegation accredited to the League of Nations.

M. Alfred UZNAŃSKI.

Attaché de Presse à la Délégation permanente auprès de la Société des Nations — Press Attaché at the Permanent Delegation accredited to the League of Nations.

PORTUGAL

Son Excellence le professeur D^r Armindo MONTEIRO.

Ministre des Affaires étrangères, ancien Ministre des Colonies, Membre du Conseil d'Etat, Professeur à la Faculté de droit de Lisbonne, Député — Minister for Foreign Affairs, former Minister for the Colonies, Member of the Council of State, Professor at the Faculty of Law in Lisbon, Member of the Chamber of Deputies.

Son Excellence le docteur Augusto DE VASCONCELLOS.

Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations, ancien Président du Conseil et Ministre des Affaires étrangères — Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations, former Prime Minister and Minister for Foreign Affairs.

Son Excellence le professeur D^r José CAEIRO DA MATTA.

Recteur de l'Université de Lisbonne, Professeur de la Faculté de droit, ancien Ministre des Affaires étrangères — Dean of the University of Lisbon, Professor at the Faculty of Law, former Minister for Foreign Affairs.

Suppléants — Substitutes:

Son Excellence le docteur Jorge SANTOS.

Envoyé extraordinaire et Ministre plénipotentiaire à Berne — Envoy Extraordinary and Minister Plenipotentiary in Berne.

Le docteur Fernando Emygdio DA SILVA.

Professeur à la Faculté de droit de Lisbonne, Vice-Gouverneur de la Banque de Portugal — Professor at the Faculty of Law at Lisbon, Vice-Governor of the Bank of Portugal.

Son Excellence le docteur José Capelo DE FRANCO FRAZÃO, comte DE PENHA GARCIA.

Membre du Conseil supérieur des Colonies, ancien Ministre des Finances, Président de la Société de Géographie — Member of the Higher Council for the Colonies, former Minister for Finance, President of the Geographical Society.

PORTUGAL (suite) — (continued).

M^{me} Virginia DE CASTRO E ALMEIDA.

Déléguée du Portugal à l'Institut de Coopération intellectuelle — Portuguese Delegate at the Institute of Intellectual Co-operation.

Secrétaire général — Secretary-General:

M. Henrique DA GUERRA QUARESMA VIANNA.

Conseiller de Légation, Chargé d'Affaires auprès de la Société des Nations — Counsellor of Legation, Chargé d'Affaires accredited to the League of Nations.

Secrétaires — Secretaries:

M. Henrique Rezende DIAS DE OLIVEIRA.

Secrétaire à la Légation à Paris — Secretary at the Legation in Paris.

M. Jorge BAHIA.

Secrétaire à la Délégation permanente auprès de la Société des Nations — Secretary at the Permanent Delegation accredited to the League of Nations.

M. Julio CAYOLLA.

Secrétaire particulier du Ministre des Affaires étrangères — Private Secretary to the Minister for Foreign Affairs.

Service de Presse — Press Service:

M. Paulo MENDES-OSORIO.

Attaché de Presse à la Légation à Paris — Press Attaché at the Legation in Paris.

ROUMANIE — ROUMANIA

Son Excellence M. Victor ANTONESCO.

Ministre des Affaires étrangères — Minister for Foreign Affairs.

Son Excellence M. Victor BADULESCO.

Sous-Secrétaire d'Etat aux Affaires étrangères — Under-Secretary of State for Foreign Affairs.

Son Excellence M. Constantin ANTONIADE.

Envoyé extraordinaire et Ministre plénipotentiaire auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations.

Suppléants — Substitutes:

Son Excellence M. V. V. PELLA.

Envoyé extraordinaire et Ministre plénipotentiaire à La Haye — Envoy Extraordinary and Minister Plenipotentiary at The Hague.

M^{lle} Héliène VACARESCO.

Membre de l'Académie roumaine — Member of the Roumanian Academy.

Son Excellence M. Alexandre CRETZIANO.

Ministre plénipotentiaire, Directeur des Affaires politiques au Ministère des Affaires étrangères — Minister Plenipotentiary, Director of Political Affairs at the Ministry for Foreign Affairs.

ROUMANIE (*suite*) — ROUMANIA (*continued*)

Secrétaire général — *Secretary-General*:

M. Georges CRUTZESCO.
Conseiller de Légation — Counsellor of Legation.

Secrétaires — *Secretaries*:

M. Dino CANTEMIR.
Secrétaire de la Légation auprès de la Société des Nations — Secretary of the Legation accredited to the League of Nations.

M. I. MOCSONYI-STYRCEA.
Attaché à la Légation auprès de la Société des Nations — Attaché at the Legation accredited to the League of Nations.

M. N. IOANID.
Chef de Cabinet du Ministre des Affaires étrangères — "Chef de Cabinet" to the Minister for Foreign Affairs.

M. A. FATULESCO.
Chef de Cabinet du Sous-Secrétaire d'Etat aux Affaires étrangères — "Chef de Cabinet" to the Under-Secretary of State for Foreign Affairs.

SALVADOR

SIAM

Son Excellence Phya RAJAWANGSAN.

Envoyé extraordinaire et Ministre plénipotentiaire à Londres, Représentant permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Representative accredited to the League of Nations.

Suppléant — *Substitute*:

Luang BHADRAVADI.
Secrétaire de Légation à Londres — Secretary of Legation in London.

Secrétaire — *Secretary*:

Khun Bibidh VIRAJJAKAR.
Secrétaire de Légation à Londres — Secretary of Legation in London.

SUÈDE — SWEDEN

Son Excellence M. Karl Gustav WESTMAN¹.
Ministre des Affaires étrangères — Minister for Foreign Affairs.

M. R. J. SANDLER¹.
Membre de la Première Chambre du Riksdag, Directeur en chef du Bureau central de statistique, ancien Premier Ministre, ancien Ministre des Affaires étrangères — Member of the First Chamber of the Riksdag, Director-in-chief of the Central Statistical Bureau, former Prime Minister, former Minister for Foreign Affairs.

M. G. A. BAGGE.
Membre de la Première Chambre du Riksdag, Professeur à l'Université libre de Stockholm — Member of the First Chamber of the Riksdag, Professor at the Free University at Stockholm.

Suppléants — *Substitutes*:

M. B. Östen UNDÉN.
Membre de la Première Chambre du Riksdag, Professeur à l'Université d'Upsal, ancien Ministre des Affaires étrangères — Member of the First Chamber of the Riksdag, Professor at the University of Upsal, former Minister for Foreign Affairs.

M. B. H. VON STOCKENSTRÖM.
Membre de la Première Chambre du Riksdag, ancien Ministre de l'Agriculture — Member of the First Chamber of the Riksdag, former Minister for Agriculture.

M. A. I. ANDERSON.
Membre de la Deuxième Chambre du Riksdag, Rédacteur en chef — Member of the Second Chamber of the Riksdag, Chief Editor.

M. K. I. WESTMAN.
Envoyé extraordinaire et Ministre plénipotentiaire à Berne, Délégué permanent auprès de la Société des Nations — Envoy Extraordinary and Minister Plenipotentiary in Berne, Permanent Delegate accredited to the League of Nations.

Expert:

Mlle Kerstin HESSELGREN.
Ancien Membre de la Première Chambre du Riksdag — Former Member of the First Chamber of the Riksdag.

Secrétaires — *Secretaries*:

M. C. O. JOHANSSON.
Service de presse, Chef de section au Ministère des Affaires étrangères — Press Service, Head of Section at the Ministry for Foreign Affairs.

M. S. J. SÖDERBLOM.
Chef de la Section de la Société des Nations au Ministère des Affaires étrangères — Head of the League of Nations Section at the Ministry for Foreign Affairs.

¹ A partir du 28 septembre 1936, à la suite de changements survenus dans la composition du Cabinet suédois, M. Sandler est devenu Ministre des Affaires étrangères et premier délégué à l'Assemblée tandis que M. Karl Gustav Westman devenait Ministre de la Justice et second délégué à l'Assemblée — As from September 28th, 1936, and following upon Ministerial changes in Sweden, M. Sandler became Minister for Foreign Affairs and first delegate to the Assembly and M. Karl Gustav Westman Minister for Justice and second delegate to the Assembly.

SUÈDE (*suite*) — SWEDEN (*continued*)

M. S. H. VON EULER-CHELPIN.

Secrétaire au Ministère des Affaires étrangères —
Secretary at the Ministry for Foreign Affairs.

SUISSE — SWITZERLAND

Son Excellence M. Giuseppe MOTTA.

Conseiller fédéral, Chef du Département politique —
Federal Councillor, Head of the Political Department.

M. William RAPPARD.

Directeur de l'Institut universitaire des Hautes
Etudes internationales — Director of the University
Institute for Higher International Studies.

M. Walter STUCKL.

Conseiller national, Ministre plénipotentiaire, Délégué
du Conseil fédéral pour le commerce extérieur —
National Councillor, Minister Plenipotentiary, Dele-
gate of the Federal Council for Foreign Trade.

Suppléants — Substitutes:

M. Emile KLÖTL.

Député au Conseil des Etats — Member of the
Council of States.

M. Ludwig SCHNELLER.

Avocat, Docteur en droit, Conseiller national —
Barrister, Doctor of Law, National Councillor.

M. Camille GORGÉ.

Conseiller de Légation, Chef de la Section de la
Société des Nations au Département politique —
Councillor of Legation, Head of the League of Nations
Section at the Political Department.

Secrétaire — Secretary:

M. Henri VOIRIER.

Juriste au Département politique — Legal Expert
in the Political Department.

TCHÉCOSLOVAQUIE — CZECHOSLOVAKIA

Son Excellence M. Kamil KROFTA.

Ministre des Affaires étrangères — Minister for
Foreign Affairs.

Son Excellence M. Štefan OSUSKÝ.

Envoyé extraordinaire et Ministre plénipotentiaire
à Paris — Envoy Extraordinary and Minister
Plenipotentiary in Paris.

Son Excellence M. Ferdinand VEVERKA.

Envoyé extraordinaire et Ministre plénipotentiaire
à Vienne — Envoy Extraordinary and Minister
Plenipotentiary in Vienna.

Son Excellence M. Rudolf KUNZL-JIZERSKÝ.¹

Envoyé extraordinaire et Ministre plénipotentiaire
à Berne, Délégué permanent auprès de la Société
des Nations — Envoy Extraordinary and Minister
Plenipotentiary in Berne, Permanent Delegate
accredited to the League of Nations.

¹ Pendant la présence de M. Krofta à Genève, M. Kunzl-
Jizerský a été délégué suppléant — During the stay of
M. Krofta in Geneva, M. Kunzl-Jizerský acted as substitute
delegate.

TCHÉCOSLOVAQUIE (*suite*)
CZECHOSLOVAKIA (*continued*)

Suppléants — Substitutes:

M. Jan JINA.

Chef de Cabinet du Ministre des Affaires étrangères
— "Chef de Cabinet" to the Minister for Foreign
Affairs.

M. Arnóšt HEIDRICH.

Chef du Service tchécoslovaque de la Société des
Nations au Ministère des Affaires étrangères — Head
of the League of Nations Office at the Ministry for
Foreign Affairs.

Conseillers techniques — Experts:

M. Jan HÁJEK.

Directeur de la Division de Presse au Ministère des
Affaires étrangères — Director of the Press Service
at the Ministry for Foreign Affairs.

M. Josef CHEMLAR.

Conseiller au Ministère des Affaires étrangères —
Councillor at the Ministry for Foreign Affairs.

Secrétaire général — Secretary-General:

M. František STRNAD.

Secrétaire au Ministère des Affaires étrangères —
Secretary at the Ministry for Foreign Affairs.

Secrétaires — Secretaries:

M. Bohuslav VEČERKA.

Secrétaire au Ministère des Affaires étrangères —
Secretary at the Ministry for Foreign Affairs.

M. IVAN LAICHTER.

Secrétaire de Légation — Secretary of Legation.

M. Ladislav HLAVÁČEK.

Attaché au Ministère des Affaires étrangères —
Attaché at the Ministry for Foreign Affairs.

TURQUIE — TURKEY

Son Excellence le docteur Tefvik ROSTO ARAS.

Ministre des Affaires étrangères — Minister for
Foreign Affairs.

Son Excellence M. Sükrü KAYA.

Ministre de l'Intérieur et Secrétaire général du Parti
du Peuple — Minister for the Interior and Secretary-
General of the People's Party.

M. Hassan Riza SOYAK.

Secrétaire général de la Présidence de la République
— Secretary-General of the Presidency of the
Republic.

Suppléant — Substitute:

Son Excellence M. Necmeddin SADAK¹.

Envoyé extraordinaire et Ministre plénipotentiaire,
Délégué permanent auprès de la Société des Nations —
Envoy Extraordinary and Minister Plenipotentiary,
Permanent Delegate accredited to the League of Nations.

¹ En l'absence du délégué titulaire, M. Necmeddin Sadak
l'a remplacé — In the absence of a full delegate, M. Necmeddin
Sadak replaced him.

TURQUIE (suite) — TURKEY (cont.)

Conseillers — Advisers:

M^{me} Mihri PEKTAS.

Députée à la Grande Assemblée nationale — Member of the Grand National Assembly.

M. Bedi ARBEL.

Directeur général au Ministère des Affaires étrangères — Director-General at the Ministry for Foreign Affairs.

M. R. Amir KOCAMAZ.

Directeur du Cabinet particulier du Ministre des Affaires étrangères — Director of the Bureau of the Minister for Foreign Affairs.

M. Numan SEYMEN.

Consul général — Consul-General.

Secrétaires — Secretaries:

M. Arif KARAN.

Directeur du Cabinet particulier du Ministre de l'Intérieur — Director of the Bureau of the Minister for the Interior.

M. Nedim VEYSEL.

Premier Secrétaire de la délégation permanente auprès de la Société des Nations — First Secretary at the Permanent Delegation accredited to the League of Nations.

UNION DES RÉPUBLIQUES SOVIÉTIQUES
SOCIALISTES
UNION OF SOVIET SOCIALIST REPUBLICS

M. Maxime LITVINOFF.

Commissaire du Peuple aux Affaires étrangères — People's Commissary for Foreign Affairs.

M. Vladimir POTEKINE.

Ambassadeur extraordinaire et plénipotentiaire à Paris — Ambassador Extraordinary and Plenipotentiary in Paris.

M. Boris STEIN.

Ambassadeur extraordinaire et plénipotentiaire à Rome — Ambassador Extraordinary and Plenipotentiary in Rome.

Suppléante — Substitute:

M^{me} Alexandra KOLLONTAI.

Envoyé extraordinaire et Ministre plénipotentiaire à Stockholm — Envoy Extraordinary and Minister Plenipotentiary in Stockholm.

Suppléant et Secrétaire général — Substitute and Secretary-General:

M. Edouard HOERSCHELMANN.

Secrétaire général du Commissariat du Peuple pour les Affaires étrangères — Secretary-General of the People's Commissariat for Foreign Affairs.

UNION DES RÉPUBLIQUES SOVIÉTIQUES
SOCIALISTES (suite)

UNION OF SOVIET SOCIALIST REPUBLICS
(continued)

Secrétaire général adjoint — Assistant Secretary-General:

M. Vladimir EGORIEW.

Conseiller juridique au Commissariat du Peuple pour les Affaires étrangères — Legal Adviser at the People's Commissariat for Foreign Affairs.

Conseillers techniques — Experts:

M. Georges LACHKEVITCH.

Conseiller juridique au Commissariat du Peuple pour les Affaires étrangères — Legal Adviser at the People's Commissariat for Foreign Affairs.

M. Boris ROSENBLUM.

Directeur du Département économique du Commissariat du Peuple pour les Affaires étrangères — Director of the Economic Department at the People's Commissariat for Foreign Affairs.

Secrétaire — Secretary:

M. Michel ZALETINE.

Attaché.

Rédacteurs:

M^{me} Agnès ROMM.

M^{lle} Nadejda RIVLINA.

URUGUAY

Son Excellence le docteur Alberto GUANI.

Envoyé extraordinaire et Ministre plénipotentiaire à Londres — Envoy Extraordinary and Minister Plenipotentiary in London.

Son Excellence M. Victor BENAVIDES.

Ingénieur, Envoyé extraordinaire et Ministre plénipotentiaire à Berne, ancien Ministre des Travaux publics, ancien Sénateur — Engineer, Envoy Extraordinary and Minister Plenipotentiary in Berne, former Minister for Public Works, former Senator.

Secrétaire général — Secretary-General:

M. Adolfo SIENRA.

Secrétaire de Légation à Paris — Secretary of Legation in Paris.

VENEZUELA

Son Excellence M. C. PARRA-PÉREZ.

Envoyé extraordinaire et Ministre plénipotentiaire à Londres — Envoy Extraordinary and Minister Plenipotentiary in London.

VENEZUELA (*suite*) — (*continued*).

Son Excellence M. M. AROCHA.

Ministre plénipotentiaire, Délégué permanent auprès de la Société des Nations — Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

Secrétaires — Secretaries:

M. Luis LORETO.

Premier Secrétaire de Légation, Premier Secrétaire de la Délégation permanente auprès de la Société des Nations — First Secretary of Legation, First Secretary at the Permanent Delegation accredited to the League of Nations.

M. Carlos Eduardo FRIAS.

Deuxième Secrétaire de Légation, Deuxième Secrétaire de la Délégation permanente auprès de la Société des Nations — Second Secretary of Legation, Second Secretary at the Permanent Delegation accredited to the League of Nations.

YUGOSLAVIE — YUGOSLAVIA

Son Excellence le docteur Milan STOYADINOVITCH.

Président du Conseil des Ministres et Ministre des Affaires étrangères — President of the Council of Ministers and Minister for Foreign Affairs.

Son Excellence le docteur Bojidar POURITCH.

Envoyé extraordinaire et Ministre plénipotentiaire à Paris — Envoy Extraordinary and Minister Plenipotentiary in Paris.

Son Excellence le docteur André GOSAR.

Professeur à l'Université de Ljubljana, ancien Ministre — Professor at the University of Ljubljana, former Minister.

Le docteur Ivan SOUBBOTITCH.¹

Délégué permanent auprès de la Société des Nations — Permanent Delegate accredited to the League of Nations.

¹ Pendant la présence de M. Stoyadinovitch à Genève, M. Soubbotitch est devenu délégué suppléant — During the stay in Geneva of M. Stoyadinovitch, M. Soubbotitch acted as substitute delegate.

YUGOSLAVIE (*suite*)
YUGOSLAVIA (*continued*)

Suppléant — Substitute:

Le docteur Ivo ANDRITCH.

Directeur du Département politique au Ministère des Affaires étrangères — Director of the Political Department at the Ministry for Foreign Affairs.

Conseillers techniques — Experts:

Le docteur Stoyan GAVRILOVITCH.

Chef de la Section pour la Société des Nations au Ministère des Affaires étrangères — Head of the League of Nations Section at the Ministry for Foreign Affairs.

Le docteur Slavko STOYKOVITCH.

Secrétaire au Ministère des Affaires étrangères — Secretary at the Ministry for Foreign Affairs.

Secrétaire général — Secretary-General:

Le docteur Vladimir MANOÏLOVITCH.

Secrétaire de la Délégation permanente auprès de la Société des Nations — Secretary of the Permanent Delegation accredited to the League of Nations.

Secrétaires — Secretaries:

Le docteur Milenko MILITCH.

Attaché de la Délégation permanente auprès de la Société des Nations — Attaché at the Permanent Delegation accredited to the League of Nations.

Le docteur Féodor KORENITCH.

Attaché de la Délégation permanente auprès de la Société des Nations — Attaché at the Permanent Delegation accredited to the League of Nations.

Service de presse — Press Service:

Le docteur Kosta LOUKOVITCH.

Directeur du Bureau central de Presse de la Présidence du Conseil des Ministres — Director of the Central Press Bureau attached to the Presidency of the Council of Ministers.

M. Bogdan RADITSA.

Attaché de Presse de la Délégation permanente auprès de la Société des Nations — Press Attaché at the Permanent Delegation accredited to the League of Nations.

PRESIDENT AND VICE-PRÉSIDENTS OF THE ASSEMBLY

President :

M. Carlos SAAVEDRA LAMAS (Argentine Republic).

Vice-Presidents elected by the Assembly :

The first delegates of France, the United Kingdom, Yugoslavia, Canada, the Union of Soviet Socialist Republics, Italy.

Chairmen of the Committees and ex-officio Vice-Presidents of the Assembly :

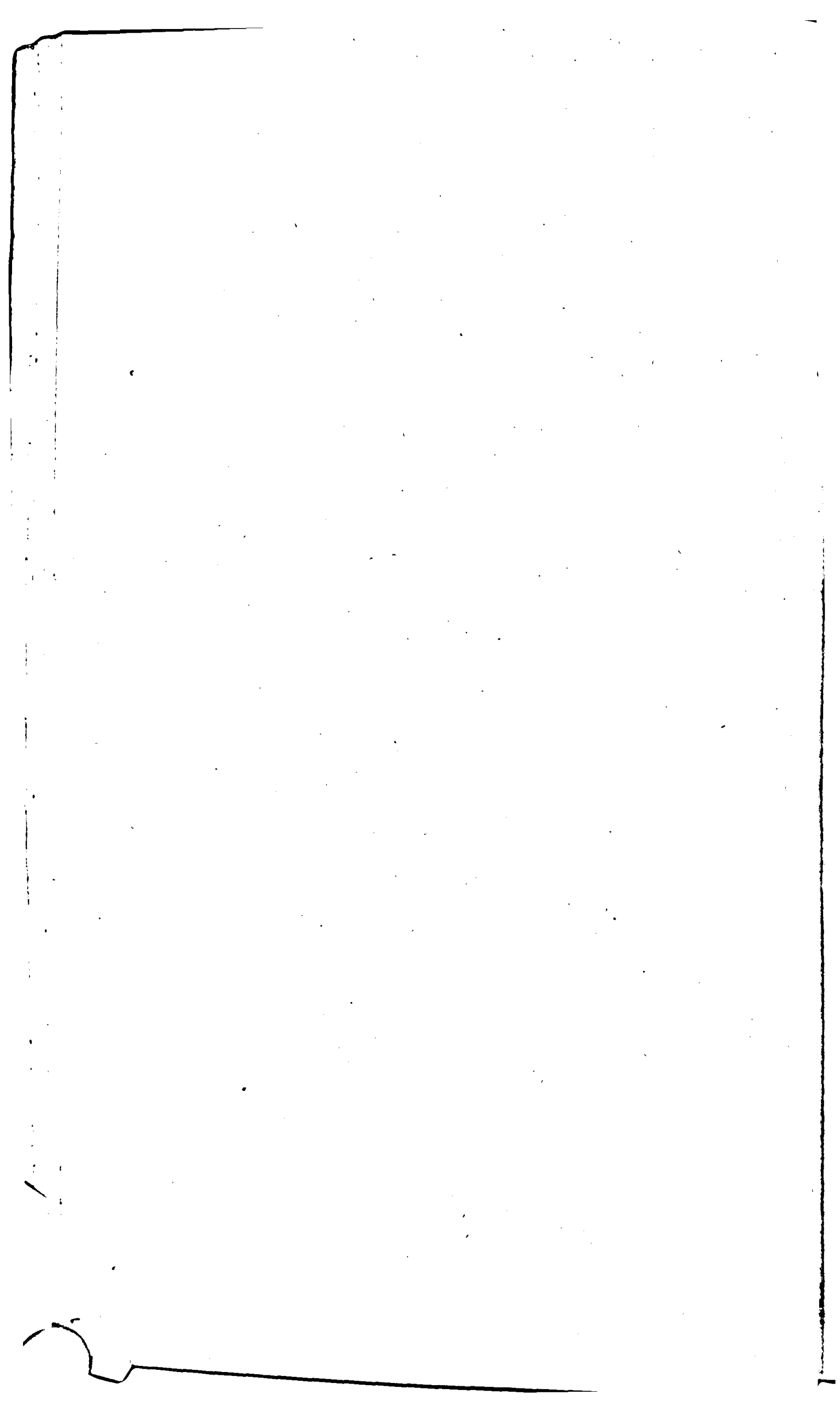
M. LIMBURG (Netherlands).
M. VAN LANGENHOVE (Belgium).
M. LANGE (Norway).
M. GUANI (Uruguay).
M. SCHMIDT (Estonia).
M. MOTTA (Switzerland).
MR. BRUCE (Australia).

Secretary-General of the League of Nations :

M. J. AVENOL.

The President and the thirteen Vice-Presidents constituted, with M. Avenol, Secretary-General of the League of Nations, the General Committee of the Assembly.

In accordance with decisions taken at the third meeting of the Assembly, the Chairman of the Agenda Committee, M. BECK (Poland), and the Chairman of the Credentials Committee, M. TUDELA (Peru), were appointed members of the General Committee of the Assembly.



TEXT OF THE DEBATES

FIRST PLENARY MEETING

Monday, September 21st, 1936, at 10.30 a.m.

CONTENTS.

1. OPENING OF THE ASSEMBLY.
2. OPENING SPEECH BY M. RIVAS VICUÑA, PRESIDENT OF THE COUNCIL.
3. ELECTION OF THE COMMITTEE TO REPORT ON THE CREDENTIALS OF THE DELEGATES.

President: M. RIVAS VICUÑA (Chile),
President of the Council.

1. — OPENING OF THE ASSEMBLY.

M. Rivas Vicuña, delegate of Chile, President of the Council, took the Chair.

The Chairman:

Translation: Ladies and gentlemen—In my capacity as President of the Council of the League of Nations, I have the honour to declare open the seventeenth ordinary session of the Assembly of the League of Nations.

2. — OPENING SPEECH BY M. RIVAS VICUÑA, PRESIDENT OF THE COUNCIL.

The Chairman:

Translation: Ladies and gentlemen—This year—crucial beyond all others in the destinies of mankind—the honour of opening your ordinary session falls to the representative of a country which, throughout the whole of its history, has given repeated proof of its genuine love of peace and has contributed to the utmost of its power to the promotion of peace.

In 1915, four years before the League rose from the desolation and despair which the war left in its wake, the Chilean Government instructed its representative at Washington to lay before the Pan-American Union an international plan of action the main lines of which corresponded exactly to the bases on which the League was afterwards founded.

For sixteen years, in the Assembly, in the Council and on League Committees, Chile has given its loyal, unflinching and effective co-operation to the cause of peace, understanding and international reconciliation, towards which the League has striven in spite of the inevitable difficulties.

At the present juncture, in the presence of the obvious dangers which threaten to destroy that

work, born of the tribulations and despair of mankind, the Chilean Government believes it of supreme importance that the League should be universal. It considers that an endeavour must be made, by all appropriate means, to secure the co-operation of all States in our ideal of peace—an ideal which, moreover, is common to all nations.

My suggestion that a study should be made of the Covenant, its application and possible reform, was the outcome of these beliefs.¹ The principles by which my suggestion was prompted were endorsed by the last Assembly² and there can be no doubt that one of our most difficult and urgent tasks this year is to consider—in the light of the communications from the various Governments³—by what means the League's authority can again be rendered effective so that all nations should, in future, have the assurance that it will never again be subjected to trials beyond its strength.

The political events of the last few months have put the League to a stern test. A long and sanguinary conflict, the disturbed state of Europe, the increase in armaments—such are the causes of the concern, distress and anxiety by which the League has been beset. After the difficult trials through which we have passed and the failures which we have had to endure, our only course is to take stock of our position.

To all of us, therefore, an adjustment of our methods, an adaptation of our principles to the teachings of experience, have appeared essential. The task will be one of great difficulty. It will call for foresight, patience and goodwill on the part of us all, but we must carry it to a successful conclusion.

At the conclusion of our meeting last July,⁴ the President, M. van Zeeland, reminded us that our essential and permanent duty is the protection of peace, and he brought home to us how dangerous it would be to rely, for this purpose, on political means alone and to neglect the economic considerations on which peace very often depends.

The President's optimistic conviction that "recovery is here, close at hand" has since been borne out by the valuable survey which the

¹ See *Official Journal*, July 1936, page 751.

² See *Official Journal*, Special Supplement No. 151, page 65.

³ See *Official Journal*, Special Supplement No. 154.

⁴ See *Official Journal*, Special Supplement No. 151, page 70.

Secretary-General has communicated to us as an annex to the report on the work of the League of Nations for 1935/36.¹

That surveys shows that since 1932 there has been an unbroken movement towards recovery, irregular, no doubt, but tending nevertheless to gather increased momentum; this naturally points to the conclusion that the situation is propitious for the efforts of those who, in the economic field, are striving to devise a solution such as would help materially to dispel the clouds which overhang the political horizon.

Among the Assembly's tasks is that of issuing instructions to the League's technical organisations; I venture to express the hope that, at our present gathering, the Members of the League will make a mighty effort and give a lead such as will start those organisations on activities of real value in the economic sphere, which, through the action of the Assembly and the Council and the Governments' determination to accomplish something practical, cannot fail to yield fruitful results.

In the fields of technical and humanitarian achievement, the League has continued its methodical and progressive work. The results obtained in the campaign against narcotic drugs; its work in the matter of intellectual co-operation; its action as regards assistance for refugees; its efforts in the direction of a study of popular nutrition, the physical education of youth, the rehabilitation of prostitutes, healthy dwelling-houses, and child welfare; the progress recorded with regard to mandates problems, and those concerning the competence of the Financial Committee, the Transit Organisation and other technical Commissions, all deserve the highest praise. You will find a detailed account of this multifarious activity in the Secretary-General's remarkable report on the work of the League.²

But the essential task of this institution, on which the faith and the hope of mankind are centred, is and will always remain that of ensuring, protecting and safeguarding peace. As regards this vital point, it would be useless and dangerous to close one's eyes to the disturbing realities of to-day. More than at any time since the League of Nations was founded, clouds darken the horizon; more than ever before, the mind of man is bewildered and his heart heavy with anxiety; more than ever, the distant heavens seem deaf to the prayers which rise to them from the hearts of men.

But we must not forget that to every new idea, every liberal principle, every effort to attain the ideal, final victory comes only after suffering and failure.

That is the moment when we must summon all our strength and all the powers of our soul.

To-day, as always, it is the duty of the Governments of all States, whether Members of the League or not, to ensure the happiness of the peoples and to promote their progress. They must avoid war or any recourse to force as a means of settling disputes. The League of Nations offers them impartial conciliation and justice.

To avoid war, it should be enough to raise our minds and hearts above matter and above force; to listen to the voice of the working people, the people whose will is for peace; to hear the cry of women, united throughout the world in condemnation of war, and clamouring for mutual love between the peoples; to remember the voice of Heaven, which called to us from the beginning: "Glory to God in the highest, and on earth peace, goodwill toward men."

¹ Document A.6.(a).1936. Annex II; 1936.7.

² Documents A.6.1936; 1936.5 and A.6(a)1936.1936.6.

3. — ELECTION OF THE COMMITTEE TO REPORT ON THE CREDENTIALS OF THE DELEGATES.

The Chairman :

Translation : The first item on the agenda is the election of the Committee to report on the credentials of the delegates.

According to Rule 5, paragraph 3, of the Rules of Procedure of the Assembly, and in view of the precedents, I have the honour to submit to the Assembly, without in any way attempting to influence its choice, a list consisting of nine names as follows :

His Excellency M. TUDELA (Peru);
The Rt. Hon. Anthony EDEN (United Kingdom);
His Excellency M. DELBOS (France);
M. LITVINOFF (Union of Soviet Socialist Republics);
M. LIMBURG (Netherlands);
His Excellency M. OSUSKÝ (Czechoslovakia);
His Excellency M. POLITIS (Greece);
Mr. JORDAN (New Zealand);
His Excellency M. RÜSTÜ ARAS (Turkey).

The delegation of Ethiopia has asked to speak. I therefore call upon the delegate of Ethiopia to come to the platform.

Ato Lawrence Taezaz (Ethiopia) :

Translation : In view of the delicacy of the task to be performed by the Committee on Credentials, the Ethiopian delegation requests that, in the election of the Committee, the provisions of the Rules of Procedure be strictly observed, and that the members be elected by secret ballot.

The Chairman :

Translation : The Assembly has heard the delegate of Ethiopia request that the election of the Committee on Credentials shall take place by secret ballot, in conformity with the Rules of Procedure. This request of the delegation of Ethiopia will therefore be satisfied, since a vote by ballot must automatically be taken if requested.

The provisions of Rule 21, paragraph 3, apply to this election and are as follows :

"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."

The election will take place by ballot.

I would request Mr. Bruce, delegate of Australia, and M. Guani, delegate of Uruguay, to act as tellers.

I would remind the Assembly that voting-papers must bear the names of persons and not the names of countries.

As the number of places to be filled is nine, voting-papers containing more than nine names will be regarded as invalid.

(The votes of the delegations were taken in turn by secret ballot.)

The Chairman :

Translation : In the first place, I desire to thank the tellers for their kind assistance.

The result of the voting is as follows :

Number of States voting	52
Blank voting-paper	1
Valid voting-papers	51
Absolute majority	26

The analysis of the voting is as follows :

	Votes
Mr. Eden	47
M. Litvinoff	47
M. Delbos	46
M. Osuský	43
M. Politis	43
M. Aras	41
M. Tudela	41
Mr. Jordan	40
M. Limburg	39

In accordance, therefore, with the rules of procedure, I have the honour to declare these persons members of the Committee to report on the Credentials of the Delegates.

The Committee on Credentials being now constituted, I will ask it to meet immediately in the President's room in this building. It will be able to elect its Chairman and carry out certain preliminary formalities this morning.

I will notify the members of the Assembly as soon as possible of the time of the next meeting.

SECOND PLENARY MEETING

Monday, September 21st, 1936, at 5 p.m.

CONTENTS.

4. CREDENTIALS OF DELEGATES.
Report of the Committee on Credentials.
5. ELECTION OF THE PRESIDENT OF THE SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY.
6. PRESIDENTIAL ADDRESS.
7. PROVISIONAL PROGRAMME OF WORK OF THE ASSEMBLY AND ITS COMMITTEES.
8. MESSAGE OF SYMPATHY AND GOOD WISHES TO M. TITULESCO ON THE OCCASION OF HIS ILLNESS.

President : M. RIVAS VICUÑA (Chile),
President of the Council.

Later : M. SAAVEDRA LAMAS
(Argentine Republic).

4. — CREDENTIALS OF DELEGATES : REPORT OF THE COMMITTEE ON CREDENTIALS.

The Chairman :

Translation : The first item on the agenda is the report of the Committee on Credentials.

I call upon the Chairman of the Committee, M. Tudela, delegate of Peru, and M. Politis, delegate of Greece, Rapporteur of the Committee, to come to the platform.

(M. Tudela and M. Politis took their places on the platform.)

The Chairman :

Translation : I call upon M. Politis, Rapporteur of the Committee, to read his report.

M. Politis (Greece), Rapporteur of the Committee on Credentials :

Translation : The Committee which has just been appointed by the Assembly to report on the credentials of the delegates met to-day, September 21st, 1936, at 12.30 p.m., in the President's room.

It elected as Chairman M. Tudela, and did me the honour of appointing me Rapporteur.

The Committee examined the documents, emanating from fifty-two Members, which were submitted to it by the Secretary-General.

It found that the full powers conferred upon forty-four delegations fully satisfied the requirements of Rule 5, paragraph 2, of the Rules of Procedure of the Assembly.

Some were conferred by the Head of the State or by an authority having similar powers. This applies to the following thirty countries :

Afghanistan, Argentine Republic, Austria, Bolivia, Bulgaria, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Estonia, Finland, France, Greece, Haiti, Latvia, Lithuania, Luxemburg, Mexico, Netherlands, Norway, Panama, Peru, Poland, Portugal, Sweden, Switzerland, Union of Soviet Socialist Republics, Uruguay.

The other regular powers were conferred in documents emanating from the Minister for Foreign Affairs or an authority having similar powers. This applies to the following fourteen countries :

Union of South Africa, Albania, Australia, Belgium, United Kingdom of Great Britain and Northern Ireland, Canada, Hungary, India, Irish Free State, Liberia, New Zealand, Roumania, Spain, Venezuela.

The following seven Members nominated their delegates without having presented full powers in good and due form :

Four Members, China, Ecuador, Iran and Turkey, nominated their delegates by means of a telegram from the Minister for Foreign Affairs.

In the case of three other Members — Iraq, Siam and Yugoslavia — their permanent delegations communicated the list of delegations to the Assembly.

The following six Members have not yet nominated delegates for this session of the Assembly :

Guatemala, Honduras, Italy, Nicaragua, Paraguay, Salvador.

The Committee is of opinion that the delegates mentioned in the first category were duly accredited to take part in the work of the present session of the Assembly.

The Committee is of opinion that the powers mentioned in the second category do not satisfy, or only partially satisfy, the conditions laid down in Rule 5, paragraph 2, of the Rules of Procedure of the Assembly.

It proposes that the delegations of these States Members be authorised to take their seats, subject to full powers being sent by their respective Heads of States or Ministers for Foreign Affairs.

As regards the delegation appointed by His Majesty Haile Selassie I, the Committee on Credentials, being of opinion that it should proceed to a closer consideration of this question, proposes that the Assembly, in order not to delay its constitution, should approve the report which I have the honour to submit in its name regarding the credentials of the other delegations, and should defer its decision concerning the above-mentioned delegation until the Committee has submitted a second report.

The Chairman :

Translation : I beg to thank the Rapporteur of the Committee on Credentials for his report.

Does any delegation wish to speak on the conclusions of this report ?

If a vote is not requested, I shall take the silence of the Assembly as a proof of its consent, and I shall interpret it to mean that it approves the report of the Committee on Credentials as submitted.

The report was adopted.

5. — ELECTION OF THE PRESIDENT OF THE SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY.

The Chairman :

Translation : The next item on the agenda is the election of the President of the seventeenth ordinary session of the Assembly. In conformity with the rules of procedure, the voting will be by secret ballot by roll-call.

May I call upon His Excellency M. Sandler, delegate of Sweden, and His Excellency M. Dandurand, delegate of Canada, as former Presidents of the Assembly, to be good enough to act as tellers ?

(The votes of the delegations were taken in turn by secret ballot.)

The Chairman :

Translation : In the first place, I wish to thank the tellers for their kind assistance.

The result of the voting is as follows :

Number of States voting . . .	49
Blank and spoilt voting-papers	4
Valid voting-papers	45
Absolute majority	23

His Excellency Dr. Carlos Saavedra Lamas, delegate of the Argentine Republic, has obtained 44 votes; the Right Honourable S. M. Bruce, delegate of Australia, has obtained one vote.

I have the honour, therefore, in accordance with the Rules of Procedure, to declare that His Excellency Dr. Carlos Saavedra Lamas, first delegate of the Argentine Republic, is elected President of the Assembly.

I am particularly happy to invite to the Presidential Chair the distinguished Minister for Foreign Affairs of the Argentine, a country which is a neighbour and friend of my own and to which we are bound by a long history of efforts, struggles and triumphs.

You all know the achievements of the President whom you have just elected, and among them more especially the Pact which bears his name, his participation in the joint action taken by Chile and the Argentine in the settlement of the Chaco dispute, and his Presidency of the Buenos Ayres Peace Conference. The list of his merits is too long for me to enumerate here.

The fact that His Excellency M. Saavedra Lamas is occupying the Presidential Chair of our Assembly should remind us that it is through the collaboration of all countries, and through the universality of its action, that the League of Nations can ensure the triumph of the principles underlying the Covenant, and can bring to mankind a little more justice and a little more happiness.

I call upon M. Saavedra Lamas to take the Chair as President of the Assembly.

(M. Saavedra Lamas took the Presidential Chair.)

6. — PRESIDENTIAL ADDRESS.

The President :

Translation : Ladies and gentlemen. — First let me thank you for the great honour which you do me in electing me President of the Assembly. I interpret your choice as a tribute to my country, whose conduct has always been the reflection of its attachment to the principles of law and its love of peace. I find in it a further encouragement to our policy of fidelity to international morality — a policy of ordering the nation's life in accordance with the principles of law and justice.

Your choice has no doubt another and broader significance. This is not the first occasion on which you have entrusted this office to the representative of an American nation. You forget neither the American origin of the League nor the co-operation of a continent which helps to give the League's activities a universal character. From the New World you have always received words of sympathy and loyal support and you know that, in your high-minded efforts to bring about a closer brotherhood between States and further progress towards the reign of law, the young American nations will always be found standing by your side.

In accepting the office of President, I am fully aware of my responsibilities. I need hardly say that, in performing my duties, I shall do everything I can to live up to a tradition of impartiality which has never been broken in the past, and which is more than ever necessary at this grave juncture in the world's affairs.

We must proceed with our quest for peace and mutual understanding. We must not be disheartened, either by the diversity of our problems or by their unvarying complexity.

During the seventeen years of its existence, the League has known alternately success and deep disappointment. Such is the lot of every living organism in its necessary efforts to adapt itself to circumstances. This is a biological process which should cause us no surprise.

We have undertaken to perfect the institution which we created; that is one of the purposes of our present gathering. It was decided that revision should be carried out in the light of the experience gained, and I am gratified to note that six American countries are even now in a position to bring you quite recent evidence of successful peace-making.

The conciliation procedure employed to put an end to the war in the Northern Chaco is indeed a valuable precedent for the deliberations on which we are about to enter. That the President of the Council shares this view is clear from the words of appreciation which he has just pronounced and for which I thank him, both personally and on behalf of the Conference over which I presided; those words are equally applicable to his own country for the part it played on that occasion.

The Chaco dispute lay within the jurisdiction of the League, as both the belligerent States were signatories of the Covenant. Taking a practical view of the situation, however, you suspended your own direct action in the matter and delegated your functions to a group of neighbouring nations whose action was supported by the United States of America. There you have, in some measure, a regional principle which is certainly worthy of your consideration.

The salient feature, the chief characteristic of the settlement of that dispute was unquestionably the high-minded and valuable assistance given by countries which are not Members of the League. In a concrete case calling for an effort at conciliation, there is therefore a real possibility of associating the nations outside the League in a concerted action for peace. To my mind, this fact points the way to a peace policy which should be, not intermittent and occasional, but finally recognised as being of general application.

But I do not wish to anticipate the proceedings of the Legal Committee, nor the proposed reforms which will have to be calmly and carefully considered, and to which we shall all make our several contributions.

If procedure by amendment is slow and difficult ; if the interpretative system can do no more than lay down rules, are we not entitled to think that there is a third way of attaining the end we have set before us and of strengthening our institution by securing for it the co-operation of additional forces ? Such co-operation must be established in advance and must have all the force of a legal bond.

There are already supplementary agreements or treaties for settling this essential aspect of the problem — and we can create more — without necessarily excluding such other reforms as may be deemed desirable and found to be expedient. None will deny the necessity of securing, for the basic work of conciliation, the help of great countries whose absence impairs the universal character of the League and weakens collective security.

All our hopes, all on which this admirable institution is founded, the statutory provisions which we feel need improvement — all that can be condensed into a synthetic whole ; and its evolution on the moral plane is as necessary as the dynamic impulse that actuates all the springs of a mechanism. It can be summed up in two words : co-operation and solidarity.

By a happy coincidence, I am presiding over this Assembly on the eve of my participation in the discussions of another Conference, convened on the initiative of President Roosevelt, to consolidate peace between the countries of America. I refer to this circumstance as being a privilege the value of which I fully appreciate. I hope, both here and at that other Conference, to serve the same cause, a common ideal, aspirations which are shared by all and which, at this anxious hour of world history, are calling more than ever for universal action.

These Conferences, which will be linked by a similarity of aim, will deal with analogous, if not identical, problems. They will seek means to attenuate the clash of interests between peoples and to convince them that the progress of each nation can only be advanced by international collaboration, replacing threats and violence by mutual understanding. It will only be possible to build up the work of our civilisation on a foundation of justice and right, thus upholding the freedom and dignity of mankind.

Politics and economics are intimately linked one with another. As long as we fail to secure a stable peace, we shall neither be able to rid ourselves of Customs barriers nor overcome monetary fluctuations and anarchy, nor yet to reduce economic nationalism. A far-reaching restoration of trade —

such as we considered in America at the seventh Montevideo Conference — the general growth of commerce, the development of human welfare ; all that these imply can only be attained if we overlook continental divisions and recognise the necessity for world co-operation.

Law can only be the expression of a moral reality. We may amend the Covenant according to forms of law, but its efficacy will depend above all on the weight of the moral forces to which it owed its origin at a moment when civilisation, in a great spiritual awakening, reacted against the barbarism of war.

The League of Nations has been the subject of many criticisms and many reproaches, and it has been made to bear alone the weight of many responsibilities. It is justified in turning upon its critics and claiming before the world the moral contribution, the gift of good faith, solidarity and even of sacrifice, which was promised to it at its birth, and with which it cannot dispense unless it is to fail in its mission.

7. — PROVISIONAL PROGRAMME OF WORK OF THE ASSEMBLY AND ITS COMMITTEES.

The President :

Translation : Before closing the meeting, I have to inform the delegations that, in accordance with the practice established by my predecessors in the Chair, I propose to have communicated to them shortly a note, giving them, in advance, an idea of the suggestions I shall submit to them at to-morrow morning's meeting in regard to the different questions on the agenda of the present session.

If, as I hope, the preliminary arrangements regarding procedure which the Assembly will have to adopt to-morrow morning can be rapidly completed, I shall propose that the Committees of the Assembly meet immediately after the plenary meeting to-morrow morning, in this hall, unless anything unforeseen occurs. I suggest that the Committees meet at intervals of a quarter of an hour, so that they may proceed to elect their respective Chairmen.

I will therefore ask the delegations kindly to supply, as soon as possible, on the forms which the Secretariat has placed at their disposal for that purpose, the names of their respective representatives on the various Committees.

8. — MESSAGE OF SYMPATHY AND GOOD WISHES TO M. TITULESCO ON THE OCCASION OF HIS ILLNESS.

The President :

Translation : My colleagues, like myself, are doubtless aware that M. Titulesco, who has on two occasions presided with such conspicuous ability over this Assembly, has fallen ill.

I would ask my colleagues to authorise me to convey to M. Titulesco our sincere wishes for his speedy recovery.

The President's proposal was adopted.

THIRD PLENARY MEETING

Tuesday, September 22nd, 1936, at 10 a.m.

CONTENTS.

9. AGENDA : EXAMINATION AND ADOPTION.
10. CONSTITUTION OF THE COMMITTEES.
11. AGENDA COMMITTEE : APPOINTMENT.
12. APPOINTMENT OF THE CHAIRMAN OF THE AGENDA COMMITTEE AS A MEMBER OF THE GENERAL COMMITTEE OF THE ASSEMBLY.
13. APPOINTMENT OF THE CHAIRMAN OF THE CREDENTIALS COMMITTEE AS A MEMBER OF THE GENERAL COMMITTEE OF THE ASSEMBLY.
14. AGENDA :
Distribution of Items among the Committees.
15. ELECTION OF THREE NON-PERMANENT MEMBERS OF THE COUNCIL.
Communication by the President.
16. ELECTION OF THE CHAIRMEN OF COMMITTEES.
Communication by the President.

President : M. SAAVEDRA LAMAS.

9. — AGENDA : EXAMINATION AND ADOPTION.

The President :

Translation : In accordance with the programme of the present meeting, I shall ask the Assembly to take a decision concerning the adoption of the agenda of the seventeenth session.

In order to expedite the procedure, and unless a division is requested, I invite the Assembly to take a decision *en bloc* on all the questions on the agenda specified in document A.2(1).1936, Items 1-25 (Annex 1, page 123).

To these must be added the supplementary list of questions contained in the same document, namely Items 26 and 27 :

- (i) Item inserted by Decision of the Assembly : "Application of the Principles of the Covenant of the League of Nations".
- (ii) Item proposed by a Member of the League : "Convention on Nationality concluded on December 26th, 1933, at the seventh International Conference of American States".

If there is no objection, I shall regard the agenda of the seventeenth ordinary session of the Assembly as adopted in the form in which it has been proposed.

The agenda was adopted.

10. — CONSTITUTION OF THE COMMITTEES.

The President :

Translation : It has been the practice of the Assembly to constitute six Committees. During the last four sessions, however, there have been only five, the Assembly having reserved the right to constitute, should occasion arise in the course of its work, a Third Committee — that to which disarmament questions are referred.

This year again, and for the same reasons as those which actuated the Presidents of the last four

sessions, I think it more expedient not to propose the immediate constitution of the Third Committee, but rather to request the General Committee of the Assembly, as was done last year, to proceed to a preliminary investigation of the different aspects of this question. In this way, the question would be reserved but not finally settled, and the General Committee would have every opportunity to make to the Assembly such suggestions as it thought most appropriate, should it decide that a Third Committee might profitably be constituted, and might bring to the notice of the Assembly such problems as it might consider should be investigated.

If, therefore, the Assembly agrees with my views on this matter, it will postpone the constitution of the Third Committee and will refer this question to the General Committee.

I would propose, on the other hand, that the Assembly should decide immediately to set up five Committees, which will keep the same numbering as at previous sessions, since, according to custom, this numbering corresponds to the respective functions of the Committees :

The First, to deal with constitutional and legal questions ;

The Second, with the work of the technical organisations ;

The Fourth, with the organisation of the Secretariat and the League's finances ;

The Fifth, with social and humanitarian questions ;

The Sixth, with political questions.

In accordance with the customary practice, I propose that the Assembly should arrange for the meetings of the Committees to alternate as follows : The First, Second and Sixth Committees would meet at the same time and so would the Fourth and Fifth Committees.

If there is no objection, I shall regard these proposals as adopted.

The President's proposals were adopted.

The President :

Translation : The delegations have doubtless already been requested to send in to the Secretariat the forms on which they have entered the names of their representatives and substitutes on each Committee. The lists of members of Committees will be drawn up as quickly as possible, and the Committees will meet in this hall this afternoon to elect their respective Chairmen.

11. — AGENDA COMMITTEE : APPOINTMENT.

The President :

Translation : The next item on the agenda is the constitution of what is known as the Agenda Committee — that to which the Assembly refers, for a preliminary opinion, new questions brought before it during the session. In accordance with the traditional practice of the Assembly in this matter, I propose that this Committee be composed of seven members.

If the Assembly is agreed, and if no delegation has any observations to make, I will, in accordance with the custom established by my predecessors,

submit a list of names, to assist the Assembly in its choice.

His Excellency M. Emerich PFLÜGL (Austria);
M. Maurice BOURQUIN (Belgium);
His Excellency M. QUO Tai-Chi (China);
His Excellency M. J. PAUL-BONCOUR (France);
M. J. P. A. FRANÇOIS (Netherlands);
His Excellency M. Josef BECK (Poland);
His Excellency M. Victor BENAVIDES
(Uruguay).

The proposed list was adopted.

12. — APPOINTMENT OF THE CHAIRMAN OF THE AGENDA COMMITTEE AS A MEMBER OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : For several years, the Assembly has regularly invited the Chairman of the Agenda Committee to sit as a member of the General Committee of the Assembly, together with the Chairmen of the ordinary Committees of the Assembly and the Vice-Presidents elected by it.

I think, therefore, that I shall be acting in accordance with the wishes of the Assembly if I ask it once more to decide that the Chairman of the Agenda Committee shall, at the present session, also sit as a member of the General Committee.

The President's proposal was adopted.

13. — APPOINTMENT OF THE CHAIRMAN OF THE CREDENTIALS COMMITTEE AS A MEMBER OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : As an exceptional measure, the Assembly decided at its last three sessions to invite the Chairman of the Committee on Credentials to serve on the General Committee of the Assembly.

The above decision might, I think, be renewed this year for the reasons which applied on previous occasions, without in any way affecting its exceptional character. I therefore propose that the Assembly should invite the Chairman of the Committee on Credentials to serve on the General Committee and I will interpret the Assembly's silence as a sign of its assent.

M. Tudela, delegate of Peru, already elected Chairman of the Committee on Credentials, will therefore be invited to serve on the General Committee of the Assembly, as soon as the latter is constituted.

The President's proposal was adopted.

14. — AGENDA: DISTRIBUTION OF ITEMS AMONG THE COMMITTEES.

The President :

Translation : The next item on the agenda is the distribution of the various items on the programme of the session among the five Committees which have just been set up.

The members of the Assembly have already had an opportunity of seeing the proposals I intend to make in this matter, as they have received the note I communicated to them a few moments ago.

The various items might be distributed as follows :

First Committee : Items 4(a), 5, 10, 13, 27.

Second Committee : Items 7, 12, 20, 21, 22.

Fourth Committee : Items 6(c), 6(d), 14, 15, 16, 17, 18, 19.

Fifth Committee : Items 23 and 24.

Sixth Committee : All items under the heading 11, and Item 25.

The President's proposals were adopted.

The President :

Translation : In accordance with the practice followed by several of my predecessors, I suggest that certain items on the agenda should be referred to the General Committee for preliminary investigation with a view to proposals being made as to the procedure to be followed. These items are :

Permanent Court of International Justice : Election to Vacancies among the Judges of the Permanent Court of International Justice (Item 4(b)) ;

Commission of Enquiry for European Union (Item 6(a)) ;

Appointment of the President of the Governing Body of the Nansen International Office for Refugees (Item 6(b)) ;

Question of prohibiting, under the Provisions of the Covenant, the Supply of Arms and War Material to Belligerents (Item 8) ;

Amendment of the Covenant of the League of Nations in order to bring it into Harmony with the Pact of Paris : Examination of the Treaty of Non-aggression and Conciliation concluded at Rio de Janeiro on October 10th, 1933 (Item 9) ;

Application of the Principles of the Covenant of the League of Nations (Item 26).

I will ask the General Committee to consider at its first meeting the procedure to be followed with regard to these different questions. As a rule, the General Committee, taking into account the nature of each individual question and the action it requires, expresses, as the outcome of its examination, opinions which the President then submits to the Assembly. I assume that the same course will be followed this year, and that the Assembly will leave it to the General Committee to recommend any measures that will assist the progress of its work.

If no observations are made on this point, it will be so decided, and the questions I have specified will accordingly be referred to the General Committee for preliminary investigation.

The President's proposals were adopted.

15. — ELECTION OF THREE NON-PERMANENT MEMBERS OF THE COUNCIL: COMMUNICATION BY THE PRESIDENT.

The President :

Translation : The agenda of this session includes the question of the election of three non-permanent Members of the Council.

The delegations will also have observed that Item 10 on the agenda of the present session concerns the report of the special Committee on the composition of the Council.

I therefore propose to consult the General Committee on the steps to be taken regarding the election, during the present session, of the non-permanent Members of the Council. This consultation will not, of course, affect in any way the

steps to be taken by the Secretary-General, especially as regards the communication to delegations of any list of candidates he may have received and any applications for re-eligibility.

The President's proposal was adopted.

16. — ELECTION OF THE CHAIRMEN OF COMMITTEES: COMMUNICATION BY THE PRESIDENT.

The President:

Translation: I desire to remind you that, this afternoon, the Committees will meet successively

at intervals of twenty minutes, in this hall, to elect their Chairmen:

- First Committee, at 3.30 p.m.;
- Second Committee, at 3.50 p.m.;
- Fourth Committee, at 4.10 p.m.;
- Fifth Committee, at 4.30 p.m.;
- Sixth Committee, at 4.50 p.m.;
- Agenda Committee, at 5.10 p.m.

FOURTH PLENARY MEETING

Wednesday, September 23rd, 1936, at 7 p.m.

CONTENTS.

17. CREDENTIALS OF DELEGATES.

Second Report of the Committee on Credentials.

18. MANDATES.

Draft Resolution submitted by the Norwegian Delegation.

President: M. SAAVEDRA LAMAS.

17. — CREDENTIALS OF DELEGATES: SECOND REPORT OF THE COMMITTEE ON CREDENTIALS.

The President:

Translation: The first item on the agenda is the submission of a second report by the Committee on Credentials.

I call upon His Excellency M. Tudela, delegate of Peru, Chairman of the Committee on Credentials, to come to the platform, and I call upon His Excellency M. Politis, delegate of Greece, Rapporteur of the Committee, to address the Assembly.

(M. Tudela and M. Politis took their places on the platform.)

M. Politis (Greece), Rapporteur of the Committee on Credentials:

Translation: I have the honour, on behalf of the Committee on Credentials, to submit to the Assembly the following report:¹

Since submitting its first report, dated September 21st,² the Committee on Credentials has held three meetings, as well as one meeting of a sub-committee, in the course of which it has examined the credentials of the delegations of Siam, Yugoslavia and Ethiopia.

The credentials presented by the delegation of Siam were delivered by the President of the Council of State in the name of the Council of Regency, acting for His Majesty the King. Those of the delegation of Yugoslavia were issued by the Prime Minister and Acting Minister for Foreign Affairs, Minister for the Interior.

The Committee is of opinion that the delegates of Siam and Yugoslavia, having presented

credentials in good and due form as required by Rule 5, paragraph 2, of the Rules of Procedure of the Assembly, are duly accredited to take part in the proceedings of the present session of the Assembly.

Much more lengthy consideration had to be given to the case of the Ethiopian delegation. Its credentials are derived from the same authority as had more than once in the past issued the full powers of the Ethiopian delegation to previous sessions of the Assembly. On the dates on which they were issued (September 14th and 19th), however, the situation in Ethiopia had greatly changed in various respects. The Head of the State is in a foreign country; the Government is no longer in the capital; according to some of the documents submitted, a governmental authority is stated to be established in another part of the country. It seems exceptionally difficult to judge of the nature and extent of the power of that authority, and of the strength of the connections still existing between it and the Head of the State. The question that accordingly presented itself to the Committee was whether the Head of the State from whom the credentials under examination emanate was exercising his legal title effectively enough to make those credentials perfectly in order.

The question seemed to the Committee an extremely delicate one. No member suggested that it should be settled in the negative, and that the credentials in question should accordingly be declared to be manifestly not in order. None the less, all the members of the Committee felt some doubt whether they really were in order. In those circumstances, the Committee at one time thought of proposing that the Assembly should ask the Permanent Court of International Justice for an advisory opinion as to whether, in view of the present position of His Majesty Haile Selassie I, the credentials in question meet the requirements of Rule 5, paragraph 2, of the Rules of Procedure of the Assembly, so as to enable the holders of those credentials to be regarded as the representatives of a Member of the League within the meaning of Article 3, paragraph 1, of the Covenant.

But an additional question immediately arose. If the Court were to be consulted on the above-mentioned point, it could not be expected to be able to give its opinion for several weeks, by which time the present session of the Assembly would probably have come to an end. What would the Ethiopian delegation's position be meanwhile? According to Rule 5, paragraph 4, of the Rules of

¹ Document A.41.1936.

² See page 35.

Procedure of the Assembly, "any representative to whose admission objection has been made shall sit provisionally with the same rights as other representatives, unless the Assembly decides otherwise".

In view of this provision, it became clear that the question whether the Ethiopian delegation could or could not sit during the present session of the Assembly would, in practice, be settled before the Hague Court could give its opinion.

Accordingly, the view finally prevailed that reference to The Hague would have no practical value, and that, therefore, the best solution would be to propose that the Assembly should consider the credentials submitted by the Ethiopian delegation, despite the doubt as to their regularity, as sufficient to permit that delegation to sit at the present session.

This opinion met with the unanimous approval of the Committee, which, in adopting it, took into account the consideration that the delegation in question should have the benefit of the doubt, and also that, in view of the present situation in Ethiopia, by the adoption of the solution indicated, which holds good only for the present session, nothing is done to prejudice the future.

In view of the foregoing, and with the fullest realisation of its responsibilities, your Committee has the honour to propose that you should admit the Ethiopian delegation to take part in the proceedings of the present session of the Assembly.

The President :

Translation : The Assembly has heard the second report of the Committee on Credentials.

Are there any observations on that report?

Ato Lawrence Tazaz, delegate of Ethiopia, will address the Assembly :

Ato Lawrence Tazaz (Ethiopia) :

Translation : Whilst making express reservations concerning the grounds of the report, the Ethiopian delegation gratefully accepts its conclusions.

The President :

Translation : General Tánecz, first delegate of Hungary, will address the Assembly.

General Tánecz (Hungary) :

Translation : In the event of a vote being taken on the report of the Credentials Committee, I have the honour to request that a vote by roll call be taken on the conclusions of the report concerning the validity of the Ethiopian delegation's credentials.

The President :

Translation : M. Schmidt, first delegate of Austria, will address the Assembly.

M. Schmidt (Austria) :

Translation : I have the honour to declare, on behalf of the Austrian delegation, that it supports the Hungarian delegation's request.

The President :

Translation : M. Aslani, first delegate of Albania, will address the Assembly.

M. Aslani (Albania) :

Translation : The Albanian delegation has the honour to support the Hungarian delegation's proposal.

The President :

Translation : I interpret the remarks of the Hungarian delegation, supported by the delegations of Austria and Albania, as a request that the Assembly should take a vote by roll call on those parts of the report of the Credentials Committee which relate to the validity of the credentials of the Ethiopian delegation, the other parts of the report not being called in question. The necessary majority is an absolute majority of the votes.

The vote will be taken in accordance with the provisions of Article 20, paragraph a), of the Rules of Procedure. The name of each delegation will be called, and the delegations will reply from their places : " Yes " if they wish to approve the report, " No " if they desire to oppose it, or " I abstain " if they prefer not to express an opinion. The results of the vote will be put on record and announced.

(The vote was taken by roll call.)

States voting in favour :

Union of South Africa, Argentine Republic, Australia, Belgium, United Kingdom of Great Britain and Northern Ireland, Canada, China, Colombia, Cuba, Denmark, Dominican Republic, Spain, Estonia, Ethiopia, Finland, France, Greece, Haiti, India, Iraq, Iran, Irish Free State, Latvia, Liberia, Lithuania, Luxembourg, United States of Mexico, Norway, New Zealand, Netherlands, Peru, Poland, Roumania, Sweden, Czechoslovakia, Turkey, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

States voting against :

Albania, Austria, Ecuador, Hungary.

States abstaining :

Bulgaria, Panama,¹ Portugal, Siam, Switzerland, Venezuela.

M. Motta (Switzerland) made the following statement when recording his vote :

Translation : As you will no doubt understand, the delegation of a country like Switzerland is anxious to give an explanation of its vote. The seriousness of this question is obvious. We all feel and know that it is not a mere matter of procedure.

Until this evening, we believed that the Committee would suggest asking the Permanent Court of International Justice for an advisory opinion. The situation has suddenly changed. The Swiss delegation is of opinion that the Committee on Credentials acted wisely in abandoning the idea of seeking an advisory opinion; but the question of the validity of the credentials remains open. The Committee is of opinion that this is an extremely delicate matter. It is undoubtedly fraught with serious political consequences. In these circumstances, the Swiss delegation thinks it its duty to abstain from voting.

The President :

Translation : M. Tudela, first delegate of Peru, will address the Assembly.

M. Tudela (Peru) :

Translation : The opinion has just been expressed that the question now being considered by the Assembly is not a mere matter of procedure, but rather one of politics. The delegation of Peru, which voted in favour of the report of the Committee on Credentials, of which I have had the honour to be Chairman, feels bound to state that its vote has reference exclusively to a question of procedure, which has nothing whatever to do with any political ideas or tendencies attaching to that decision.

The President :

Translation : The following are the results of the vote which has just been taken :

Number of States voting	49
Number of abstentions	6
Number of votes taken into account	
in calculating the majority	43
Absolute majority	22
Number voting " Yes "	39
Number voting " No "	4

¹ See Annex 2, page 129.

The Assembly having therefore taken a decision, by the necessary majority, on those parts of the second report of the Committee on Credentials which had been called in question, I consider that report to be adopted as a whole.

The report was adopted.

18. — MANDATES: DRAFT RESOLUTION SUBMITTED BY THE NORWEGIAN DELEGATION.

The President :

Translation : In a letter dated September 23rd, the Norwegian delegation requests me, in accordance with precedent, to submit to the Assembly the following draft resolution :

“ The Assembly,

“ In accordance with the precedent now established for several years :

“ Decides to refer to the Sixth Committee the annual reports of the mandatory Powers, the reports of the Permanent Mandates Commission and all other documents relating to the question of mandates which have been distributed to the Members of the League since the last session of the Assembly.”

This draft resolution will be printed and distributed, and I shall in due course make proposals as regards the procedure to be followed.

FIFTH PLENARY MEETING

Thursday, September 24th, 1936, at 5 p.m.

CONTENTS.

- 19. ANNOUNCEMENT OF THE NAMES OF THE CHAIRMEN OF COMMITTEES.
- 20. ELECTION OF THE SIX VICE-PRESIDENTS OF THE ASSEMBLY.
- 21. COMPOSITION OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

President : M. SAAVEDRA LAMAS.

19. — ANNOUNCEMENT OF THE NAMES OF THE CHAIRMEN OF COMMITTEES.

The President :

Translation : The five Committees and the Agenda Committee met in the afternoon of September 22nd to proceed to the election of their respective Chairmen.

The results of these elections were as follows :

- First Committee : M. LIMBURG (Netherlands) ;
- Second Committee : M. VAN LANGENHOVE (Belgium) ;
- Fourth Committee : M. GUANI (Uruguay) ;
- Fifth Committee : M. SCHMIDT (Estonia) ;
- Sixth Committee : M. MOTTA (Switzerland) ;
- Agenda Committee : M. BECK (Poland).

20. — ELECTION OF THE SIX VICE-PRESIDENTS OF THE ASSEMBLY.

The President :

Translation : In application of Rule 7, paragraph 1, of the Rules of Procedure of the Assembly, the next item on the agenda is the election of the six Vice-Presidents of the Assembly.

At its meeting on September 30th, 1933 (fourteenth session),¹ the Assembly, on the proposal of its General Committee, adopted for future sessions the

following rule with a view to facilitating the voting of the delegations :

“ When proceeding to the election of the Vice-Presidents of the Assembly, in application of Rule 7, paragraphs 1 and 4, of the Rules of Procedure, the voting-papers should not bear the names of individuals but should be marked ‘ the first delegate ’ of such and such a country.”

Further, under Rule 21, paragraph 3, of the Rules of Procedure, this election must take place by voting on a list of names.

I call upon M. Limburg, Chairman of the First Committee, and M. van Langenhove, Chairman of the Second Committee, to be good enough to act as tellers.

I would remind the Assembly that the voting-papers must bear, not the names of persons, but the words “ the first delegate ” of such and such a country.

As there are six seats to be filled, the voting-papers, to be valid, must not mention more than six delegations.

(The vote was taken by roll-call.)

The President :

Translation : The result of the ballot is as follows :

Number of States voting	52
Blank voting-papers	1
Valid voting-papers	51
Absolute majority	26

The analysis of the voting is as follows :

The first delegate of France	49
The first delegate of the United Kingdom	47
The first delegate of Yugoslavia	44
The first delegate of Canada	39
The first delegate of the Union of Soviet Socialist Republics	35
The first delegate of Italy	32

In accordance with the Rules of Procedure, therefore, I have the honour to declare these delegates elected Vice-Presidents of the Assembly. I wish to thank the tellers for their assistance.

¹ See *Official Journal*, Special Supplement No. 115, page 49.

21. — COMPOSITION OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The General Committee of the Assembly is therefore composed as follows :

Vice-Presidents of the Assembly : The first delegates of France, the United Kingdom, Yugoslavia, Canada, the Union of Soviet Socialist Republics and Italy ;

Chairmen of the five Committees of the Assembly :

First Committee : M. LIMBURG (Netherlands) ;

Second Committee : M. VAN LANGENHOVE (Belgium) ;

Fourth Committee : M. GUANI (Uruguay) ;

Fifth Committee : M. SCHMIDT (Estonia) ;

Sixth Committee : M. MOTTA (Switzerland) ;

Chairman of the Agenda Committee : M. BECK (Poland) ;

Chairman of the Credentials Committee : M. TUDELA (Peru).

SIXTH PLENARY MEETING

Friday, September 25th, 1936, at 10.30 a.m.

CONTENTS.

22. QUESTION OF SETTING UP A THIRD COMMITTEE OF THE ASSEMBLY.

Proposal of the General Committee of the Assembly for the Adjournment of the Question.

23. AMENDMENT OF THE COVENANT OF THE LEAGUE OF NATIONS IN ORDER TO BRING IT INTO HARMONY WITH THE PACT OF PARIS : EXAMINATION OF THE TREATY OF NON-AGGRESSION AND CONCILIATION CONCLUDED AT RIO DE JANEIRO ON OCTOBER 10TH, 1933.

APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS.

Communication from the General Committee of the Assembly.

24. ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

Proposals of the General Committee of the Assembly.

25. MANDATES.

Adoption of the Draft Resolution submitted by the Norwegian Delegation.

26. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Opening of the General Discussion.

Speeches by the Right Hon. Anthony Eden (United Kingdom) and M. Alvarez del Vayo (Spain).

President : M. SAAVEDRA LAMAS.

22. — QUESTION OF SETTING UP A THIRD COMMITTEE OF THE ASSEMBLY : PROPOSAL OF THE GENERAL COMMITTEE OF THE ASSEMBLY FOR THE ADJOURNMENT OF THE QUESTION.

The President :

Translation : The General Committee of the Assembly held its first meeting yesterday evening, September 24th, and I have certain communications to make to the Assembly on its behalf.

The Assembly will remember that, when setting up its Committees, it referred to the General Committee for preliminary examination the question whether it would or would not be desirable to set up a Third Committee.¹

During the exchange of views which took place, the General Committee was informed of the intention of the French delegation to put forward a proposal for convening the Bureau of the Conference for the Reduction and Limitation of Armaments, in accordance with the procedure laid down by decision of the Council on January 22nd, 1930.¹ This meeting of the Bureau of the Conference would be called in order to examine certain questions relating to disarmament which are being discussed at the present time.

The General Committee of the Assembly was of opinion that, since such a proposal was shortly to be made, it would not be desirable, for the moment, to recommend that the Assembly should set up the Third Committee.

The conclusions of the General Committee were adopted.

23. — AMENDMENT OF THE COVENANT OF THE LEAGUE OF NATIONS IN ORDER TO BRING IT INTO HARMONY WITH THE PACT OF PARIS : EXAMINATION OF THE TREATY OF NON-AGGRESSION AND CONCILIATION CONCLUDED AT RIO DE JANEIRO ON OCTOBER 10TH, 1933 :

APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS :

COMMUNICATION FROM THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The Assembly also asked its General Committee for an opinion on the procedure to be followed in discussing the questions which appear under Items 9 and 26 on the agenda of the present session. These two questions are the following :

1. Amendment of the Covenant of the League of Nations in order to bring it into Harmony with the Pact of Paris : Examination of the Treaty of non-aggression and conciliation concluded at Rio de Janeiro on October 10th, 1933.

2. Application of the Principles of the Covenant of the League of Nations.

¹ See page 38.

¹ See *Official Journal*, February 1936, page 87.

The General Committee noted that these two questions were interconnected. It decided that it would not immediately formulate proposals for submission to the Assembly, but would await the results of the general discussion.

The General Committee also wishes to take account of any decisions which the Council may have to take.

I shall therefore have occasion later to make a further announcement on behalf of the General Committee regarding these two questions.

24. — ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL: PROPOSALS OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The Assembly will recall that it was decided to ask the General Committee for an opinion regarding the election of non-permanent Members of the Council during the present session.¹

The General Committee has instructed me to propose that the Assembly should proceed during the afternoon of September 28th, in accordance with precedent, to elect three non-permanent Members of the Council to replace the Members vacating their seats — namely, the Argentine Republic, Australia and Denmark.

The General Committee was of opinion that, should an increase in the number of non-permanent Members of the Council be decided upon during this session, thereby entailing fresh elections, these elections should be held separately.

The proposals of the General Committee were adopted.

The President :

Translation : The Secretary-General will, in consequence, make the necessary arrangements to communicate to the Assembly, within the prescribed time limit, such candidatures as he may receive for the election of three non-permanent Members of the Council, to be held in the afternoon of Monday, September 28th.

25. — MANDATES: ADOPTION OF THE DRAFT RESOLUTION SUBMITTED BY THE NORWEGIAN DELEGATION.

The President :

Translation : At its fourth meeting,² the Assembly received a draft resolution from the Norwegian delegation proposing the reference to the Sixth Committee of those parts of the report on the work of the League of Nations and other documents relating to mandates.

The reference to the Sixth Committee of this part of the report and other documents relating to mandates is more or less traditional, as it is done at each session of the Assembly.

In accordance with precedent, therefore, I propose that the Assembly adopt without further procedure the resolution submitted by the Norwegian delegation.

The resolution was adopted.

26. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36: OPENING OF THE GENERAL DISCUSSION.

The President :

Translation : The next item on the agenda is the opening of the discussion on the report on the work of the League of Nations in 1935/36 (documents A.6. 1936; 1936.5 and A.6(a).1936; 1936.6).

The Rt. Hon. Anthony Eden, first delegate of the United Kingdom of Great Britain and Northern Ireland, will address the Assembly.

The Rt. Hon. Anthony Eden (United Kingdom). — At this our annual Assembly it is our habit, indeed our duty, to review the events of the past year.

None of us can feel satisfaction at their course, nor is there in the international scene that confronts us any room for complacency. Indeed, the seriousness of the times is such as to command frank speech, so that I shall not apologise to you for using less guarded language than is usual at our Assembly.

What picture does the world present to us to-day, in September 1936 ? Nationalism is strong, its antagonisms are vibrant. Challenging enthusiasms for rival forms of government hurl defiance at one another. What must be the ultimate consequence of so much licence ? Inevitably a general weakening of confidence throughout the world. And this in turn must be the cause — is indeed already the cause — of another disturbing element which no one can ignore. Each nation, and this applies even to the smallest and most peace-loving, is expending an ever increasing proportion of its national wealth upon armaments to the ultimate detriment of its economy. The recovery of world trade is hampered by many obstacles, both economic and political; a standard of living may even find itself sacrificed for a standard of armament. There is restlessness, there is restriction; the barriers of frontiers grow harder to pass. There is an insufficiency of free intercourse between people and people, while nationally controlled propaganda for rival theses confuses criticism and stifles the free development of thought.

Not a pleasant picture; but not a hopeless one either. There need be in all this no fatal seeds of war. It should be, it can be perfectly, possible for nations to live and work together, however divergent their forms of government. How is it to be done ? In the first place, by the practice, the national practice, of a certain toleration and restraint. I do not believe that we increase respect for our own forms of government by pouring scorn on those of other nations.

Perhaps there is the more excuse for me to say this because it is a British tradition to distrust extremes. Maybe that tradition can be of service to Europe and to peace in the next few years.

I would not have you believe that, because we in the United Kingdom proclaim less loudly than others our faith in the democracy that we practice and in the institutions we have developed, that our faith in them is therefore weakening and that we should not be willing to make sacrifices in their defence. We are profoundly attached to our liberties and to our traditions and we shall not yield them up, nor should we allow anyone to wrest them from us. We believe in democracy and in its survival, if only because its ideals lie too near to the spirit of the British race ever to be quenched. For us no system, of whatever extreme, could ever be acceptable if it brought in its train the suppression of our liberties and the destruction of our traditions. After centuries of experience, democracy appears to us, not effete, but enduring; the epitome of man's endeavour to create a civilisation wherein he can find freedom, individuality and peace.

Though such are our national sentiments, they do not prevent us from realising that other peoples feel just as strongly about the form of government they practice, that they are just as determined to

¹ See page 39.

² See page 42.

uphold their traditions. Of course we accept that fully and completely. The last thing we would wish to see is the nations divided into camps, their alignment determined by the forms of government they practice. This would be an added and a wholly superfluous complication in a world complicated enough already. The first rule of ordered life between nations is then surely this: faith in one's own national tenets, toleration for those of others. Unless we fix that rule firmly in our minds and in our conduct, we can scarcely hope to put order into the present disordered state of international relations. Moreover, in international affairs, conditions do not remain static. If they are not improved, they will further deteriorate.

We must all of us be conscious of the significance of our world economic problems in relation to our present difficulties, and I shall have something to say on this subject in a moment. And yet do we not each one of us know that the indispensable element in all economic recovery is confidence in the political future? And how can there be such confidence unless we show a respect and toleration for each other's national faiths and traditions? The responsibility upon us all to observe this first rule of toleration and respect, of good temper and good-will in our international dealings, is thus very heavy, but by itself it is not enough.

We have also need of an international order, the authority of which shall finally supersede the arbitrament of conflict between States. Mankind has made many attempts to set up such an order, attempts which have so far met with only a moderate measure of success. Yet these attempts must be continued. By its signature of the Covenant, every nation here, by its signature of the Pact of Paris, almost every nation in the world, has repudiated war as an instrument for the settlement of international disputes. Civilisation has to put its promises into practice or perish. The best method so far devised for that purpose is this League of Nations, which can yet achieve, if the nations of the world so intend, the aims of its founders, which can yet realise the fervent desire of most of mankind: the permanent establishment of peace.

So far as His Majesty's Government in the United Kingdom is concerned, its policy will continue to be based upon its membership of the League of Nations. More than that, its whole-hearted co-operation can be counted upon in order that the League may be strengthened for the work it has to do, both by the enlargement of its membership and by the more confident loyalty of its Members.

How are we to achieve these results? For let us not delude ourselves. Unless we can achieve them, the League may still retain some value, but that value will only be secondary. In considering the problem of the future of the League, let us recognise clearly that there are two essential elements to its solution: the League's machinery and the will to work that machinery. Of the two, the second is without doubt infinitely the more important. But this is not to say that the machinery cannot be improved. At the last Assembly,¹ it will be recalled, Governments were asked to send in their observations on the lessons to be learned from the experiences of the past year. Since His Majesty's Government of the United Kingdom did not do that in writing, perhaps you will allow me to make certain comments on this subject on its behalf.

The underlying motive for the work on which we are now engaged, of examining the Covenant and the procedure of its application, is the recent failure of the collective action of the Members of the League to achieve the prime object for which it was undertaken.

The principal causes of the failure of the League in this instance were twofold: the lack of universality of the League itself and its failure, for

whatever reason, to play a more energetic and effective part in the earlier stages of the crisis.

The former of these two causes — a lack of universality — has unfortunately been operative to some degree ever since the inception of the League. It has been aggravated by defections in recent years; and the authority of the League has without doubt been greatly impaired by the fact that its pronouncements do not have the weight of a verdict of universal world opinion. In all, therefore, that we may do, we should bear in mind the necessity of winning the widest possible acceptance, so that we may reinvest the League to the greatest possible extent with that universality which alone can give it full authority and effect. For it is clear that, in any crisis, an early and unmistakable indication of world opinion must inevitably carry the utmost weight, and may avert the necessity of special measures to prevent or to arrest a disturbance of the peace.

If we examine, as we should and frankly, the causes of the abstentions and defections from the League, we may find that these are based on two principal objections; first, that the Covenant invites signatories to assume obligations and commitments which all the Governments of the world are not ready in present circumstances to accept; and, secondly, that the League stands, so it is alleged, for the maintenance of an order of things with which some Governments are not content.

It would therefore seem appropriate that all nations should examine the present incidence of their commitments and the possibility of making them more applicable to the realities of the world situation as it exists to-day. We must also seek to encourage and facilitate the use of the League's machinery for adapting situations to changing circumstances and for the remedy of what may be recognised to be legitimate grievances.

The first of these two objects might be brought nearer achievement if we could find some method of enabling the League to intervene more effectively in the early stages of a crisis than recent experience has shown to be possible.

It is to be observed that the framers of the Covenant were wise in that they produced an elastic document which did not exclude any form of action in an emergency. In the opinion of His Majesty's Government in the United Kingdom, machinery should be devised which would facilitate the effective intervention of the League earlier than is now to be expected in any dispute which arises.

The first paragraph of Article 11, the Assembly will recall, provides that: "Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations". This paragraph therefore gives wide opportunity for useful action, but the activities of the Council have, in the past, been hampered by the assumption that the rule of unanimity must apply to this provision of the Covenant, and that the consent of the parties to the dispute is thus necessary before the Council can make any recommendation.

It is for consideration, therefore, whether the Council should not be given more latitude, enabling it to make recommendations under the first paragraph of Article 11 without the consent of the States in controversy. His Majesty's Government attaches importance to this proposal. If it were to

¹ See *Official Journal*, Special Supplement No. 151, page 66.

find general acceptance, then in the examination of any case that arose, and in any steps which such an examination might show to be practicable and desirable, the United Kingdom Government would be prepared to play its full part.

It seems to us all-important that the Members of the Council should, in any dispute, clearly express their views at an early stage and should be asked to indicate the measures that they would be prepared to take to give effect to them. Discussion of such measures would show clearly how far the Powers represented on the Council would be prepared to intervene in any given case. If at the outset, or at an early stage in the dispute, the parties are left in no doubt of the will of the Council and of the determination of Member States to enforce it, this must act as a powerful deterrent to any party contemplating aggression in violation of the Covenant. And the earlier such party is brought to realise the situation, the easier it will be for him to modify his attitude and to conform to what the Council may recommend. Delay too often means that one or both of the parties commit themselves to military preparations which become increasingly difficult to revoke, and that the other Members of the League are thus faced with a situation in which it is more difficult and more hazardous for them to intervene with effect. The best way to serve peace is to ensure, so far as possible, that Governments know where they stand. If, on the other hand, it appears that Members of the League would not be prepared in the circumstances contemplated to intervene effectively, then it is better that the realities of the situation should be understood.

I turn now to another aspect of the same problem. In the view of His Majesty's Government in the United Kingdom, there is every advantage in the negotiation of regional pacts devised to strengthen general security. One of the great advantages of regional pacts is that their terms are known in advance, as are the conditions in which they will apply. The value of agreements for collective action, as a deterrent to an aggressor, depends largely on the certainty that they will be applied. The uncertainty of the operation of wider and more ambitious schemes may tempt an aggressor to hazard the risk that they will not be operated.

His Majesty's Government is therefore in favour of regional pacts, provided that they are consistent with the Covenant. It is for consideration whether such regional pacts should be submitted to the Council or the Assembly for approval. The approval of the Council or Assembly might even perhaps be dependent on compliance with certain conditions to be defined. Under such regional pacts, those who were parties to them would, of course, be free to assume definite obligations beyond those at present embodied in the Covenant. His Majesty's Government is resolved to endeavour to negotiate such a pact in respect of Western Europe.

Such, in broad outline, are the directions in which His Majesty's Government considers that we might seek improvement of our machinery for dealing with disputes and with breaches of the peace. But that is not, however, the whole of our task. Reflection shows one thing clearly — there is nothing essentially wrong with our charter, the Covenant of the League of Nations. Its general principles are right: it forms a logical and reasonable system which should not be incapable of practical application.

Well, then, the moral to be drawn is that its shortcomings have been due to the failure, on the part of States Members of the League, to apply the system loyally and integrally. Unless the League

evidently commands the complete and ultimate loyalty of all its Members, and unless its membership be truly representative if not universal, it cannot have the authority which the peace of the world so clearly demands.

If nations are to be prepared to co-operate fully and loyally for the maintenance of peace, that peace must rest on a basis that appears to them desirable or at least acceptable. They will only strive to maintain a *status quo* that has won general acceptance, or to prevent forcible change of that *status quo*, if they are convinced that there exist peaceful methods whereby just changes can be effected.

That is, let us admit it, in the judgment of some, a principal failing of the League; it has come to be regarded, rightly or wrongly, as an attempt to stereotype a state of things that can hardly be expected to endure for all time. It is true that Article 19 of the Covenant recognises the impracticability of a rigid maintenance of the *status quo*. Moreover, there is, in the view of His Majesty's Government, nothing to prevent the Assembly, should it think fit, from embarking on the discussion of matters arising under that article, though, of course, the powers of the Assembly do not extend to decisions on the substance of such matters. It would plainly be impracticable, for example, to seek to give the Assembly power to impose changes against the wish of the parties concerned.

Human life, however, is not static, but a changing thing; and it would be a mistake to try to encase world affairs in a rigid mould of a particular date. A frank discussion of grievances may go some way towards removing misconceptions, and a clear expression of opinion on the part of a great majority of the Assembly would undoubtedly exert moral pressure on the side of remedy of injustice. The ideal, I suggest to the Assembly, for which we should strive is a balanced system wherein justice is done to all and where none should have a sense of hurt or grievance. Therefore, our peace-preserving machinery would lose something of its point and of its efficacy unless we are sure that the peace which we aim to preserve is one that by its justice commends itself generally to the nations of the world.

In proposing modifications of our procedure, His Majesty's Government does not deceive itself — and I am sure not one of you in this Assembly deceives himself or herself — into thinking that, by modifications of machinery alone, we can vitalise the League. It is for that reason that His Majesty's Government has sought, in accordance with the terms of the *communiqué* agreed on in London towards the end of July, to draw together representatives of certain Governments, to see whether the first steps can be taken towards a European settlement. We are persisting, and we shall persist, in that endeavour. Let us not be blind to the fact that, without the co-operation of all the principal Powers, the League can have no full authority, and that we shall not get that co-operation unless all are convinced that it will be possible for them to obtain justice from the League and that it will therefore be in their interests to enforce peace through the League.

So much for the question of the application of the Covenant. But, if you will allow me, I wish before concluding to refer briefly to certain other points.

First, it might be thought desirable and calculated to remove a cause of misgiving if the Covenant could be separated from the treaties of peace in which it now remains incorporated, and were to take the form of a self-contained convention. His

Majesty's Government in the United Kingdom would favour such a course.

So far, I have dealt with political considerations; but, as the years pass, we must all become increasingly conscious of the close and, indeed, inextricable connection which exists between the political and economic factors of our problem.

Economic considerations are matters, of course, of the deepest concern to the people of the United Kingdom, not only because of their commercial and industrial activities, but also because they realise how profound an influence economic factors exercise upon the peace of the world. I therefore wish to affirm the desire of His Majesty's Government in the United Kingdom to assist, so far as it possibly can, in dealing with this aspect of the situation. The present situation has been summarised in the Secretary-General's Note;¹ an indication of the ways and means of dealing with it has been given in the admirable report of the Economic Committee;² and this report has been fully endorsed by the Financial Committee. His Majesty's Government wishes to express its appreciation of the work which these reports represent.

Economic recovery, and more especially the recovery of international trade, is an aid to peace. There is a growing realisation of the significance of this factor in the solution of our international problems. That is all to the good. But, as the Secretary-General points out, recovery is "uneven and perhaps insecure". I believe that some steps can be taken, here and now at this present Assembly, to promote the smoother and surer progress of that recovery. His Majesty's Government in the United Kingdom will willingly give what help it can to further this endeavour, for it is an object of its policy to seek to re-establish normal commercial and financial dealings between the nations of the world.

What I have said as to the attitude of His Majesty's Government is in relation to the wider aspects of international economic co-operation. I now mention one subject in particular on which there may be some misconception, and which appears now ripe for discussion and enquiry. This is the question of access to certain raw materials in regard to which some observations were made by the United Kingdom delegate in his speech at the last Assembly.³ This is a matter which seems suitable for discussion at Geneva, and, indeed, for impartial expert enquiry under the auspices of the League on the lines suggested by the United Kingdom delegate last year. His Majesty's Government would be prepared to support the taking of steps in this direction by this Assembly.

One other subject I must mention before I close — the subject of armaments. I have said — and we know it — that most nations are now engaged in increasing their expenditure upon armaments. His Majesty's Government in the United Kingdom is among this number. We have, indeed, made no secret of it. We are engaged upon fulfilling a very considerable programme for the re-equipment of our three services — navy, army and air. We are making good progress with that programme. We have entered upon this re-equipment of our defences because we thought it a national duty. Though I do not conceal from you that there are other ways in which I believe the majority of our people

would prefer, were it possible, to spend their wealth, we shall persist in it unless and until the nations of the world reach an international agreement for the limitation and reduction of armaments. This assurance I can give. In any attempt to secure such an agreement, our full co-operation is assured. I must, however, add one word of caution. If disarmament is to be real, it must be not only military but mental, not only weapons but the war mentality must be laid aside. A standstill in armaments calculated to give a permanent advantage to nations which had urgently concentrated upon achieving the most intensive measure of armament within their power would be no service to peace. We could have no lot or part in that.

In connection with the problem of disarmament, I have seen a recent reference to the question of publicity in relation to national defence expenditure. I understand that there is already in existence a draft Convention which was drawn up by one of the sub-committees of the Disarmament Conference. I should like to emphasise that, if a convention on these lines could be generally accepted, it would meet with the warm support and approval of His Majesty's Government.

In the course of my remarks to-day, I fear I have detained you long and covered a wide field. I have put forward, on behalf of His Majesty's Government in the United Kingdom, certain suggestions for altering the methods by which we work. If the modifications we have suggested could be incorporated in our machinery, they would, we believe, further the dual objective which I mentioned to you at the outset — the enlargement of our membership, the more confident loyalty of our Members.

But I have also sought to put before you wider considerations than those of machinery, for in the last resort it is not the machinery but the will to work it that counts. Do the nations of the world wish to establish an international machinery for the settlement of disputes between them without recourse to force? If all nations so will it, it could be done, and it must be done, unless we are prepared to watch with folded hands the final calamity which is the drift of humanity to war. Let this Assembly then make its effort. Let it frankly consider the possibility of improvement from within. Let it endeavour to make allowances for criticism from without. Let it determine to do all in its power to facilitate the collaboration of others in a task which is a task for all.

The President :

Translation : M. Julio Alvarez del Vayo, first delegate of Spain, will address the Assembly.

M. Alvarez del Vayo (Spain) :

Translation : The Spanish delegation comes to-day to the tribune of the Assembly of the League of Nations, conscious of its double responsibility : the responsibility that rests upon all those who, in the present grave international situation, take part in the conduct of foreign affairs, and the responsibility which arises from the part that Spain is playing at present in international life.

It would be both useless and dangerous to ignore the fact that what are called "Spanish affairs" do not concern us alone. For they bring before us, in an acute form, this dilemma : either the danger of war must be squarely faced in order to prevent the outbreak of war, or else that danger must continue to be ignored, with the risk that, when its existence is ultimately admitted, it may be too late to implement the will to peace that still remains in the world.

The double responsibility to which I have just referred makes it incumbent upon the Spanish delegation, to-day more than ever, to speak with perfect frankness in the interests of all, in order to

¹ Annex to the report on the Work of the League 1935-36, Part II (document A.6/a). 1936, Annex II; 1936.7).

² Document C.378.M.249.1936.II.B.

³ See *Official Journal*, Special Supplement No. 138, page 45.

make the international bearing of the Spanish problem perfectly clear.

We must first of all say this, and we say it with emphasis: that the cause for which the Spanish Government stands, the cause of which it is the symbol, is the cause of peace. That may seem a cruel paradox; yet it is for this cause that, from one end of Spain to the other, men are fighting and dying rather than let themselves be bereft by force and violence of their faith in democracy and liberty at home or of their determination to seek peace as their guiding rule in their relations abroad. I have seen with my own eyes the price that is being paid for freedom and for peace.

The Spanish people, which to day, weapons in hand, is defending that ideal, as yesterday it secured the triumph of its ideal through the ballot-box, the Spanish people, I say, cannot justly be accused of trying to impose its ideal on others by force, by conspiracy or intrigue, or by openly taking part in a civil war on foreign territory. No country, however contrary its political regime may be to ours, need fear that the Spain which we represent will ever attempt to interfere in its internal affairs. Whatever grounds the Spanish Government may have — and those grounds are many and are supported by overwhelming evidence — for condemning conduct that is incompatible both with the rules that govern international life and with the obligations that are binding upon all the States Members of the League, the sovereignty of every country is, in our eyes, as sacred as is our own independence. This applies particularly to our immediate neighbours, with whose independence no one in the Spain we represent has ever dreamt of interfering.

We respect all the beliefs of others; but we demand the same respect for our own.

In the beliefs we profess, we have full authority to speak in the name of the Spanish people. We must proclaim that fact, because on this subject there have been the wildest misstatements. At this decisive hour, the Government that presides over the destinies of the Spanish people has the highest moral authority, which issued directly from the will of the nation. The Government came into power as the result of the elections of February 16th, elections that were directed against us, but which we won, thanks to the overwhelming force of public opinion. Behind this Government, composed of the representatives of the Popular Front, there is to-day, opposing the negative and subversive forces in the State, every positive element in the nation, from the vigorous Catholic element of the Basques to the most radical workers' organisations. And this Government, as its Ministerial declaration has proclaimed, makes the policy of peace, based upon and guaranteed by a system of collective security, the rule and axis of its international policy.

I do not wish to dwell upon a fact that is notorious, although false interpretations have frequently been given in order to distort it: the civil war was forced upon us. It was not we who began this struggle, but those who would not accept the will of the Spanish people, and whose only thought, long before the elections, as a mass of evidence in the hands of the Government irrefutably proves — was to plot a rebellion against the nation, and to complete their preparations for a military rising. The responsibility before history for all the bloodshed in Spain — and the thought of it fills us with anguish, though it does not shake our unflinching will to victory — therefore falls wholly upon those who turned their arms against the legitimate and constitutional authority of the Republic.

Collective security — how many illusions have in the last few years been born of that magic formula, only to be turned into bitter disappointments. The formula in itself is perfect: a State is the victim of aggression at the hands of another State, which is declared the aggressor. The other States

hasten to the assistance of the victim. All risk of war is thus reduced to the improbable case of a State launching out upon an adventure with full fore-knowledge of failure. The complete application of the formula of collective security would thus mean an end to war.

It was too good to be true! Recent events, the bitter memory of which still darkens international life, have brought to light the obstacles to the organisation of collective security envisaged on such lines. In view of the threat to the lives and fortunes of millions of men from the most frightful of wars, which, unless we look facts resolutely in the face, may suddenly burst upon us, it is an imperative duty no longer to deceive ourselves. No dialectical subtlety can convert into successes the failures of which we are all fully aware.

The whole question of reforming the system of collective security is therefore open to-day. The Spanish Government cannot make a better contribution to the efforts we must make to correct the errors of the past than by submitting for your consideration its own bitter experience.

That experience compels us to ask ourselves whether, in future, war will continue to take its classic form — that is, by the attack of one State upon another. Reality to-day, the stern reality my country is experiencing, shows that already this is no longer the case, and that it will never again be the case. The war of the future, although it may assume the appearance of a conflict between two States, will, in fact, be a conflict, a collision, a clash in the drama of history, between two ideologies, two mentalities, two different conceptions of life. The era of national wars is steadily vanishing. Just as in the Europe of the sixteenth century men took sides and fought for two religious ideals — Catholicism and Protestantism — so to-day men may be said to be divided by two political ideals — democracy and oppression.

This being so, the position being what it is, we may ask whether it is right to continue speaking of war as if it were a possibility of the future. Would it not be more honest to consider that war is already a reality with which we are faced to-day? The blood-stained soil of Spain is already, in fact, the battlefield of a world war.

It may be argued that the struggle in Spain is a civil war. But is that really the case? Is it true that what is dividing Spaniards to-day is something that concerns them alone, that concerns them particularly and specifically? If that is so, why has the struggle in Spain suddenly become one of the gravest, not to say the gravest, of all international questions at the present moment?

The truth is that the slow and painful development of a democratic social structure, which the Spanish people have voluntarily chosen, has led their adversaries to commit a veritable act of aggression in the name of the contrary principle. The instrument of this aggression has been the army. The people, loyal to their institutions, have stood firm, in circumstances probably unique in history. This struggle, once begun, immediately became an international issue. The aggressor — in this case the rebel army — has received, beyond any possibility of doubt, both moral and material assistance from States whose political regime coincided with that to which the rebels are wedded.

I do not propose here to go into this question in detail, or to bring such international conduct to book. It is enough for me to say that such conduct implies the negation of the most elementary and essential principles and rules of international co-operation, and, hence, that it is incompatible with the maintenance of "open, just and honourable relations between nations".

While my Government reserves the right to raise this issue in all its gravity if it sees fit, I will not go further than is necessary to-day into this aspect of the problem. I am sure that world public opinion has already passed judgment upon it.

But I should be failing in the frankness I imposed upon myself at the beginning, if I did not point out to the Assembly the consequences for the whole future organisation of collective security that may result from an international situation such as that which has been created in the case of Spain. Obviously a system of collective security, if it is to restore confidence to the peoples, must, before all, protect States against the risk of internal rebellions which are supported and fomented from outside. If peace is to subsist, it is imperative to put an end to a situation wherein civilian or military elements which endeavour to subvert their lawful Government by armed force should be able to receive, amidst world-wide indifference, moral and material aid from foreign Governments whose political ideology coincides with their own. A system of collective security which took no account of such a possibility — which, in my country, has already become a reality — would lead to universal disappointment.

The policy of non-intervention! I am speaking here before an assembly of statesmen, of representatives of Governments, on whose shoulders rests the responsibility for well-being and order in their respective countries. Who among you could fail to understand why it is that we, the men responsible for the future of Spain, for the future of the Spanish people, the whole Spanish people, must perforce regard so-called non-intervention as a policy of intervention detrimental to the constitutional and responsible Government? Who among you could fail to recognise that we cannot allow ourselves to be placed on the same footing as those who, breaking their solemn oath to the Republic, have risen in arms to destroy the constitutional liberty of our country?

Who, among the statesmen present in this Assembly, could accept the right of generals, who have taken their oath to the Constitution, to attempt to overthrow that Constitution by bringing into the country thousands of foreign troops from another continent?

I acknowledge the noble and generous purpose that actuated the proposal for non-intervention. But I must also, and with deep bitterness, point to its disastrous results, disastrous both to my own country and to the future of international co-operation. The legal monstrosity of the formula of non-intervention is manifest. That formula, as I have said, places on the same footing the lawful Government of my country and the rebels, whom any Government worthy of the name is not only entitled but bound to suppress and punish. From the juridical point of view, non-intervention, as applied to Spain, represents an innovation in the traditional rules of international law, for it means withholding means of action from a lawful Government.

But if we examine the actual way in which the formula of non-intervention has been applied and the results that have ensued, can we still call it "non-intervention"? Non-intervention should consist wholly in ignoring the internal situation of a country and in retaining the full juridical and practical validity of the commercial agreements previously concluded.

We would accept a strict policy of non-intervention. We have asked no one to intervene or to help. But when the normal commercial relations with Spain are suddenly interrupted, when the export of war material for the lawful Government

suddenly stops, when contracts concluded with the Spanish Government before the rebellion are cancelled, then we must affirm once again that this policy of non-intervention has been applied solely to the detriment of the lawful Government and, consequently, to the advantage of the rebels.

To undertake not to authorise the sending of war material to rebels who have risen against a lawful and recognised friendly Government — that is to say, to undertake not to engage in a disguised form of attack against a lawful Government — merely shows, I regret to say, to what depths we have sunk in carrying out international obligations. Such an undertaking does not deprive the rebels of anything they could legitimately have obtained; it involves no more than a promise not to violate one of the most elementary obligations.

On the other hand, to prohibit the export of war materials to a lawful Government is to deprive it of the essential means of maintaining law and order within its territory, to say nothing of the blow struck at normal trade relations through a ban on the purchase of war materials by a lawful Government. Hitherto, it has been unanimously recognised that such transactions were part of the normal trade relations between countries.

In practice, the so-called policy of non-intervention amounts to a direct and effective intervention on behalf of the rebels.

In the notes which I have had the honour to communicate, in the name of my Government, to the Powers signatories of the non-intervention agreement, and which I have transmitted to the Secretariat for distribution to all the Members of the League, the policy of non-intervention is explicitly denounced as constituting a *de facto* blockade of the Spanish Government.

These notes, and others communicated with them, contain evidence of the way in which the non-intervention agreement is being carried out. I will not weary the Assembly with a recital of the facts set forth in those documents.

I desire merely to add that since these notes were communicated to the signatory Powers, and at the very moment when I was preparing in Geneva this speech to the Assembly, I received from my Government further detailed evidence as to quite recent events which shows that, even to-day, the non-intervention agreement supposed to be in force is not being applied effectively as far as the rebels are concerned.

In short, it is part of the normal and permanent obligations assumed by foreign States on friendly terms with a lawful Government to prohibit any form of assistance to those who have rebelled against that Government. The loyal fulfilment of such an obligation cannot be made the object of a special agreement without casting doubt on the validity of all international obligations that are not similarly guaranteed. The obligation not to supply arms to rebels incumbent upon every Government with which the Spanish Government maintains normal relations is not a result of the non-intervention agreement. Any violation of the above obligation, whether it took place before or after the coming into force of that agreement, has, in our eyes, the same character and is regarded by us with the same disapproval.

The Government of Spain wishes to continue to take part in the common work at Geneva, and to carry out the moral obligation which the Republic assumed when, on its foundation, it incorporated the Covenant in its Constitution. Mere justice, however, demands that that Government's duties, always so loyally fulfilled, should also be binding upon others.

We know that we must solve our internal problems ourselves. The Government, supported by an

overwhelming majority of the Spanish people, is certain of victory. That victory is, moreover, the only possible way of saving Spain from the continuance indefinitely of a struggle which cannot end in victory for the rebels except through the slaughter of millions of Spaniards, who are resolved to die rather than submit to a regime that is an offence against human dignity, and which is, moreover, incapable of maintaining itself as long as there are free Spaniards living in Spanish territory.

The issue would already be virtually decided had not the Spanish people been compelled, for the reasons I have indicated, to defend themselves against a far more greater and more extensive aggression. Apart from the proofs, to which we have referred, of the reality and continuance of this aggression, there is daily proof, sealed with our blood, that the rebels are using in action immense stocks of foreign war material which they did not possess when the rebellion broke out. Every Spanish defender of the Republic and of liberty who falls under the fire of these foreign arms, imported, despite the non-intervention agreement, with the utmost cynicism and in increasing quantities, is an unanswerable proof of the crime that is being committed against the Spanish people.

As a final indication of how the Spanish question is bound up, in all its numerous aspects, with the international situation and with all the work for

peace, and in order to make the public opinion of the world understand which are the forces of war in Spain and which are the forces of peace, which party can be expected to add to the troubles of Europe and which can be relied on to carry out a constructive policy based upon ideals inspired by the founders of the League, I feel bound to point out a connection between the assault on democracy in my country and the more grandiose intention to threaten the peace of the world. It should not be forgotten that the military rising began in territory which has been entrusted to the protection of Spain by international agreements and which has frequently been the source of serious threats to an international zone that remains to-day, as in the past, a constant temptation for certain ambitions.

The forces of international disorder stop at no folly, however dangerous. That is why we proclaim, while reaffirming our faith in the cause of peace and our devotion to the principles of the Covenant, that, by combating the military rebellion in our territory in order to restore law and order in all fields, including that to which I have just alluded, the Spanish people and the democratic Government that represents it are fighting, not only for the internal peace and security of Spain, but for the security of other peoples and for the peace of the world.

SEVENTH PLENARY MEETING

Saturday, September 26th, 1936, at 10 a.m.

CONTENTS.

27. INTERNATIONAL RELIEF UNION.
Draft Resolution submitted by the Delegation of Venezuela.
28. ELECTIONS TO VACANCIES AMONG THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.
Communication by the President.
29. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.
Continuation of the Discussion.
Speeches by M. Delbos (France), M. Koht (Norway) and M. Solís (Panama).

President : M. SAAVEDRA LAMAS.

27. — INTERNATIONAL RELIEF UNION : DRAFT RESOLUTION SUBMITTED BY THE DELEGATION OF VENEZUELA.

The President :

Translation : I have received from the Venezuelan delegation the following draft resolution dated September 25th, 1936 :

" The Assembly, in accordance with precedent :

" Decides to refer to its Fifth Committee the report of the International Relief Union (document A.26.1936.XII), which, in conformity with Article 10 of the Statute of the Union, has been brought by the Secretary-General to the notice of the Council and Assembly of the League of Nations."

In accordance with the usual practice, the text of this communication will be printed and distributed to the delegations, and I will make suggestions to the Assembly at a subsequent meeting concerning the procedure to be followed.

28. — ELECTIONS TO VACANCIES AMONG THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE : COMMUNICA- TION BY THE PRESIDENT.

The President :

Translation : The Assembly will remember that, when a decision was reached on the distribution of the items of the agenda among the various Committees,¹ Item 4(b), regarding the manner of electing judges to the Permanent Court of International Justice, was postponed for the moment.

This question was referred by the Assembly, at my suggestion, to its General Committee for preliminary examination.

Upon closer consideration, it seems to me that this question involves, not only arrangements as regards the procedure to be followed, but also a decision of a legal character — namely, whether, for the three judges' seats on the Permanent Court of International Justice to be filled during this session of the Assembly, there should be a single election or two separate elections.

I therefore propose that this particular aspect of the question, on which the Council has just put

¹ See page 39.

forward a proposal to the Assembly,¹ should be referred to the First Committee, which already has Item 4(a) on its agenda (participation of States not Members of the League but parties to the Statute of the Permanent Court of International Justice in the election of judges of the Court).

If there are no observations, this particular aspect of the question will be referred to the First Committee, while the General Committee will, of course, as the Assembly has already provided, remain responsible for questions of procedure concerning the elections.

The President's proposals were adopted.

29. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36: CONTINUATION OF THE DISCUSSION.

The President:

Translation: The next item on the agenda is the continuation of the discussion of the report on the work of the League of Nations in 1935/36 (documents A.6.1936; 1936.5 and A.6(a).1936; 1936.6).

M. Yvon Delbos, first delegate of France, will address the Assembly.

M. Delbos (France):

Translation: This Assembly has already witnessed many critical hours, but perhaps never before have so many clouds darkened its horizon. Besides the divergent interests which set peoples at variance and which Governments have had so much difficulty in overcoming, there exist other causes of discord and other risks of conflagration. These are all the more formidable because discouragement and scepticism have engendered in some minds doubt of the efficacy of the League of Nations. Our first duty is to restore confidence — a necessary preliminary to action.

This confidence inspires the Government and the country I represent. We refuse to regard the League as an artificial creation of the diplomats, as a mere façade, behind which reality — in this case, selfish interests — can be concealed. We think, on the contrary, that, despite certain appearances, the League derives an invincible power from the will of the nations themselves. We still rely upon it to ensure the preliminary condition of all human progress, which is, at the same time, an essential safeguard of every material good and spiritual value — peace.

That is an act of faith, of evident sincerity, since it is embodied in our very conception of life and of the world. After listening yesterday to Mr. Eden's speech,² I could not say that this conception is specifically French. Nevertheless, the determination which he expressed, in the name of the British nation, never to allow the individual on its soil to be robbed of his liberties, the popular will of its rights, the democracy of its conquests, is the very essence of our Republic. France, too, would in no circumstances abandon her heritage, and this national vocation guarantees our sincere attachment to the methods of Geneva.

What we desire is to defend, side by side with you, the liberty, equality and fraternity of the peoples, for such are the necessary conditions of international security and justice.

International law must be protected from the wrongful encroachments of "national law" and from the claims of that law to establish itself as universally valid. There are many forms of national society; not two only, as is commonly said, but a hundred of all types between the two poles of totalitarian dictatorship and liberal parliamentarism. While it is for each people to choose

between them, there is only one reasonable form of international collaboration — that which allows every nation the right to govern itself and to organise itself as it thinks fit within its own frontiers, free from all foreign interference, and still more from all aggression; that is what we call liberty. To take account of each country's possibilities and responsibilities, to treat the national genius of every country with the respect we claim for our own, and not to suffer its voice, however faint, to be stifled in international discussions; that is what we call equality. Finally, not to do unto others as we would not have them do unto us, not to make use of force when so many means of conciliation and arbitration are available; that is what we call fraternity.

Without these principles, which you yourselves recognise — since you have tried to apply them with varying success, but with a perseverance all the more worthy of praise — we should fall back upon the reign of force. We should lapse into servitude and war.

The danger is all the greater since the temptation to use force and the attractiveness of violence, which have long been established in the realm of practical human interests, ambitions and greed, are now winning a foothold in the realm of thought. I refer to the conflict of doctrines which threatens to divide Europe into two enemy camps, whose rival proselytising may revive the sombre furies of the wars of religion. Some say that this conflict is inevitable, and that no conciliation can be achieved between two universal and incompatible conceptions, destined to defy one another throughout the world and throughout history.

We cannot too often insist on the dangers of this diplomatic Manichaeism, this ideological mobilisation of Europe. To combat this too simple dilemma, we can put forward the example we are setting here. Each of the nations assembled at Geneva has been born of a particular stock, has selected an ideal and undertaken a mission. Each has its own physiognomy. It is this range of sentiments and traditions, this diversity of social and intellectual forms that makes up international life itself.

If we are to make mankind worthy of that name, each people must respect the liberty of others, while consenting to surrender a little of its own in the common interest. To those who may doubt the possibility of thus striking a balance between the individual and the collectivity, experience has a ready answer — our own experience as States and as Members of a League of States; the experience of past centuries, which proves the vitality of a hundred different racial formulae and the impossibility of reducing all these fractions to a common denominator; the experience of our seventeen years of collaboration, which proves that there is no need for peoples to annihilate one another in order to co-operate, nor to convert, in order to understand one another.

Here again, it is League principles and League methods that can, and indeed must, safeguard peace. They will prevail in so far as we succeed in uniting, in organising ourselves and in strengthening our will; for peace, too, is a victory, the true victory, that Governments must win by their wisdom, if they are to save their peoples from the pursuit of other victories achieved through bloodshed and through tears.

Heavy sacrifices will sometimes have to be borne, and personal feelings subdued, if that victory is to be won. That was in my mind yesterday as I listened to the moving speech by the first delegate of Spain.¹ When the Government of the French Republic recommended non-intervention, it was not in a spirit of indifference. It had previously gauged the dangers of rival interventions in the supply of arms, the fatal consequences of incidents which must of necessity have occurred. Moreover, the

¹ See *Official Journal*, November 1936, page 1155.

² See page 44.

¹ See page 47.

French proposal has been approved by all countries, whatever their form of Government, to which France submitted it — a proof that the nations everywhere realised the danger, even as we did; they must also show the same loyalty in the observance of the undertakings into which they have entered.

I now come to the other problems that are preoccupying Europe and the world.

The Treaty of Locarno was repudiated on March 7th, 1936, by Germany. A problem arose that we hoped to solve before the autumn by an agreement between all the signatory Powers. By means of such a settlement in a less strained atmosphere, it would have been possible, under the auspices of the League, with the collaboration of all the parties concerned, to attempt to establish European peace at last on more solid foundations.

We have not reached that point. The crisis that began on March 7th has not yet ended; perhaps, indeed, its very prolongation has made it more difficult to settle. The French Government, whatever guarantees it may retain and whatever assurances it has obtained, associates itself sincerely with the steps taken to hasten the time for a general explanation. It is still ready for any agreements which, by guaranteeing the security of all the States concerned and by excluding any concealed purpose of domination, encirclement or ostracism, are bound to strengthen European peace.

But we must not forget that it is primarily the duty of the League itself to guarantee the security of its Members, as was intended in the Covenant. In July last, the French Government proposed that the League's means of action — preventive and repressive — should be strengthened. A consultation on a wide scale has been opened. I sincerely hope it will be completed by the co-operation of the States that to-day are absent from our counsels.

In the meantime, I am glad to note the invaluable acceptance by a large number of Governments of the French suggestion that, as an exceptional departure from the rule of unanimity, a State whose action might threaten peace should be excluded from the right to vote on the Council in certain cases arising under Article 11. I also rejoice to see that the necessity for regional agreements is becoming more and more widely recognised. As regards these agreements, concluded in the spirit of the Covenant, France desires to set an example by her fidelity to those she has signed.

From our Secretary-General's report, I should like also to single out the study which the Economic Committee has submitted to the Council.¹ The French delegation will revert to this subject later, but I should like to express now the great interest with which our Government received the Committee's suggestions and how much it hopes that the economic situation will be eased at the same time as the political situation. Nay, more, it regards these as inseparable: they are, as it were, the two ends of the same chain. To guarantee peace among the peoples and to increase their well-being — these are two complementary aspects of the task we have set ourselves.

This conviction has led us to enter, first of all, into negotiations, the conclusion of which you have just learnt, with the Governments of the United Kingdom and the United States of America.

An easier political and economic situation would be greatly facilitated, as the Economic Committee very pertinently reminds us, if the world were not overburdened with armaments.

Less than three months ago,² in this very place, the Prime Minister of France expressed the hope for an agreement, from which the peoples anticipate an immense relief. If it depends only on us,

whatever the present difficulties may be — and we are not so simple as to underestimate them — that hope will not remain a platonic one. Resolved though we are to do all that our security demands, we are none the less ready to take, or to follow, any initiative that would guarantee the security of all and set up a just equilibrium. Accordingly our Government, when recently obliged to strengthen its national defences, declared that it would accede to any international regulation of armaments on a reciprocal and equitable basis. It has already set an example by working to that end. Reverting to the work done in Geneva with a view to a convention on the manufacture of and trade in arms, it has modified its own legislation, which now provides for the supervision or nationalisation of the war industries. Encouraged by the fact that its action concords with the observations sent in by several Governments to the Secretary-General,¹ my Government now asks that the question be brought again before the Bureau of the Disarmament Conference.

In our opinion, the course to be taken is to adopt a plan of work and solve an initial difficulty. The plan may be summed up in three words, defining three successive stages — supervision, limitation, reduction. The publicity given to military expenditure, the true balance of the offensive and defensive armaments of each State at each point of its evolution are indispensable data. To supply them is to furnish proof of the loyalty of our intentions and the sincerity of our professions of faith in peace. Among these data, the authenticity of which will have to be periodically verified, the work of limitation will consist in setting up standards accepted by all. Once these standards have been reached or are respected, the attempts of countries to outvie each other in preparations for war, which are destroying the economic patrimony of Europe and jeopardising civilisation itself, would have no further justification. It might then become possible to contemplate a proportional, simultaneous and progressive reduction of armaments.

The initial difficulty arises from the fact that certain countries are behindhand in the armaments race. They are to-day obliged to make efforts to compensate for the greater speed they have noted elsewhere. To obtain an equitable solution affording the same guarantees for all, the disturbed equilibrium must first be restored, and this can be done only by discussions between those concerned. It is clear, moreover, that this work of international pacification, more than any other, requires the co-operation of all. We are well aware of the obstacles that stand in the way, but we think it wiser and bolder to attack them rather than to fly from them.

Here, as elsewhere, we have to examine together what can and must be done to save civilisation at a time when the dynamic impetus of the opposing forces greatly intensifies the seriousness of the other causes of conflict. To cope with these stern realities, we must face them boldly, in the light of an ideal which, neither making, nor yielding to, threats, endeavours to reconcile all peoples. That ideal is our own; it is the ideal that permeates this Assembly. We have always placed our trust in it. We shall serve it all the better the more firmly we assert the strength of our union and the energy of our determination.

The President :

Translation : M. Halvdan Koht, first delegate of Norway, will address the Assembly.

M. Koht (Norway) :

Translation : When we call to mind the trials and the experiences through which the League of Nations has passed since its foundation, we are, I think, bound to recognise that the failures it has

¹ Document C.378.M.249.1936.II.B.

² See *Official Journal*, Special Supplement No. 151, page 27.

¹ See *Official Journal*, Special Supplement No. 154.

met with have occurred when it endeavoured to intervene in conflicts that had already reached an acute stage. On the other hand, its successes have been won when it has been in a position to bring its influence to bear in time to prevent conflicts, and to conciliate the opposing nations before they resorted to the final arbitrament of arms.

It would, therefore, seem reasonable that we should endeavour rather to follow the path that has led to success rather than that which has led to failure. By boldly pursuing a policy which has been successful in the past, the League will tend increasingly to put an end to the interventionist inclinations of various Powers, for these interventions have often proved unfortunate.

These considerations have led my Government to ask the League, at a moment when its future and the ways in which it can be reformed are being discussed, not to lay undue emphasis on the question of its coercive or even military power, but rather to concentrate on the problem of how differences may be reconciled before they degenerate into conflicts.

The history of international politics teaches us that, once a dispute between two nations has been allowed to reach the point at which passions have been aroused on one side or the other, and at which the prestige of both parties is at stake, it is extremely difficult, if not impossible, to persuade the parties to submit their differences for impartial settlement.

If, therefore, we seriously desire international conciliation, we shall have to grapple beforehand with the questions which set nations against one another, and not to wait until these disputes become actual conflicts.

To this end, an active policy in the service of peace will be required on the part of the League, a policy of pacifism in the true sense of the word. The League must take upon itself the task of considering and examining on its own initiative all questions which, at any given moment, may threaten the peace of nations.

Happily, this is a task for which provision has been made in several articles of the League Covenant; in principle, there is nothing new in it. All that is necessary is to extend and reinforce the activity of the League in this respect. Nevertheless, such an extension would constitute a great step forward towards the general reconciliation of the nations of the world.

At the time when my Government, in agreement with several others, jointly drew attention to the importance of this active policy on the part of the League, it was clear that we were at the same time making a direct appeal to the States Members of the League. It has frequently been said that the League is no more than the individual Members of which it is composed. The League is not in a position to discuss or examine questions that divide nations unless those nations themselves are prepared to submit their differences or their claims to the tribunal of the League. In the past, what we have had to deplore has been precisely the fact that great nations felt unable to show sufficient confidence in the League's impartiality to appeal to and lay their grievances before it. They have preferred to rely upon their own strength to assert their rights — real or alleged. We appeal to all Members of the League to show a spirit of conciliation and confidence, strong enough to induce them to accept the friendly mediation of the League in all disputes which they have been unable to settle between themselves by peaceful means.

This moment is indeed an apt one for an appeal to the spirit of conciliation.

The representatives of small States, perhaps more than others, have watched with genuine alarm the race in armaments embarked upon during recent years by so many nations, at the prompting of fear and mutual distrust.

Cruel experience, such as we have no wish to see repeated, has taught us that this return to pre-war methods is fraught with grave dangers to world peace. We agree with a famous American author that the only hope of preserving the peace of one's own country is to maintain it amongst all the others.

It is, then, in the interests of our own existence that we appeal thus urgently to all the peoples of the world for international conciliation.

We have submitted to the League formal proposals to facilitate this work of international conciliation. I spoke of those proposals before this Assembly less than three months ago,¹ and I repeat what I said to-day. We wish to see the League resume those efforts to secure disarmament which the Covenant of 1919 requires of its Members. We suggest that the Assembly set up a special committee to examine the question of access to raw materials. We should like to see a change in the unduly strict interpretation of the unanimity rule, which hampers the League's activity in securing peace.

I know well that the adoption of these proposals will not complete our task. Nevertheless, by accepting them, the Assembly would give evidence of its sincere desire to go forward in its task of achieving world peace.

I need hardly say that universal conciliation cannot be attained without the support of nations which to-day are outside the League, and our appeal is directed to them too. We should induce them to collaborate with us as closely as possible. It is a well-known fact that in one serious crisis the League was able to co-operate effectively with the United States of America, even though that country is not a Member of the League.

For my part, I believe that greater success awaits us if we concentrate on the work of achieving peace as I have endeavoured to outline it.

Despite all its failures, the League can congratulate itself on many successes due to its efforts to create a spirit of friendship between nations. Those efforts must never be relaxed. I have spoken of material disarmament, but reference has also been made, and quite rightly, to moral disarmament. I hope that this year's Assembly will achieve something tangible in this respect, and, indeed, I know that concrete proposals on this subject have already been put forward.

To these remarks I wish to add a few words on a question which presumes the existence of a general will to conciliation. I refer to the proposals now before you on the subject of assistance to political refugees. My Government was instrumental in having this question placed upon the agenda of the Assembly last year.² On that occasion, I ventured to express from this platform the feelings we must all entertain at the thought of the wretched lives that are being led by so many human beings exiled from their native land. At the same time, I suggested plans of assistance which seemed to me appropriate to the case. My Government proposed that all refugees and persons who had lost their nationality should be placed under the powerful protection of the League, since we took the view that their fate was really an international problem, and since nothing short of international protection could take the place of that national protection of which they had been deprived. I was unable to secure the acceptance of that idea, and I cannot but deplore the Assembly's refusal to adopt my proposals.

¹ See *Official Journal*, Special Supplement No. 151, page 58.

² See *Official Journal*, Special Supplement No. 138, pages 57 and 58.

The problem, however, has not ceased to exist. On the contrary, political events are continually creating new categories of refugees. Almost every country, at one time or another, has been faced with economic or social difficulties due to the influx of foreigners without means of livelihood.

Several Governments have made great efforts and sacrifices to assist these unfortunate persons to make a tolerable living, and I wish to take this opportunity of paying a particularly warm and grateful tribute to the French Government for what it has done in this respect. Not only has it devoted millions of francs to the work of assisting refugees, but it has done so irrespective of their race or political opinions and with a high-minded generosity which deserves the very greatest admiration. The problem, however, is too complex to be solved by the individual action of Governments. What is necessary is a wide system of international co-operation.

I am proud of the work already accomplished by the League through the Office which bears the name of my great countryman, Nansen. The Nansen Office, however, deals only with certain categories of refugees, for the most part persons expelled from their native land towards the end of the great war, and, accordingly, it is expected to wind up the work of assistance in regard to them within the next two years. These are the refugees whose situation was regulated by the international Convention of 1933, which, unfortunately, has been ratified by too few countries.

By the international Convention of July 4th, 1936,¹ which has been signed to date by only four countries — namely, the United Kingdom, Denmark, France and Norway — an endeavour was made to provide refugees coming from Germany with a legal status. This Convention is one of the results of the discussions on this question as a whole, which took place during the 1935 Assembly. It was, indeed, at the instance of my Government that the last Assembly decided to consider how far the League of Nations could undertake responsibility for the well-being of the refugees to whom I have referred.

You have before you substantial reports and concrete proposals regarding this question,² and I beg of you to study them in a frame of mind worthy of the great task entrusted to us. I feel convinced that if we join forces in this work of charity, which is, at the same time, a social work of international value and one of protection for ourselves no less than for the unfortunate persons whom we assist, we shall make a most valuable contribution to the future welfare of the world.

The spirit of conciliation is indispensable in this field, and provided we work courageously for the common ends dictated by our duty to mankind, we shall strengthen that spirit, which is the very essence of all international co-operation. At a time when we are surrounded by so much deep hatred and so much strife, it is an ever more urgent duty to do all in our power to introduce conciliation among the peoples of the world. It is a task that calls for patience and constant endeavour, and we must not lose heart. The destiny of mankind and the very existence of our civilisation depend on us.

The President :

Translation : M. Galileo Solís, first delegate of Panama, will address the Assembly.

M. Solís (Panama) :

Translation : This is the fourth time I have had the honour of addressing the League Assembly as representative of the Republic of Panama.

¹ Document C.362.M.237.1936.XII; 1936.XII.B.4.

² See documents A.19.1936.XII; 1936.XII.B.6. A.23.1936.XII; 1936.XII.B.8, and A.27.1936.XII; 1936.XII.B.7.

My country has no material, political or economic interests to defend here, nor has it any accounts to settle with the League, for it considers that it has discharged all the duties and all the obligations it has assumed towards the League as a Member, in so far as it felt called upon to do so. In these circumstances, the Panaman delegation can speak quite frankly. We have nothing to hide, and we feel that we ought not to hide those things which may be displeasing to others. That is why, each time I have spoken in the Assembly, I have expressed with complete sincerity the ideas and the sentiments of my delegation.

Never, during its sixteen years' existence, has the League been in so deplorable a state, never has it seen the level of its prestige and moral authority so low, as in the present year. This year will be marked in the history of international law either by the reorganisation of the League on a different basis and on better principles, or its final collapse into an unimaginable chaos of conflicting and fundamentally discordant political and economic interests.

The creation of the League was possible in 1921 because, after the apocalyptic horrors of the most sanguinary war the world had ever known, the humanitarian feelings of all nations were aroused, and they united in a supreme effort to prevent the return of any such infernal hecatomb.

If the League collapses now, it will not be possible to build up a new League to take its place, because it is no longer possible to get all the nations of the world to march forward side by side at a uniform pace. The powerful universal impulse which, from 1918 to 1921, led humanity, at a time of universal distress, along the path of the ideal no longer exists to-day.

If the League collapses, it will not be possible to construct another until a new war, more cruel and more sanguinary than that of 1914, chastises humanity and shakes the foundations of civilisation, bringing to the surface those feelings and those virtues which now seem to be submerged beneath a sea of international criminality, national pettiness, passions and hatred, and a universal hardening of the human heart.

I firmly believe that there is not a single delegation in this Assembly that wants the League to fail, or that is not anxious that the League should confer upon the world all the benefits which humanity has the right to expect and which history demands. Yet how hard it is to induce all the delegations to act together when the League is called upon to undertake constructive work! How hard it is to convert good intentions into realities, to get the League to take a single step forward, however small! What is still worse and much more tragic is the difficulty of convincing the world that we delegates are really engaged on work for peace and for the well-being of humanity.

It is impossible to carry out any collective enterprise unless the community's psychological attitude is favourable, is capable of inspiring it with the necessary firmness and conviction. But this psychological state does not exist in the League, for faith is dead in all hearts.

In the international world to-day, no one has confidence in anyone else, although there are a few who sometimes are sincere. The real or supposed adversary is an individual in whose word none has the right to believe; and as for our friends, necessity or convenience makes us say that we believe them, but we keep a very close watch on them because we do not trust them altogether.

Everybody has lost faith in everyone else, and people are already beginning to lose faith in themselves. No one nowadays has confidence in his own powers or the courage to shoulder alone his

own responsibilities. We are looking on at a race in which each nation is trying to harness the horses of others to its chariot, in order to make sure of victory. No Government wants war; yet no Government feels capable of averting it. No individual wants war, and everyone fears it; yet we are all expecting it and preparing for it, because we have lost faith in the possibility of averting it.

Suffering humanity, the millions of men, women and children who are living in hardship beneath the burden of war budgets and who have to bear the wretchedness and privation caused by the disequilibrium of economic forces, have lost faith in their leaders and think them incapable of saving their lives or relieving their sufferings. But what is worse and still sadder is the fact that these millions of men, women and children have also lost faith in themselves; and when a war breaks out, they will let themselves be driven to the shambles like sheep, to enrich the earth with their innocent blood and make it bear better fruit for the generations to come.

No one believes in the sincerity of countries that come here and talk of "collective security", because those countries are held to be thinking, not of the sacrifices they themselves might be obliged to make for the security of others, but rather of obtaining guarantees from other nations to bolster up their own prestige and favour their own aggrandisement and to enable them to acquire or retain supremacy in the international sphere. Collective security, as we see it to-day, appears to be, not a system of reciprocal altruism, but a network of counterbalancing egoisms.

No one believes in the sincerity of countries which come here as the defenders of weak nations and as champions of the independence and integrity of States; for those countries are held to have in reality not the slightest concern for the weak, but rather to be seeking to prevent some other nation from expanding and growing great at the expense of the weak, and thereby becoming a dangerous rival. As a rule, when a powerful nation warmly defends the integrity of a small country, it is because it needs the small country to serve as a bulwark or barrier against a dangerous adversary, or because it wishes to acquire or retain a zone of influence.

No one places any faith in countries which come here to maintain the sanctity and inviolability of the *de jure status quo*, because it is considered that such countries are not concerned with the principles of law and equity on which existing pacts are based, but are anxious to retain the benefits and advantages which that *status quo* has conferred upon them, and which would be threatened if the juridical situation were changed or the text of the pacts amended.

When mention is made of the necessity for an agreement between the Great Powers with a view to the reduction of their armaments in the interest of peace, everyone looks at the speaker as if he were a distraught idealist; for as long as it is convinced of the imminence or the probability of war, no wise Government will cease to prepare for war to the best of its ability. The armaments race is not a cause but an effect, an external symptom of deeper economic and demographic ills which must be cured. It is futile to attempt to eliminate effects without attacking the causes which produce them. No one believes in the sincerity of Governments which blindly oppose any reform whatever of the League Covenant because they consider it to be inviolable, while at the same time they admit that it has failed in its practical application, and which desire to modify its effects by means of interpretative resolutions. In other words, there is no belief in the sincerity of those who *a priori* reject the straight and open path and who wish to reach the same goal by means of artifice, trickery and lies.

When the necessity of making the League of Nations universal so as to increase its effectiveness

is discussed among us, it causes ironical amusement in the countries now staying away from Geneva, because it seems to them a childish idea that those who now keep out of this Institution should enter it at a time when many countries which now are Members are seriously thinking of leaving. We cannot expect those outside to join us as long as we cannot even prevent an exodus from within.

Lastly, when Latin-American delegations come here to proclaim themselves the staunch defenders of the principles of law and the judicial settlement of disputes, and declare themselves ready to give up, if need be, all their privileges and advantages in the cause of law, justice and peace, the rest of the world is indifferent to their statements, and merely listens to them politely and at times even disdainfully. It looks upon them as new countries that cannot understand or grasp the seriousness and complexity of the problems of other continents, as countries devoid of serious international complications, that are pleased to come here to lay down rules and give advice to older nations which are grappling with problems they cannot solve by simple formulae couched in benign language.

No one thinks the Latin-American nations qualified to intervene in European, African or Asiatic problems. The Latin-American nations themselves have no wish to do so. No one outside America has faith in the sincerity of American disinterestedness when these nations come to the League to discuss problems which do not concern them and which they would avoid, were they not reluctantly obliged by the Covenant to define their attitude as States Members towards conflicts with which the League of Nations must deal.

Except on the American continent, the present international political situation is more chaotic and unstable than in 1914. On all sides, the winds are murmuring of war and destruction. Rulers have envenomed the minds and sharpened the passions of their peoples. The atmosphere is lowering and, everywhere, dense clouds presage the outbreak of the most violent storm of war that the ages have ever seen.

What means has the League at its disposal to ensure the maintenance of peace in this hour of universal anguish? And, if war is inevitable, when the flames of fratricidal strife are raging over Europe and when the Members of the League are fighting each other on the battlefields, can the League still work for peace? Can it then pronounce in favour of one or the other without causing its own disintegration?

Whatever the course of events, and whatever attitude the League may take up, there is no doubt that it will be able to achieve useful and effective work only if there is sincere co-operation among its Members, a unity of conscience, of purpose and of devotion to the ideals of peace and justice. Unhappily, however, these conditions are not to be found in the League.

There are nations here that want international life to be based on the strict application of the principles of law, no matter how it may affect their own material interests; and these nations are not prepared to accept solutions or formulae which involve a renunciation or a disregard of those principles.

There are other nations among us that place their political, economic and military interests above every other consideration, because they regard them as vital interests; and those nations are not prepared to accept theoretical solutions that would in any way diminish their power and influence.

We have, too, apathetic nations here which remain more through inertia than conviction, and to whom the fate of this Institution means nothing.

Lastly, there are nations here which think of nothing but the difficulties and responsibilities to which they might be open as States Members if a new conflict broke out. Some of them would, indeed, be thankful to Heaven if they could find a favourable occasion to drop this Institution like a hot brick rather than find themselves implicated in an unpleasant affair.

In the presence of such disparity and divergence of tendencies, aims and purposes, it would be too ingenuous to think that, even if the League had the means to ensure the maintenance of peace, it could secure the necessary uniformity of opinion as to how these means should be applied.

The ultimate ideal of the League is permanent, universal peace — that is, an international utopia. But its immediate aim must be the unceasing cultural progress of humanity, the constant evolution of juridical rules and principles and the steady accumulation of instruments for the pacific settlement of disputes, to lead finally to the reduction of armed conflicts to a minimum and to the humanisation and rapid termination of such conflicts as cannot be averted.

The fact that a war has broken out is not a sufficient reason for considering that the League has failed; for the League has not been created to achieve the impossible, and it can fail only when more is asked of it than it can give. Such is the bitter experience the Italo-Ethiopian dispute has taught us.

When a war is inevitable, or when a war threatens to break out, as in Europe to-day, the League of

Nations, and all world institutions in general that are working for peace, must also prepare themselves for war; in other words, while bringing into action all the possible machinery for avoiding war, they must make ready to pursue their work of peace and justice even in the midst of the conflict, to make it more humane and less cruel, to shorten its duration and to derive from it new experience and new lessons for the future.

Whether war comes or not, the League can do very much to promote peace and justice, provided that it is not expected to do what it cannot do in the present condition of humanity, and provided that all its Members are imbued with the same spirit of sincerity and loyal co-operation. These conditions are absent to-day; they will never be found within the League as long as it remains the instrument of the Great Powers, a vehicle for political influences, and as long as there is no true and effective equality among its Members.

Politics have always been directed by the Great Powers, and the equality of States Members has never been more than theoretical, superficial and apparent. In these circumstances, if the League ultimately fails in its work of peace, and if war comes to scourge the world anew, the Republic of Panama, as a small nation devoid of the slightest influence as a State Member of an Institution in which all it can do is to voice its view, if it is not to be a mere supernumerary, will consider itself freed of all individual or collective responsibilities. All responsibility will devolve upon the Great Powers, whether Members of the League or not; for they are the only Powers which can wage war, and consequently the only Powers which can prevent war and so spare civilisation from further cause for shame.

EIGHTH PLENARY MEETING

Monday, September 28th, 1936, at 3.30 p.m.

CONTENTS.

30. INTERNATIONAL RELIEF UNION.

Adoption of the Draft Resolution submitted by the Delegation of Venezuela.

31. ELECTION OF THREE NON-PERMANENT MEMBERS OF THE COUNCIL.

32. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by General Tanczos (Hungary), M. Litvinoff (Union of Soviet Socialist Republics) and M. Munch (Denmark).

33. QUESTION OF THE CONSTITUTION OF THE THIRD COMMITTEE OF THE ASSEMBLY.

Proposal by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden.

President: M. SAAVEDRA LAMAS.

30. — INTERNATIONAL RELIEF UNION: ADOPTION OF THE DRAFT RESOLUTION SUBMITTED BY THE DELEGATION OF VENEZUELA.

The President:

Translation: At the meeting held on Saturday morning, September 26th,¹ I had the honour to

¹ See page 50.

bring to the Assembly's notice a draft resolution submitted by the Venezuelan delegation to the effect that the report of the International Relief Union should be referred to the Fifth Committee.

As the object of this resolution is to refer to a Committee for examination a report which, according to the rules of the League, is communicated by the Secretary-General to the States Members of the Council and to the Members of the Assembly, and as the question of the International Relief Union has been studied by the Assembly Committees on previous occasions, I think I may, without further procedure, propose that the Assembly should adopt the resolution proposed by the delegation of Venezuela and refer this question to the Fifth Committee.

The resolution was adopted.

31. — ELECTION OF THREE NON-PERMANENT MEMBERS OF THE COUNCIL.

The President:

Translation: The next item on the agenda is the election of three non-permanent Members of the Council.

Before proceeding to take the vote, I would remind you of the various rules which are applicable thereto.

In the first place, I would inform the Assembly that the rules laid down in the resolution adopted by the Assembly on October 2nd, 1933, have been

observed. I will read paragraphs 2 and 3 of that resolution :

“ No Member of the League shall be eligible to be elected as a non-permanent Member of the Council unless it has proposed itself for election or been nominated by another Member of the League at least forty-eight hours before the election, which shall not be held before the seventh day of the Assembly’s session.

“ The notice of the candidature shall be given in writing to the Secretary-General, who shall forthwith bring it to the attention of the Assembly. The Secretary-General shall, at the time of the election, place before the Assembly a list of the Members which have been duly put forward as candidates.”

The three proposals for candidatures relating to Bolivia, New Zealand and Sweden were communicated within the time-limit laid down. They were incorporated in a list drawn up by the Secretary-General and submitted by him to the Assembly in document A.45.1936, dated September 26th, 1936.

Following the practice of my predecessors in this office, I would remind you of the provisions of the Assembly resolution of September 15th, 1926, making rules dealing with the election for the nine non-permanent Members of the Council, their term of office and the conditions of re-eligibility.

Article 1, paragraph 1, of the resolution reads as follows :

“ 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.”

Before opening the ballot, I would again remind you of the provisions of Rule 22(a) of the Rules of Procedure of the Assembly, which apply in this case :

“ 1. The Members whose representatives are to sit on the Council as non-permanent Members of that body shall be selected by the Assembly by secret ballot.

“ 2. Where several seats are to be filled, the election shall be made by voting a list of names. Any ballot-paper containing more names than there are seats to be filled shall be null and void.

“ 3. No Member shall be elected at the first or at the second ballot, unless it has obtained at least the absolute majority of the votes. If, after two ballots, there still 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.”

In computing the absolute majority prescribed for the first and second ballots, the Assembly will, I think, agree with me that, as at previous sessions, we should here, by analogy, apply the rule contained in the Assembly resolution of September 15th, 1926, concerning the “ rules dealing with the election of the nine non-permanent Members of the Council,

their term of office and the conditions of re-eligibility ”.

This resolution provides as follows :

“ 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-papers deposited, blank or spoilt votes being deducted.”

It would appear that, in electing the non-permanent Members of the Council, blank or spoilt voting-papers must not be counted when the number of votes is reckoned. The absolute majority should be calculated on the basis of the total number of valid voting-papers.

If no one has any remarks to make, I shall assume that the Assembly, adopting the precedents of previous sessions, agrees to take the course I venture to suggest.

I would emphasise the point that, to be valid, voting papers must bear the names of States and not of representatives of States. Further, no voting-paper must bear more than three names ; otherwise it will be regarded as invalid.

I would ask Lord Halifax, delegate of the United Kingdom, and M. Yvon Delbos, first delegate of France, to come to the platform and act as tellers.

(Lord Halifax and M. Yvon Delbos took their places on the platform as tellers.)

The President :

Translation : We will now take a secret ballot by roll-call.

(The ballot was taken by roll-call.)

The President :

Translation : The result of the ballot is as follows :

Number of votes cast	52
Voting-papers valid	52
Absolute majority	27

The votes obtained by the States are as follows :

Bolivia	49
New Zealand	48
Sweden	48

I therefore declare Bolivia, New Zealand and Sweden, which have obtained the requisite majority of votes, elected non-permanent Members of the Council for a period of three years. I have pleasure in congratulating these States.

I wish also to thank the tellers for their kind assistance.

32. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36 : CONTINUATION OF THE DISCUSSION.

The President :

Translation : The next item on the agenda is the continuation of the general discussion on the report on the work of the League of Nations in 1935/36 (documents A.6.1936 ; 1936.5 and A.6(a).1936 ; 1936.6).

General Tanczos, first delegate of Hungary, will address the Assembly.

General Tanczos (Hungary) :

Translation : The general discussion of the report on the work of the League during the preceding year gives various delegations, according to the practice of our Assemblies, an ample opportunity of explaining their views on the League’s efforts to carry out the numerous tasks assigned to it by the Covenant.

The Hungarian delegation, in accordance with the practice it has followed at previous sessions of

the Assembly, will, on this occasion, also put forward a statement of its views and *desiderata* on certain matters discussed in the Secretary-General's report which are of particular interest to Hungary.

The Hungarian delegation is, however, of opinion that this year the general discussion should serve a two-fold purpose. The Assembly, according to its custom, should of course, review the activity of the League during the last year; but it is bound, at the same time, to turn its eyes towards the future.

The discussions in which we took part at Geneva early in July¹ afforded sufficient proof that certain short-comings, some of a very serious nature, exist in the League mechanism.

For this reason, the sixteenth Assembly, before closing its session, felt bound to draw the obvious conclusions, by recognising the necessity for improving the means of application of the principles of the Covenant, and by deciding to place this question on the agenda of the present Assembly.

In these circumstances, the Hungarian delegation feels justified in dealing first with the question of League reform in its contribution to the general discussion.

The Hungarian Government's point of view in this matter is based on the idea that, since international life is not passed in a static and unchanging environment, any system of organising peace and, therefore, the instrument which was created after the Great War as a safeguard for peace, must of necessity serve to promote peaceful evolution.

The League of Nations cannot, however, guarantee this process of evolution unless it regards it as a fundamental duty to be continually on the watch to eliminate in time any circumstances likely to embitter relations between States, and to make full use of the means to that end included in the various provisions of the Covenant.

In this connection, my Government desires, as it stated at the last Assembly,² to see a balance achieved between the repressive provisions of the Covenant and those designed to settle, by pacific and preventive means, disputes that may arise between States Members, and to enable a remedy to be found when situations arise the continuance of which might imperil world peace.

I feel bound to add here that, in our eyes, international security itself demands a more methodical application of all the preventive provisions of the Covenant. All these provisions constitute so many guarantees of security, since their object is to maintain peace between the nations, to achieve the pacific settlement of international disputes and to eliminate any circumstances likely to prejudice good international relations and to lead to wars.

We are, therefore, of opinion that the efforts to be made to perfect the Geneva mechanism should lead, above all, to a better working of the procedures for preventing war; and, further, that a serious attempt should be made to see whether the principles of the Covenant could be thus perfected, without any radical modification of the Covenant itself, by means of interpretative resolutions, for which the League's antecedents already offer us certain guiding lines. The work of reform should therefore be concerned with the actual practice followed at Geneva; for the improvement of that practice has, in our opinion, become an extremely urgent matter, as a result of the discrepancies now found to exist between the action of the League and the principles of its Covenant.

With these ideas in mind, the Hungarian Government requests that Article 11, in so far as it bears upon the hypothesis of circumstances that may affect international relations or threaten to disturb good understanding between nations, should be more widely applied in the working of the Covenant, and, when required, should be put into force in good time.

Moreover, Hungary's faith in the ideal of international justice, as well as her belief that respect for judicial or arbitral decisions constitutes the keystone to every system of arbitration, have led my Government to propose that the provision contained in Article 13, paragraph 4, concerning the enforcement of awards rendered in the course of arbitration or judicial settlement, should be carefully studied. Further, the Hungarian Government is of opinion that the juridical security of Members of the League requires that better facilities should be available for obtaining advisory opinions, and that elastic interpretative regulations should be formulated to that effect, while the consideration of this question, begun as a result of the resolution adopted by the Assembly on September 28th, 1935,¹ should be continued as expeditiously as possible.

My Government fully realises that the mere application of the procedures provided for by the provisions of the Covenant which I have just mentioned would never suffice to give entirely satisfactory results for the maintenance of peace, if Article 19 of the Covenant, as a means of security for the same end, is to remain indefinitely outside the scope of application. If there is one provision of the Covenant which is based primarily on the idea of prevention in international politics, it is without doubt Article 19, which provides the League and the States belonging to it with a pacific remedy in the case of treaties which have become inapplicable and international conditions whose continuance might endanger the peace of the world.

Since the mechanism of Article 19 offers great scope for readapting to new circumstances, without the use of force, any system of inter-State relations, the Hungarian Government still holds to the belief that its application would if called for, prevent war more effectively than could be done by the enforcement of any system of sanctions. Moreover, everyone knows — and I need not labour the point — that, in connection with Article 19, it has already been said during this discussion that human life is not static, but dynamic and that it would be a mistake to attempt to force world affairs into the rigid mould existing at any given date.

Although Article 19 may, therefore, be considered the strongest pillar in the structure of international peace, the Hungarian Government greatly regrets that hitherto the practice followed at Geneva has not promoted the carrying-out of this provision of the Covenant to the extent which might have been hoped. In particular, we are without any indications as to the subsequent procedure to be followed by the Assembly, in the event of Article 19 being invoked. It is notorious that this very lack of precision regarding the procedure to be followed, and the total absence of interpretative resolutions on the subject, might greatly hinder the application of the mechanism provided by Article 19, should that be necessary.

For all these reasons, the Hungarian Government hopes that Article 19 will be carefully examined by the organs of the League, as regards the practical application of the principles it lays down. The

¹ See *Official Journal*, Special Supplement No. 151.

² See *Official Journal*, Special Supplement No. 151, page 51.

¹ See *Official Journal*, Special Supplement No. 138, pages 95 and 127.

especial object of this study should be to define the conditions under which the Assembly, being duly requested to advise the Members of the League as specified by Article 19, should formulate the said advice.

Having informed the Assembly of my Government's view regarding the reform of the League, in the light of the replies so far received by the Secretary-General,¹ I am glad to note that the same ideas are shared by certain other Governments. Moreover, the Hungarian Government will most carefully consider any proposals which other Governments have thought fit, or may think fit, to submit on this point, and here I have but a single reservation to make.

This reservation refers to the proposals to conclude regional pacts of mutual assistance. The Hungarian Government has already had occasion to state its view in connection with proposals made along these lines in the past, by pointing out that attempts to organise peace in Europe by a network of regional pacts, instead of by creating an atmosphere of confidence, will necessarily lead back to the old system of military alliances, which is incompatible with the principles of the League Covenant and would constitute a menace to peace in general.

The following considerations may be added to these objections. The chief purpose of such regional pacts should be simply to strengthen Article 16 of the Covenant by making more efficacious, in the event of their application, the coercive sanctions for which it provides. The pacts in question aim only at perpetuating the present state of affairs. Consequently, their conclusion, and, in so far as they already exist, their strengthening, will perforce run counter to the dynamic view of the League taken by the Hungarian Government.

For all these reasons, the Hungarian Government is not prepared to accept the schemes newly put forward for the conclusion of regional pacts. Its attitude in this matter is entirely in accordance with the policy consistently followed by Hungary up to the present time, this policy having always been opposed to any system of politico-military alliances. Moreover, as regards the proposal to strengthen the system of security by the conclusion of regional agreements for mutual assistance, the Hungarian delegation ventures to state that, in the opinion of other Governments too, such pacts would constitute rather a danger of war than a protection against war; and that, in consequence, those Governments are not disposed to accept them and thereby assume obligations beyond those at present arising out of the Covenant.

Having expressed this opinion on the improvement of the means of application of the principles of the Covenant, the Hungarian delegation feels bound to admit quite frankly that, in its Government's opinion, no reform of the League — whether within the framework laid down by the resolution of July 4th last,² or outside that framework — will be complete or fruitful, and, moreover, that no solid basis for effective co-operation between countries will be found, until certain questions have been satisfactorily solved in accordance with the methods followed at Geneva.

There are, indeed, features of the working of the League which may be regarded as of capital importance for the work the League is called upon to do, but which contain defects sufficiently serious to cause the deepest misgivings. In referring to

this question, I return to the Secretary-General's report now being discussed, and I venture to make the following remarks.

This year, once again, the Hungarian delegation feels obliged to raise before the Assembly the problem of equality of rights in the matter of armaments. It does so, not only because the unfavourable situation in this respect constitutes a serious threat to the security of unilaterally disarmed States, but also because it is convinced that the maintenance of the present state of affairs will make it impossible in the future to achieve harmonious co-operation between nations, although such co-operation forms one of the most important missions of the League.

The Hungarian delegation pointed out to the last Assembly³ that the discrimination existing in the matter of armaments, while incompatible with the principle of equality among States Members of the League and with the Five Powers' Declaration of December 11th, 1932, is also in flagrant contradiction to Article 8 of the Covenant, which provides for general disarmament, and to the promise explicitly made in Part V of the Treaty of Trianon concerning the limitation of the armaments of every nation.

On the same occasion the Hungarian delegation pointed out to States Members the unfavourable and dangerous situation which had arisen for Hungary as a result of the failure of the Disarmament Conference, the necessary consequence of which was that a great number of nations began to rearm, in striking contrast to the maintenance of the prohibition to arm which has been laid upon others.

The Hungarian delegation feels bound to note that the situation, far from improving since last year, has become still worse. The armaments race has recently taken on alarming proportions. The efforts put forth by most of the Powers and, among others, by the neighbour States of Hungary, to reach the maximum of their military potentialities, have led to a growing discrepancy of strength, to the prejudice of the disarmed countries, and have already produced a state of affairs which Hungary, for her part, cannot consider compatible with her security, and to which she cannot resign herself without placing her vital interests in jeopardy.

In these circumstances, I am bound to declare in the name of my Government, that the Hungarian nation is unanimous in believing that it will be impossible for Hungary to maintain for long the present situation which endangers her security, to which she, like any other nation, has the right.

Another question concerning which the activities of the League appear to be scarcely satisfactory, is that of the protection of minorities. The consideration of means for perfecting the application of the principles of the Covenant about to be undertaken by this Assembly makes this question one of current importance.

The results we all hope to obtain from that discussion will of necessity be incomplete if the improvement of League procedure remains limited to the procedures arising directly out of the Covenant itself. If the League, conscious of its high mission as the supreme guardian of world peace, wishes to strengthen its preventive action throughout international relations, it cannot maintain the passive attitude it has hitherto taken up with regard to the protection of minorities.

The Hungarian delegation drew the attention of States Members to the present situation of this problem at the last Assembly. It submitted an

¹ See *Official Journal*, Special Supplement No. 154.

² See *Official Journal*, Special Supplement No. 151, pages 65 and 66.

³ See *Official Journal*, Special Supplement No. 138, page 53.

urgent appeal to the Council to take into consideration the suggestions it then made.

We cannot but regret that that appeal remained unavailing, and that no progress has been achieved in the methods for the protection of minorities during the past year.

The Hungarian delegation, therefore, feels, not only entitled, but also obliged to reiterate its appeal of last year, for the reasons which justified it then have not ceased to exist.

We have no intention of repeating all that we said to the sixteenth Assembly concerning the unsatisfactory situation which exists as regards the League's activities in the sphere of the protection of minorities. The essential features are well enough known: lack of initiative on the part of the organs called upon to apply that protection; incompleteness and slowness of the procedure; indifference as to the execution of the decisions taken. We shall endeavour rather to make a brief analysis of the causes that produced the effects we have just outlined.

The Hungarian delegation thinks that the causes of all the objections to which it has just referred will be found in the spirit by which the League's action in this matter is guided. Can effective protection for the rights of minorities possibly be afforded when the grievances of those minorities — and the petitions which are their outward manifestation — are appraised in the light of political considerations? To put the question is to answer it. Every minority petition relates to violations of certain clauses of international treaties. The Council, when it receives such a petition, is required to deal with the verification of the violation and the reparation to be made for it. We consider that this task is largely of a judicial character, and we think that a mere reference by analogy to the provisions of Article 13 of the Covenant amply proves this.

Hence it seems to us highly desirable that, in order to elucidate the juridical side of petitions, the Council should make the widest use of the facilities offered to it in this respect by the guarantee clauses of the Minorities Treaties and the provisions of Article 14 of the Covenant. By proceeding in this way, the Council will simply be conforming to the recommendation made to it by the Assembly on September 21st, 1922.

In our opinion, too, the Committees of Three Members which assist the Council in considering these petitions should be more exact in their appraisal of the juridical side of minority petitions. Above all, these Committees should devote particular attention to the study of the allegations contained in the petitions and should utilise the power, vested in them during the Madrid discussions in 1929, of obtaining explanations, not only from the Governments concerned, but also from the petitioners themselves.

As regards the work of these Committees, we should like to point out that, of the 458 petitions submitted to them up to May 31st, 1935, only seven petitions found their way to the Council, apart from those relating to Upper Silesia, which reached the Council as the result of German action. Thus the Committees, which were set up merely to facilitate the Council's task in protecting minorities, have, in practice, become a judicial instance interposed between the Council and the minorities, rendering it still more difficult for the minorities to obtain access to the body to which the protection of their rights is entrusted. A change in this situation could only be hoped for if the Committees were required, whenever they refused to have further action taken on a petition to the

Council, to give detailed reasons for their attitude, as is done in regard to petitions from populations of mandated territories.

Why cannot the minorities in Europe enjoy the same degree of protection as these populations? Yet the situation of the latter as regards the effectiveness of the protection granted to them is much more favourable than that of the European minorities. The Council, on its own initiative, supervises all the details of their administration, and the Mandates Commission, in its annual report to the Council, accounts for every petition referred to it. When it does not recommend that a petition should be submitted to the Council, it is careful to state the reasons; and the Secretary-General of the League communicates to the petitioners all the conclusions reached by the Commission and approved by the Council. Under the present system for the protection of minorities, none of that takes place.

Yet the moral and material welfare of the European minorities depends on the manner in which the League accomplishes the mission entrusted to it in the protection of minorities. Through the guarantee given by the League regarding minorities treaties, the Council has become, as it were, the trustee responsible for seeing that they are properly executed. If the Council is in doubt as to the juridical scope and extent of its powers, we would ask whether the time has not come to dispel those doubts by consulting the Permanent Court of International Justice.

We venture from this platform to address also the Governments of the States that are bound by the provisions of minorities treaties. If the minorities problem is not to become a source of trouble poisoning international relations, it is not enough to rely on the loyalty often claimed from the minorities themselves: it is most necessary that the majorities, too, should show more understanding of the minorities among their fellow-countrymen. They cannot do so better than by taking as their watchword the noble words uttered in this connection by M. Aristide Briand: ¹

"It is in no way to the interest of a country that any element of its population which has its own value and its own characteristics should disappear, and a great country which realises its own strength does not endeavour to bring about any such disappearance. It does not try to reduce its population to a uniform level. On the contrary, the strength of a country consists in assimilating various elements of its population without letting them lose their own characteristics and qualities. It is in this way that a country develops and acquires its full strength which enables it to expand."

In conclusion, I should like to pay a tribute to the Secretary-General, who this year once again has devoted a large part of his annual report to economic and financial questions, the primary importance of which it would be superfluous to emphasise.

As regards the economic situation, a movement towards recovery is undoubtedly taking shape in Hungary, as indeed in most countries. Largely through its own efforts, seconded by international economic collaboration wherever such has been possible, my country has been able to effect an improvement in its situation; and a tribute is paid to it in the last report of the Financial Committee.² Hungary will continue to follow in this path; yet my Government is well aware that, unless international economic collaboration is re-established, the more or less isolated efforts of a few countries, however praiseworthy, cannot be

¹ See *Official Journal*, April 1929, page 529.

² Document C.395.M.251.1936.II.A.

crowned by complete success. This is primarily the situation of the small countries, which are financially and economically weak, and which, accordingly, can play only a small part in establishing normal international collaboration. All that these countries can do is to declare themselves ready to try to follow a course that should create the primary conditions for restoring normal economic and financial relations. I am convinced that this end could be reached if, as a starting-point, an agreement were concluded among the countries having a preponderant political, economic and financial influence. That, moreover, is the conclusion reached in that admirable document, the last report of the Economic Committee of the League.¹

The President :

Translation : M. Litvinoff, first delegate of the Union of Soviet Socialist Republics, will address the Assembly.

M. Litvinoff (Union of Soviet Socialist Republics) — I confess that a review of the League's work during the past year is very far from inspiring the Soviet delegation with joyful reflections. This is partly to be explained by the fact that the Soviet delegation approaches any estimate of the League's activity from the angle of the quality, rather than the quantity, of the questions dealt with, and that it judges the quality by the part which the questions play in the problem of consolidating world peace, which is the basic function of the League of Nations.

Among the eighty questions mentioned in the annual report of our Secretary-General, there are only three which bear on the problem of peace — namely, the Italo-Ethiopian dispute, Locarno and Danzig. None of us can recall the settlement of the Ethiopian question without a feeling of bitterness, the more so because it continues obstinately to remind us of its existence. The question of Locarno, which was subjected to an abortive discussion at the April session of the Council,² was placed on the agenda and then adjourned from one session of the Council to another, and has been put on the agenda of the present session of the Council also, in all probability, only in order to be adjourned and finally written off as a bad debt. The same can be said of the question of Danzig. It is indeed a meagre balance-sheet.

Turning to the agenda of the present session of the Assembly, we find on it only one question bearing on peace, and that has, for the time being, been remitted to the General Committee for a decision as to its ultimate fate. I refer to the question of the application of the principles of the Covenant. We, the Soviet delegation, are of the opinion that this is the only question the discussion of which might impart a substantial content to the present session of the Assembly.

I hope I shall be excused if I disagree with the view of some Governments, reported in the summary circulated by the Secretariat³ that the work of interpreting and applying the Covenant should be postponed until the political atmosphere has been relieved of its present anxieties. I would rather express the view that it is the very presence of these anxieties which constitutes the most powerful argument in favour of an early consideration of this question. It is just the approach of danger that has caused these anxieties. Are we to wait until the danger has become a reality? On the other hand, I should say it would be entirely unjustifiable optimism to believe in a rapid clearing-up of the political atmosphere. Is the

League of Nations for ever to bear the character of a "waiting-room"?

I may be allowed to remind the Assembly that the question of the application of the principles of the Covenant did not arise in any academic way, but was brought into existence, and imposed upon us, both by the unhappy outcome of the Italo-Ethiopian conflict and by the whole course of the political events of recent years.

This course of events has not changed its sinister direction, which, as we all not only guess but know, and even feel, points to such a sanguinary clash between the peoples that our imagination is powerless to grasp all its consequences.

I will allow myself to speak with full frankness, thus following the example given by other speakers here, and refer to some of the matters alluded to by them.

Four years have passed since there first took shape more or less clearly, in opposition to each other, the ideas of peace, inviolability of treaties and international order, and against them the ideas of war, of contempt for international obligations and of a violent redivision of the world. But while on the one side the ideas are becoming organised and clothed in flesh and blood — or perhaps it would be better to say in lead and iron — the forces of the other side, unfortunately, remain shapeless, disunited and passive.

What, after all, is the present distribution of international forces?

I have not the slightest doubt that even the most politically inexperienced reader of newspapers knows which and how many are the countries whose aggressiveness makes them dangerous, if he is only familiar with the speeches and writings of the rulers of those countries. There are also some countries which strive to seek salvation in neutrality. If they really believe that it would be sufficient for them to write the word "neutrality" on their frontiers, there to arrest the flames of war, and if they have forgotten the recent lessons of history as to breaches of even internationally recognised neutralities, that is their affair. We have the right, at least, to ask them already to observe their neutrality to-day, when some are preparing plans of aggression and others plans for self-defence. Unfortunately, they are often already placing their neutrality at the service of the forces of aggression.

By the side of these professedly neutral countries, there is a number of others, including some of the most powerful States in the world, who undoubtedly see the storm cloud advancing over Europe, understand its threatening character, feel the peril inevitably involved for themselves, and, it would seem, recognise the necessity of common defence, declaring again and again their adherence to the principle of collective security. We regret to see that, so far, they do not go beyond these declarations, and are doing nothing to clothe the idea of collective security in a suitable form, or to give it effective power, in the vain hope that the aggressor, taking heed of their exhortations, will undergo a change of heart and help them to restrain his aggression.

But the aggressor, who is basing all his policy on superiority in brute material force, with only threatening demands, bluff, menaces and the tactics of *faits accomplis* in the arsenal of his diplomacy, is accessible only to the voice of a policy no less firm than his own, and to a cold calculation of the relative strength of forces. Any exhortations and entreaties, and still more concessions to his illegal and senseless demands, any economic bribes offered to him, merely produce on him an impression of weakness, confirm his consciousness of his own power, and encourage him to further intransigence and illegalities. Even outside his frontiers, the legend of his invincibility may arise and thus give birth to a fatalist and

¹ Document C.378.M.249.1936.II.B.

² See *Official Journal*, April 1936 (Part. I).

³ See *Official Journal*, Special Supplement No. 154.

pusillanimous mood in certain countries, which gradually, sometimes even without noticing it, may lose their independence and become the vassals of the aggressor. In this way begins the process of creating a hegemony to be completed by the military subjugation of the countries which refuse to submit voluntarily.

Yes, we must not close our eyes to the existence of aspirations for hegemony, for the hegemony of a "chosen people", called by history itself, so it is alleged, to dominate all other peoples whom it pronounces to be of an inferior class. I will only refer in passing to the ideological consequences of such a hegemony, and to the violent destruction of all the treasures of mind and culture which were the pride of humanity in recent centuries, and the artificial resurrection of ideas belonging to the worst period of the Middle Ages.

Yet the aggregate power of the peace-loving countries, both in the economic and in the military sense, their total resources in man-power and in the war industries, considerably surpass the strength of any possible combination of countries which the aggressor might rally around him. I am deeply convinced that it would be sufficient for these forces in some way to combine, to display merely the possibility of joint action, for the peril of war to be averted, and for the aggressor to be obliged to ask, sooner or later, to be admitted himself to the common system of collective security.

"Are you calling for the formation of blocs?" someone may ask me. I know that for some super-pacifists the word "bloc" has become a bugbear. No, I am not asking for new blocs. I am prepared to be satisfied with a bloc which exists already, and which bears the name of the League of Nations, a bloc of countries that want peace and that have united for the purpose of mutual defence and mutual aid. All we ask is that this bloc should genuinely organise mutual aid: that it should draw up its plan of action well ahead, so as not to be taken by surprise, and that the organisation of war which is taking place outside this bloc should be answered by effective action for the organisation of collective resistance. It may be that not all the countries at present constituting the bloc known as the League of Nations wish to participate in such action. It may be that there are some among them who think security is to be found in the word "neutrality", or who hope, at the last minute, to desert to the side of the aggressor. But this in no way deprives of the right of joint action those who can and wish to defend themselves and who have no desire to be attacked one by one.

In response to the recommendation of the last Assembly,¹ and to the invitation of the Secretary-General, the Soviet Government has presented its views on the best way of improving and making more precise the League Covenant.² The principal idea contained in its suggestions is that of regional and, if necessary, bilateral pacts of mutual assistance. We have in mind regions of various geographical sizes and shapes, including even entire continents, since the larger the region covered by the pact, the greater the guarantees of security. We do not know, as yet, how many regional pacts of this kind will be concluded, and what will be the scope of their application. What is essential at this stage is to determine their place in the general system of collective security under the League of Nations, and to establish the interdependence of the several pacts: it will be necessary in this connection to provide for the security of those countries also

¹ See *Official Journal*, Special Supplement No. 151, pages 65 and 66.

² See *Official Journal*, Special Supplement No. 154, page 10.

which, for some reason or other, are not included in any such pact.

I shall not dwell any further either on this or on the other suggestions of the Soviet Government, and will reserve my remarks until the question is discussed in the appropriate Committee. We shall also make our observations there on the suggestions put forward by other Governments.

Apart from those which have been forwarded by the Governments in writing, some have been made here verbally, and it would seem desirable to say a few words about them.

The Soviet delegation does not under-estimate the importance of Article 11 of the Covenant, which has as its object to avert any threat of war by means of conciliation. Much may be said in favour of the abolition of the unanimity rule in some cases of this kind. We must be careful, however, not to open thereby the floodgates through which a torrent of all kinds of petty claims, unconnected with the preservation of peace, may pour into the League Council. We know from experience that it was only the unanimity rule which hitherto dammed up that flood.

It should be also borne in mind that procedure under Article 11 can be effective only in cases when the threatening disturbance of peace is the result of a purely unexpected and accidental dispute, the elimination of which will restore equanimity. Article 11 cannot, however, avert a breach of the peace which arises from calculated aggressiveness and the pursuit of conquest, for which disputes are deliberately engineered. The League of Nations has already had occasion to deal with such cases, when Article 11 proved to be quite powerless. At all events, the Council's recommendations under Article 11 will be effective only when they are backed by a well-armed Article 16. We therefore consider it much more important to eliminate the unanimity rule in the latter article.

Some speakers here have been placing great hopes on an increase in League activities under Article 19, which provides for the reconsideration of international treaties. Such reconsideration is possible and desirable, in the opinion of the Soviet delegation, only if the consent of all interested parties has been secured. A striking example is the recent revision of the Straits Convention, which was successful precisely because the preliminary consent of the signatories to the Convention was obtained. Without such consent, to raise the issue of revision — for which even those who have spoken recognise the necessity of unanimity — will not only fail to produce positive results, but will make relations between the interested parties still more acute, and thereby still further worsen the international situation. Hardly any of the countries are absolutely satisfied with existing international agreements, whether concluded in the recent or in the more remote past, and I question whether any beneficial results are to be expected from burdening the League with such claims. Is it not rather to be feared that the moral support which even a minority of the Assembly may afford to some claim will encourage the aggressor to a breach of the particular treaty involving acts of violence?

It is not for the Soviet delegation, of course, to object to the French proposal for calling together the Bureau of the Disarmament Conference. The Soviet Government has always considered, and still considers, that disarmament is the most effective guarantee of peace, particularly if disarmament is total and universal, which, given good will, is easier to achieve than partial disarmament. But this is the sphere in which universality, and

that not only on a European scale, must really be made an essential condition. I refrain, however, from expressing an opinion whether such universality, at the present time, is possible.

It is quite another matter when universality is spoken of in connection with improving the League Covenant. In principle, we are all in favour of universality. We ask for nothing better than the earliest possible entry of every State into the League — a League, naturally, affording genuine guarantees of security to all its Members, a League founded for mutual aid, a League which recognises the equality of peoples. But if the idea is that, until such universality has been reached, we shall do nothing to improve the Covenant, and if we are once again invited into the "waiting-room", I must express my dissent.

I would object even more strongly if, in the name of universality, the League were to set about eliminating from the Covenant all that makes it a weapon of peace and a threat to the aggressor. I should object vigorously to anything calculated, as I said at the last session of the Assembly, to make the League safe for the aggressor.¹ We must, of course, admit that a State which openly exalts the power of the sword as against international obligations, for which it does not conceal its contempt, a Power which cynically calls on other States to adopt the same contemptuous attitude to their signature at the foot of treaties, with the object of finally destroying international confidence, such a Power cannot feel comfortable in a League of Nations which proclaims one of its principal aims to be "the maintenance of justice and the scrupulous respect for all treaty obligations in the dealings of organised peoples with one another".

A State which is governed by men who have incorporated into the programme of their foreign policy the conquest of other nations' territory, who at their festivities, before their people and the representatives of other States, enumerate the vast territories which they intend violently to separate from other countries, cannot sincerely accept Article 10, which ensures to all Member States their territorial integrity and political independence. A State which preaches the legality of so-called "localised" wars cannot make its peace with Article 16, which proclaims that resort to war against one Member of the League is deemed to be an act of war against all other Members of the League, and which prescribes a graduated system of sanctions against the aggressor.

Again, here in Geneva, under the auspices of the League of Nations, a Convention was signed the other day which prohibits even the mere incitement by wireless to breaches of internal peace in other States. Can a State sincerely accede to such a Convention which, as has been abundantly proved, maintains in all countries its agencies and secret services, built up of its own nationals, which actively interfere in the life of those countries, incite party against party, organise and finance insurrections, and openly afford military aid to rebels? Can we declare compatible with the principle of equality of nations, which is one of the foundation stones of the League, the ideology of a State founded on racial and national inequality, and describing all peoples except its own as "sub-human"?

I would ask the supporters of "universality at any price": Must we sacrifice all the fundamental principles of the League in order to adapt it to the theory and practice of such a State, or must we invite the latter itself to adapt its principles to the present ideology of the League? My reply, at any rate, is: Better a League without universality than universality without League principles.

The Soviet delegation strongly urges that the question on the agenda of the application of the principles of the Covenant should be immediately transmitted to the First Committee without waiting for the advent of universality. If that Committee does not complete its work during the present session of the Assembly, the work should be continued by a Special Committee, charged with drawing up definite agreed proposals in the shortest possible time, so that, as soon as possible, an extraordinary session of the Assembly can be convened finally to adopt these proposals.

While this theoretical work is going on, Members of the League intending to participate in bilateral or regional pacts of mutual assistance should undertake diplomatic negotiations among themselves in order to achieve this object.

I assert that the more intensively and successfully this work is carried on, the easier will it be to come to an understanding, even with the aggressive countries, and thus achieve the desired universality.

We are far from objecting to attempts to reach an agreement even with the most aggressive countries. On the contrary, we consider it necessary to invite them to take part in any international initiative. But we are against allowing them to dictate the terms of the negotiations or paying them a bonus for condescending to negotiate. We think it abnormal that, on account of their refusal or deliberate procrastination, such initiative should be held up or brought to nought.

We consider that attempts at a universal agreement can be made by calling together a Peace Conference or the Commission of Enquiry for European Union. Not being bound up with the past, and free as yet from all pacts, either of these organisations would represent a most suitable framework for the preliminary discussions of any question, whether political (including disarmament) or economic. If any State refuses to participate even in such organisations, everyone will see clearly that our road and theirs do not run together, and that we must finally organise peace and international order without them.

I have outlined to you a policy and measures which, if carried out both within the framework of the League and outside it, may genuinely end the stagnation into which the cause of organising peace has sunk. These measures have the advantage that they imply immediate action, in contrast to the "waiting-room" policy at present prevailing — the policy of speculating on the frame of mind of elements hostile to peace, and the policy of concentrating all hopes on some particular conference which ever hovers a little way ahead, like the illusive blue bird — a policy leading to fatalism and capitulation in face of the aggressor. We are convinced that action alone, and certainly not passivity, can discharge the thunder clouds which are darkening the international horizon and avert a catastrophe.

The Soviet Government itself avoids, and will not recommend to anyone, any steps which might, in the smallest degree, increase the risk of war, or hasten its approach, independently of whether it is a question of war on its own frontiers or of war in more remote places. The Soviet Government has given many proofs of its love for peace, not only in words but in deeds, in spite of many provocations and insults. Relying on its vast internal and external

¹ See *Official Journal*, Special Supplement No. 151, page 37.

force, and proud of its achievements, the Soviet Government sometimes does not reply to such insults in the traditional way, not only through disdain and disgust at the sources of these insults, but mainly because it wishes to leave to others, not to assume itself, the responsibility for all the consequences of breaches in the elementary rules of behaviour as between peoples.

True to the principle that every nation has the right to choose for itself any political and social system, the Soviet Government does not discriminate between States according to their regime. Although it considers National Socialism and racism to be the deadly enemies of all working-people and of civilisation itself, the Soviet Government has never preached a crusade against the countries which are a prey to these theories. Far from this, it has always striven to maintain with them the same normal diplomatic and economic relations as with other countries. The Soviet Government does not increase its army, its armaments, its aviation, in order to fight the germs of these theories, or to defend its frontiers against them.

The Soviet Government adhered to the agreement for non-interference in the affairs of Spain only because a friendly country feared the possibility otherwise of an international conflict. We acted thus, in spite of the fact that we consider the principle of neutrality inapplicable to a war levied by rebels against their lawful Government, and, on the contrary, to be a breach of the principles of international law — on which point we are in full agreement with the views of the Spanish Minister for Foreign Affairs. The Soviet Government understands that this unjust decision was imposed by those other countries which, considering themselves to be the champions of order, have established a new principle, fraught with incalculable consequences, according to which it is permitted openly to assist rebels against their legitimate Government.

All these new proofs of the Soviet Government's desire for peace, albeit possessing sufficient means for self-defence, should convince you that the proposals put before you by the Soviet delegation are dictated by the desire to safeguard peace, not only on the frontiers of its own country, but also on those of other countries, and to bring about conditions safeguarding the security of all peoples. They are inspired by the sincere desire to restore in all countries a feeling of self-confidence and confidence in the help, if necessary, of others, and to resurrect faith in the ideal of international solidarity and justice.

The President :

Translation : M. Munch, first delegate of Denmark, will address the Assembly.

M. Munch (Denmark) :

Translation : The first delegates of the United Kingdom¹ and of France² have emphasised in their speeches from this platform the seriousness of the situation in which our discussions are taking place. We certainly all agree with them on that point. The armaments race which has been going on for the past few years is more unrestrained than that prior to 1914, and it is even more dangerous, because it is taking place at a time of general nervous excitement. Class and party passions within certain countries are on a par with the passions which are dividing nations; and there is a vague but growing tendency to group countries

according to their form of government and social systems — a tendency which adds to the complication of the international situation.

In such anxious circumstances, it is the duty of the League of Nations to make a supreme effort to exorcise the dangers which are threatening mankind.

The feeling that that is our task has given a special character to the replies received as the result of the step taken by the Assembly on July 4th last. In their replies,¹ nearly all countries emphasised most the need to try to make the League more universal. The first condition of such universality is, without doubt, an agreement between the Great Powers which are Members of the League and the great European Power which has left it.

With a view to the future, we must try to find a common basis for the life of Europe which will allow those countries to work together within the same international organisation. All the Great Powers, Members and non-members, have repeatedly expressed their wish to bring about such co-operation.

We know that the Locarno Powers are contemplating negotiations with that object in view. If they succeed, the Council and the Assembly will have to study the results which will ensue for the League. If they fail, it will, in my opinion, be necessary for the Council, in the name of the League, to make a further effort to bring about an agreement, in spite of the great difficulty of obtaining a result in such an eventuality.

There are, moreover, important countries with which negotiations should be entered into, with the object of obtaining their co-operation as Members of our League. If the United States could decide to join it, the effect in favour of the stabilisation of peace would probably be decisive. If it is impossible for the United States to participate as a member, we must at least try to obtain more regular co-operation from that country in the work of the League, and, above all, try to devise means to enable the United States to share in measures to prevent war, should the eventuality arise.

When we study the problem of the League's universality, one question confronts us in a more definite form to-day than formerly — namely, whether countries with profoundly different forms of government and social systems can work together in the international field. Political passions and class passions have become so strong that there is sometimes a tendency to answer that question in the negative. That tendency, though intelligible, is dangerous; the first delegates of the United Kingdom and of France have pointed this out very clearly.

We must have no illusions on the subject: there will either be an international organisation including States which differ profoundly, politically and socially, or there will be no international organisation at all.

In our country, a democratic form of government, based on free discussion, has emerged as the natural result of our historical evolution; but we cannot from that conclude that the same form of government can be applied everywhere at the present stage of history. We must recognise that, in spite of the tremendously increased interdependence which has resulted from modern science, conditions in different countries differ so widely that it is very difficult indeed to pass judgment on the form of government which foreign countries have thought fit to adopt.

In any case, things being as they are, a readiness to see countries with widely varying forms of internal government appearing side by side in an international organisation is a *sine qua non* of the existence of such an organisation. That is why

¹ See page 44.

² See page 51.

¹ See *Official Journal*, Special Supplement No. 154.

Denmark, ever since the creation of the League of Nations was first discussed, has always stood for the idea of an open League.

In my opinion, this principle must also be applied to the refugee question. The events of the last few years have caused a large number of men and women to leave their countries and seek refuge elsewhere. For France, in particular, which has so generously received these refugees, this must constitute a heavy burden.

I agree with the Norwegian Minister for Foreign Affairs¹ that it is the duty of the League as a whole to look after these unfortunate people, in accordance with the traditions founded in the days when we were fortunate enough to have Fridtjof Nansen with us. We can do so without interfering in the domestic concerns of the countries from which the refugees have come.

With regard to the Covenant, it is evident to anyone reading the replies of the various Governments that there is no possibility of changing it at present. Opinions are too varied with regard to the form such a change should take. In the circumstances, it is obvious that no modifications of the Covenant can be made, except as part of a general agreement designed primarily to give the League a more universal character, and of such importance that the States Members, with a view to facilitating that agreement, would accept amendments to the Covenant which they would hesitate to adopt at present.

The replies show rather that most people think the systems of mediation and prevention should first be improved and made more definite. In our opinion, there is sufficient agreement on this point to warrant the setting-up by this Assembly of a committee to study the question and draft definite rules for the application of the articles of the Covenant that are directed towards this end.

But to seek to enlarge the League's membership and to render more definite the rules governing its action in disputes between different countries is not enough. Its action must, at the same time, be strengthened. If it does not give proof of its vitality by stronger action in various spheres, it will hardly be possible to persuade more countries to join it.

First of all, the armaments problem must be taken up again as soon as circumstances permit. The majority of the answers received contain the idea that the League's future depends on the solution of that problem. At first sight it seems idle to talk of it, at a time when we are witnessing an armaments race which is keener than ever.

Yet even the Governments which are rearming on the most formidable scale (each giving as its reason the armaments of others) proclaim, in their declarations, the necessity for the limitation of armaments. Why? Because it is obvious that, so long as extensive machinery for war exists, no international organisation and no system of alliance can provide guarantees for the security of any State whatsoever. It is clear that such war machinery cannot increase indefinitely without some day bringing about a world war; and no State, not even the strongest, can make sure, whether by recourse to armaments or to alliances, of being the victor in such a war.

We certainly ought to ask ourselves whether it is possible to reopen the matter now, while rearmament is in full swing. But, be it noted, one serious obstacle has disappeared. During the very arduous discussions which have taken place since 1920, in League Committees and at the Disarmament Conference, one difficulty overshadowed all the

others: A few States were bent on maintaining the inequality of armaments created by the Peace Treaties, whereas others were just as bent on securing equality. That was quite natural; but it was the real reason for the failure of the League's efforts. To-day, that obstacle, at least, no longer exists. Unlimited freedom of armaments is established *de facto* for all States. At this point, each State should say to itself: "If we increase our armaments, our powerful neighbours will do the same". Thus they must all admit that, so long as the armaments race continues, all States will live in such a condition of insecurity that their whole economic and moral existence will suffer heavily.

An effort must be made to find an issue to this very dangerous state of affairs. The simplest and most practical course would undoubtedly be for the seven States on which world peace primarily depends to reach an agreement. The statements we have heard here on behalf of the United Kingdom and of France, and the statements of other great Powers not represented here, warrant us in the belief that a new attempt will be made in this very important field. If the seven States tell us "We are going to make a new attempt", I think we should feel gratified and quietly await results. Otherwise, I think that the Assembly, and then the Council, must consider the possibility of taking the initiative and, if possible, of starting in some appropriate form, negotiations between the States in question, whether they be Members of the League or not. I am extremely glad to note the initiative which has been taken in this direction by the French delegate.

The second big question is economic co-operation between countries. Everyone knows that, during the last seven years, there has been an unprecedented slump in international trade, a slump which makes countries much less ready to co-operate and strengthens the tendency to isolation and nationalism. During these years, we have witnessed what has been no less than a trade war, and this has not made things easier for States other than the Great Powers, which, in the last resort, are self-sufficient.

We have all welcomed the news that France, the United Kingdom and the United States have reached an agreement — an agreement that, we hope, will bring about what may be termed "monetary peace". We sincerely wish they may be successful. We are equally glad to know that these three Great Powers desire their agreement to be a starting-point for an attempt to put a stop to that trade war we are all waging against each other now by means of Customs barriers, quotas and many other restrictions. In this venture, States which are not Great Powers will also have a part to play and interests to protect. I would remind the Assembly that, in the case of the seven States which concluded the Oslo Convention a few years ago, although their population is small, the aggregate volume of their foreign trade does not fall far short of that of the United Kingdom; it is equal to the foreign trade of the United States; and it is several times greater than that of some of the other Great Powers.

Since the political crisis seems to have come to stay, we must, in spite of it, try to make sure that things work as normally as possible in other fields. I hope the Second Committee will be able, on the basis of the admirable reports presented by the Economic and Financial Committees, to submit definite proposals as to the form in which the work so well begun by the three Great Powers may be carried on to this conclusion. I would like to add that I was particularly glad to hear the statement made by the United Kingdom delegate concerning an enquiry into the problem of raw materials, which at the present time is giving rise to so much misunderstanding.

¹ See page 53.

Lastly, there is the problem of moral disarmament. Here, again — we must not deceive ourselves — the events of the last few years have undoubtedly led to an armaments race. At the present time, most countries are inclined to blame the misdeeds of others for the ills they are suffering. Propaganda to this effect is more powerful than ever and is inciting nations against each other. The mutual fears which the present situation engenders in various nations make fertile ground for such propaganda. Enormous funds and technical devices of all kinds are placed at its disposal. All that is easy enough to understand; given the international situation as we know it, things could not be otherwise. But if the armaments race in the intellectual field is allowed to go on unchecked, and if the propaganda of discord gains the upper hand, every attempt to reach agreement and establish international co-operation is bound to fail.

In face of this very dangerous activity, the League, by promoting co-operation in humanitarian, intellectual and technical fields, and also, to some extent, by propaganda, is supporting the work of conciliation; but I think you will all agree that, so far, the propaganda has been very mild.

In my opinion, it should be conducted on entirely new lines. It should be so organised as to have at its disposal every available means of encouraging mutual understanding and co-operation. It must not take sides for one country or one group of Powers against another, but should be directed to the sole purpose of making nations understand that a new world war would destroy victor and vanquished alike, would bring about disastrous social upheavals and would paralyse for a long time to come that civilisation which humanity has achieved after an age-long struggle; and that the only means of preventing the collapse of modern culture is to set up an international organisation based on law.

There will be no dearth of thinkers, writers and journalists who will be prepared to co-operate in this work. A great many distinguished and talented men and women are already engaged in it. But their activities are haphazard and scattered. It is quite natural, and it is very important, that the League should organise the efforts of all such workers and should enable them to cope on an equal footing with the propagandists whose views are threatening concord and peace. A great deal of work and of money will be needed, perhaps millions a year, I venture to say. But there is no task more important. The problem of peace is, in the last resort, a moral problem. We must not neglect any means of removing such misunderstandings as exist, or of solving political and economic problems. But all these activities are no more than palliatives; they will enable us to gain time, but they cannot safeguard the future, unless we succeed in fundamentally changing the spirit which has prevailed hitherto. As the United Kingdom delegate so rightly said, "the war mentality must be laid aside".

Is that impossible? No, I cannot agree that it is. At one time the spirit of discord and of war was ripe in the northern countries and they waged terrible wars against each other. All that now belongs to the remote past. Thanks to the propaganda of eminent writers, a new spirit of concord and co-operation has been created between these nations for the past century. Ninety years ago, a King of Sweden said: "From now on, war between the Scandinavian countries is an impossibility". And, nowadays, that is the universal view in our countries. Difficulties may have arisen between us, but they have all been solved by pacific methods. No one in our countries could conceive of any other way. I admit that in our case exceptional circumstances have ensured the prevalence of this state of mind; but in the face of the danger that threatens the future of mankind, we cannot abandon the hope that a similar spirit of mutual understanding and co-operation will also prevail in other parts of the world before it is too late.

33. — QUESTION OF THE CONSTITUTION OF THE THIRD COMMITTEE OF THE ASSEMBLY: PROPOSAL BY THE DELEGATIONS OF DENMARK, FINLAND, THE NETHERLANDS, NORWAY AND SWEDEN.

The President:

Translation: Before adjourning the meeting I have to inform the Assembly that I have received the following communication from the delegations of Denmark, Finland, Norway, the Netherlands and Sweden.

"During the general discussion, several speakers raised the question of resuming work on international disarmament.

"The delegations of Denmark, Finland, Norway, the Netherlands and Sweden have the honour to support the suggestion which has already been discussed by the General Committee of the Assembly that the Third Committee should be set up to consider the possibility of resuming its work.

"(Signed) P. MUNCH (Denmark),
H. HACKZELL (Finland),
Halvdan KOHT (Norway),
DE GRAEFF (Netherlands),
Ö. UNDÉN (Sweden)."

A preliminary examination of this question has already been made by the General Committee and, as a result, a communication was made to the Assembly at its meeting on September 25th, 1936.¹ I therefore suggest that the Assembly should refer the new proposal to the next meeting of the General Committee for reconsideration.

The President's proposal was adopted.

¹ See page 43.

NINTH PLENARY MEETING

Tuesday, September 29th, 1936, at 10 a.m.

CONTENTS.

34. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by the Right Hon. W. L. Mackenzie King (Canada), M. Schmidt (Austria) and Dr. Wellington Koo (China).

President: M. SAAVEDRA LAMAS.

34. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36 : CONTINUATION OF THE DISCUSSION.

The President :

Translation : The first item on the agenda is the continuation of the general discussion on the report on the Work of the League of Nations in 1935/36 (Documents A.6.1936 ; 1936.5 and A.6(a).1936 ; 1936.6).

The Right Honourable W. L. Mackenzie King, first delegate of Canada, will address the Assembly.

The Rt. Hon. W. L. Mackenzie King (Canada). — The Government of Canada shares the view that the present is a very critical time in the affairs of the world, but, particularly and immediately, in the affairs of Europe. More than one delegate with intimate knowledge of the situation has already spoken of the growing tension throughout this continent. With a less intimate knowledge, Canada has refrained from putting forward, in advance of this meeting, any comments or proposals.

The means of solving immediate European problems are, we believe, best known to the nations of Europe themselves, and likely, at this juncture, to be most effective if applied by direct negotiation. Having said this, may I add that we believe the present is a time when no country should be satisfied with appearances or professions. It is a time when the reality and effectiveness of whatever is being considered should, as completely as possible, be known and disclosed. Undertakings are meaningless apart from the will, the intent and the capacity to meet obligations assumed.

Canadians viewing conditions in Europe from their own country are struck by the violent nature of the propaganda and recriminations hurled incessantly across the frontiers, the endeavours to draw all countries into one or other extremist camp, the feverish race for rearmament, the hurrying to and fro of diplomats, the ceaseless weaving and unravelling of understandings and alliances, and the consequent fear and uncertainty of the peoples. It is a complete contrast to the friendly relations with our neighbours to which we are accustomed.

I mention this, not to suggest that Europe at the moment can be expected to follow a similar course, but rather to explain a difference in national outlook, which has its bearing upon policies which some may feel the League should adopt. We approach the consideration of the existing situation with the fullest sympathy for the difficulties and the policies of other Members of the League. We recognise the special conditions that face a great part of Europe, the crowded populations, the

scores of dividing frontiers, the bitter memories which zealots of nationalism will not let die, the heritage of ancient privilege and of class division, the unrest resulting from the redrawing of political boundaries, and the upheaval in the social structure which the great war brought in its train. We recognise that we in Canada are particularly fortunate both in our neighbours, and in our lack of neighbours, and we agree that we cannot reasonably expect our relations and our attitude to be wholly duplicated elsewhere.

The delegate of the United Kingdom¹ declared that one country cannot impose its social system or political faith upon another country with different backgrounds. That is equally true of the relations between one continent and another. It is a truth, however, which works both ways. It would be equally unreasonable to expect a North American State to have the same international outlook, the same conception of interest, or of duty, as a European State facing widely different conditions. Perhaps it would be helpful all round if we would recognise that differences in policy where they exist do not represent a superior or inferior outlook, but, in the main, correspond to differences in the circumstances that we face.

There is another factor which inevitably influences Canadian opinion on many League policies, and particularly on the question of automatic obligations to the use of force in international disputes. I have in mind our experience as a member of the British Commonwealth of Nations. The nations of the British Commonwealth are held together by ties of friendship, by similar political institutions, and by common attachment to democratic ideals, rather than by commitments to join together in war. The Canadian parliament reserves to itself the right to declare, in the light of the circumstances existing at the time, to what extent, if at all, Canada will participate in conflicts in which other members of the Commonwealth may be engaged. It is true there are special factors in this relationship which make it impossible to draw a complete parallel between League and Commonwealth relations. But these factors also work in both directions. Certainly this experience has had an effect in convincing Canadians of the possibility of preserving close and friendly co-operation without the existence of a central authority, or of military commitments.

This respect for the full autonomy of each of the self-governing members of the British Commonwealth, I may add, is not confined to questions of participation in war. It applies to all relationships. It is for each part to decide what political or economic policies it may wish to adopt. Recognition of the same principle, we believe, should govern the actions of all the Members of the League of Nations.

¹ See page 45.

The Canadian tradition is one of inherited and developed freedom. The repression of criticism is alien to that tradition. Our political institutions are founded upon democratic principles and are subject to modification by democratic methods. We have a profound faith that the way of freedom is also the path to peace. Holding that conviction ourselves, we do not assume that we have a mission to impose our beliefs and institutions on other States. We concur in the faith expressed by the United Kingdom delegate in the soundness and the indispensable value of democratic institutions and individual freedom, but we concur also in his view that it is for each country, whether a Member of the League or not, to decide for itself what form of government or economic organisation is best suited to its own needs and conditions. The freedom of maintaining our own form of government which we demand for ourselves requires, as its corollary, a policy of non-interference in the domestic arrangements of other nations. The doctrine of "live and let live" in respect of social philosophies and forms of government is, we believe, an indispensable condition of international comity and co-operation.

I have referred to the influence of geographical situation and of the experience of co-operation between the nations of the British Commonwealth in determining our attitude to League policies. But there is, of course, a third factor, the experience we have shared in common with other Members of the League.

It is, I am certain, the belief of peoples of the great majority of the States here represented that the League has served a worldwide need by affording a rallying point for the world's hopes of peace, a permanent and insistent reminder of the necessity of adjusting political ideas and institutions to the new conditions of world industry and scientific progress, an appreciation of the mentalities of different lands and a more realistic understanding of the difficulties and differences that must be faced and overcome. In bringing together periodically the representatives of half a hundred States, the League builds up barriers against war by developing a spirit of conciliation, an acceptance of publicity in international affairs, a habit of co-operation to common ends, and a permanently available machinery for the adjustment of differences, and for the cultivation of an informed world opinion. If the League did not exist, some such world organisation would have to be invented.

But there is to-day also a widespread conviction, born of experience, that, at this stage in the evolution of the League, emphasis should be placed upon conciliation rather than upon coercion. There is a general unwillingness of peoples to incur obligations which they realise they may not be able in time of crisis to fulfil, obligations to use force and to use it at any place, any time, in circumstances unforeseen, and in disputes over whose origin or whose development they have had little or no control. This difficulty of automatic intervention increases rather than decreases when conflicts tend to become struggles between classes, between economic systems, between social philosophies and, in some instances, between religious faiths, as well as between States. Moreover, participation in civil conflict abroad brings the hazard of strain and conflict at home.

Canada comes to the League of Nations to-day with a desire to reaffirm her adherence to the

fundamental principles of the Covenant. The preservation of peace by the progressive organisation of international co-operation within a collective system has been championed in equal measure by members of all political parties in Canada. Our attachment to this ideal is as strong to-day as it was at the inception of the League. At the same time, there is general concurrence in the view, which has been expressed by leaders of all political parties since the beginning of the League, that automatic commitments to the application of force is not a practical policy.

Successive Canadian Governments have opposed the view that the League's central purpose should be to guarantee the territorial *status quo* and to rely upon force for the maintenance of peace. Canadian public men, irrespective of party, opposed or sought to remove the *status quo* guarantees of Article 10. The Canadian Government, in 1925, rejected the Protocol of Geneva because of "its rigid provisions for the application of economic and military sanctions in practically every future war."¹

In responding to the invitation of the United States to become a signatory of the Briand-Kellogg Pact — the Pact of Paris as it is also known — the Canadian Government, in view of the discussion as to the bearing of the Pact upon the Covenant of the League, made the following statement in 1928 :

"It is true that the Covenant also contemplates the application of sanctions in the event of a Member State going to war, if in so doing it has broken the pledges of the Covenant to seek a peaceful solution of disputes. Canada has always opposed any interpretation of the Covenant which would involve the application of these sanctions automatically or by the decision of other States. It was on the initiative of Canada that the Fourth Assembly, with a single negative vote, accepted the interpretative resolution to which the Secretary of State of the United States recently referred, indicating that it is for the constitutional authorities of each State to determine in what degree it is bound to assure the execution of the obligations of this article by employment of its military forces.

"The question of sanctions has received further consideration by later Assemblies. It is plain that the full realisation of the ideal of joint economic or military pressure upon an outlaw Power, upon which some of the founders of the League set great store, will require either an approach to the universality of the League contemplated when the Covenant was being drawn up, or an adjustment of the old rules of neutrality to meet the new conditions of co-operative defence."

The Canadian House of Commons, by unanimous resolution, has made the adoption of undertakings to apply either military or economic sanctions subject to the approval of Parliament.

What I have said and quoted does not mean that in no circumstances would the Canadian people be prepared to share in action against an aggressor; there have been no absolute commitments either for or against participation in war or other forms of force. It does mean that any decision on the part of Canada to participate in war will have to be taken by the Parliament or people of Canada in the light of all existing circumstances: circumstances

¹ See *Official Journal*, Special Supplement No. 33, page 89.

of the day as they exist in Canada, as well as in the areas involved.

The task of the present Assembly has been declared to be an enquiry into the means of "strengthening the authority of the League of Nations by adapting the application of the principles of the Covenant to the lessons of experience."

We believe that the only way to strengthen the League's shaken authority is to take heed of that experience, to make the policies of the League conform to realities, to the conditions and attitudes of mind that exist in fact in the world of to-day, without losing sight of the possibility of modifying those policies as facts and national attitudes change in the future.

The Covenant, as originally drafted, provided alternatively for peace by conciliation and peace by collective coercion. In its original conception, the Covenant was predicated upon the universal acceptance of its provisions. Without this assumption of universality, it is doubtful if peace by collective coercion would have found a place within its articles. Experience has revealed the difficulty of applying sanctions within a League of Nations where the condition of practical universality is lacking.

The universal acceptance of the principles of the Covenant must be the constant aim of those who hope for the renunciation of war as an instrument of national policy. It is necessary to remember, however, that universality is not to be attained in a single stride, and that its achievement will only be rendered possible as the utility of the preventive functions of the League is confirmed by experience and supported by the quickened conscience of humanity.

The coercive and punitive provisions of the Covenant have operated in the past as a deterrent to the kind of collaboration which must serve as an intermediate stage to a League of Nations which will be universal. By emphasising the mediation and conciliation aspects of the Covenant, we can help to transform the collective system from a hope into a reality. Every vacant seat in this Assembly is a broken link in the chain of collective security.

The Canadian Government does not believe that formal amendment of the Covenant now is either possible or necessary. The powers and duties of the League develop by usage and experience as well as by explicit amendment. What its Members will and will not do can be read more clearly from what they have done and not done than from the text of the Covenant. What is now called for is to register in the light of actual facts the position which has developed during sixteen years of League history by the interpretations given and the action taken or not taken as occasion for decision arose.

It is a fact, as has been indicated by representatives of the Scandinavian countries and other Members of the League, that many provisions of the Covenant have not been observed, or have been applied unequally or ineffectively. The pledges of reduction of armaments in Article 8 have not been honoured. The provisions for the revision of treaties "which have become inapplicable", contained in Article 19, and which were in form and fact an essential complement to the provisions of Article 10 for the maintenance of the territorial *status quo*, have not yet been applied. The sanctions provisions of Article 16 were tacitly recognised at an early stage as unworkable in their entirety, and they were modified by the Assembly resolutions of 1921. Modified, or unmodified, sanctions against an aggressor have never been tried when the conflict took place in Asia or in America. Applied once in an African-European conflict, they failed

and were abandoned because of general unwillingness, under the conditions of the day, to press force to the point of war.

Proposals have been made for regional agreements to ensure immediate and definite military assistance against an aggressor. These proposals show a closer approach to reality by linking the obligation with a definite contingency and a direct interest. The danger that such agreements might develop in practice into old-fashioned military alliances will doubtless be given careful consideration. It is essential to recognise that the areas in which regional agreements could be worked out are, under present conditions, restricted, almost wholly, to parts of Europe. League Members in other parts of the world where this device is impracticable cannot reasonably object to the formation of such agreements by countries which consider them essential to their own security and the stability of their neighbourhood. If, however, it is proposed that they should undertake to apply automatically economic sanctions to supplement the military action of the regional group, it must be observed that such an arrangement would strengthen and perpetuate the existing one-way tendency in the application of sanctions; it would impose on the adherents to European regional pacts no obligations in Asia or America, while calling for action in the European pact areas by outside members.

As to the proposals regarding Article 11, we are in full sympathy with the shifting of emphasis to enquiry and mediation at an early stage in disputes, and with the view that unanimity cannot reasonably be required in any effort of the Council or the Assembly to effect conciliation. It would be a different matter if it were proposed to transform Article 11 into a second sanctions article, applicable before war had broken out, and brought into operation by action of the Council alone.

The process of trial and error by which the League has proceeded indicates that it is now desirable to emphasise the task of mediation and conciliation rather than of punishment; that full enquiry should be made into definite complaints of political or economic grievance; and that the duty and necessity of halting the race to rearmament emphasised by the delegate of France should be faced.

It is encouraging to see a growing recognition of the necessity of action to combat the economic nationalism and the endless devices of control which are strangling international trade and making political co-operation and confidence difficult to establish. Canada is wholly in sympathy with these efforts. We have no embargoes, no exchange or quota controls, and have demonstrated our readiness to negotiate for tariff reductions with any country prepared to take like action.

By working together on what is found possible to-day, the Members of the League will be enabled to advance steadily to what is found desirable to-morrow. If it tries to do too much all at once, the League may fail in essentials.

The condition of successful conciliation is the substitution of confidence and good faith for mistrust and suspicion in the mutual relations of nations. For this reason, we welcome and approve

the suggestion that the Covenant of the League should be detached from the Treaty of Versailles.

Having stated our position as to the revision of the Covenant, may I repeat what I said at the outset as to the consideration of this and all other matters being approached in the light of the existing European situation. There are times and seasons for all things. A certain discrimination is needed in what, at the moment, it may be best to discuss or to decide. One fact must be obvious — namely, that this is not a time to accentuate differences of opinion or view, but rather a time to see that nothing is permitted to stand in the way of European nations in their efforts to construct the foundations of goodwill and mutual confidence in their affairs. Without the restoration of confidence and goodwill among the nations of Europe, and particularly among the great Powers, the League cannot possibly begin to perform its tasks. If goodwill and confidence go in Europe, the League will go with them; if they are re-established, there is no necessary readjustment in League machinery or organisation which cannot speedily be effected.

How are confidence and goodwill to be restored between nations of Europe, which, for the time being, appear to have suffered real impairment of both? That, as I have already said, is something which Canada believes can best be decided by the nations immediately concerned. Obviously, a necessary first step is conference. Its aim should be to bring into the comity of the other European Powers the nation or nations which lie without it. That aim accomplished, the League may well consider anew how best the original purpose of universality of membership may be achieved. The purpose of its founders, and the hope of the signatories of the Covenant was certainly not a League without the United States of America, Japan, Germany, Brazil or other great or lesser Powers. Certainly, it was not a League of Nations against any country or group of countries. Nor was it a League to promote or combat particular theories of social philosophy or economic organisation. It was to be a League to further ideals of peace and goodwill among all nations, and between all classes. Only as Member States continue to give their allegiance to this high conception of its function, can the League of Nations fulfil its mission to mankind.

The President :

Translation : M. Schmidt, first delegate of Austria, will address the Assembly.

M. Schmidt (Austria) :

Translation : The seriousness of the problems which have been raised during the present discussion has led the Austrian delegation to address the Assembly, and to outline Austria's attitude with regard to certain aspects of these questions.

Realising the peculiar situation which Austria occupies in the very heart of our continent, the Austrian delegation thinks it its duty to contribute to the discussion on the work of the League, and more especially on the important part which the League is called upon to play in the particularly unfavourable and delicate state of current international politics. I venture to assert that my country, owing to its geographical, ethnological and cultural position, which has caused it to be compared to a turntable, owing also to its history, so rich in traditions, and to the sometimes painful experience it has acquired during the vicissitudes of the last seventeen years, is especially qualified —

perhaps more so than other countries — to express its opinion on the methods by which we may promote the better working of this institution of ours.

Austria's international policy has but one object — the organisation of a just and lasting peace. Her policy rests upon two solid pillars: her unshakable will to maintain and consolidate her independent existence, a principle which, I am happy to say, has now definitely passed out of the "problem" stage to become an internationally accepted dogma, and, secondly, her continual effort to strengthen the ties of friendship and co-operation between herself and all civilised States, in particular her neighbours.

A glance at the map of Europe immediately reveals the extent to which Austria's political, cultural and economic interests oblige her to maintain and develop friendly ties with all States which recognise, as we do, that the maintenance of peace constitutes the vital problem of the present hour. During the present epoch, which is characterised by an infinite network of ultra-sensitive national interests, peace in Europe, as in the world at large, can be secured only with the assistance and efficient collaboration of a powerful international organ such as the League of Nations. If the League were destroyed to-day, we should be absolutely forced to replace it to-morrow by a similar organisation, to meet the categorical need of the peoples for an instrument capable of reconciling and co-ordinating the individual interests of States with the general advantage of humanity.

However true it may be that these convictions are common to us all and form one of the essential premises of our faith in man's future, it is equally true that the application of the principles of international collaboration presents grave difficulties which must be overcome, as rapidly as can be, through a common effort to strengthen this international organisation by providing it with the maximum of authority, justice and efficiency, over as long a period as possible.

My Government is not, however, in a position as yet to express a final opinion as to whether the amendment, or the mere strengthening, of one or other article of the Covenant would be sufficient to give our international charter the elements and the strength it needs, if it is to meet all the contingencies that may occur. The present state of tension in Europe, the divergences of view regarding the problem of security which still apparently exist between the leading elements in international life and, lastly, the absence from the League — temporary, let us hope — of certain valuable collaborators, do not seem to us to create a situation in which such complex questions could be discussed with profit. My Government therefore feels that it must postpone an explicit reply to the enquiry opened in accordance with the Assembly resolution of July 4th, 1936,¹ until a calmer atmosphere allows of a friendly and objective exchange of views between all the factors responsible for the constructive organisation of peace in Europe.

I wish, however, to emphasise here certain principles which I consider to be of the utmost importance, if we are to be sure that the ideas on which the League is founded are to be fully put into practice, and if we are to save this international institution from future setbacks, such as may compromise its authority and prestige in the eyes of public opinion throughout a large part of the world.

Allow me, therefore, to make certain remarks on behalf of the Austrian Government regarding the conditions which we think indispensable if the

¹ See *Official Journal*, Special Supplement No. 151, pages 65 and 66.

League is to accomplish its essential political task — namely, its action in the cause of peace.

In the first place, the Austrian Government is firmly convinced that one of the shortcomings of the Geneva institution which detracts most from the popularity and, indeed, the authority, which it should enjoy among the nations consists, in the view of many States — including some of the most important ones — in the fact that the Covenant still forms part of the treaties which put an end to the disastrous world war. Is it surprising that the peoples whom those treaties affected feel some bitterness at the fact that the settlement which was to safeguard peace in the future forms an integral part of the very instrument that recorded their defeat ?

Moreover, is it not obvious that these treaties are undergoing and will continue to undergo, substantial modifications, as and when various time-limits expire or the state of world affairs renders certain clauses invalid ? There is, indeed, no question of repudiating the treaties ; but it would be absurd to close our eyes to the indisputable fact that they were, in part at least, intended to remain in force only for a limited period, while the League of Nations is the expression of an undying ideal.

While on this subject, I cannot refrain from mentioning, by way of illustration, a small detail which strikes a curious note, especially nowadays : Article 4 of the League Covenant, that fundamental charter of peace, contains an expression borrowed from the terminology of the war : " The Principal Allied and Associated Powers " ! In the Austrian delegation's opinion, therefore, it would be most desirable to separate the Covenant from the 1919 treaties, and to make of it a charter signed freely and on a footing of perfect equality by all the Members of the League.

Secondly, the Austrian Government expresses its whole-hearted agreement with the hope expressed here by eminent speakers that the ideal of universality should be realised as fully as possible in the near future, since that ideal is inseparable from the very conception of an organisation created to serve world peace. Austria, for her part, is fully prepared to support to the utmost the efforts of other Member States to that end.

Thirdly, as will appear from these remarks, the Austrian Government is far from favouring any restriction in the League's activities in the political field. On the contrary, it is to its interest that this peacemaking and conciliatory institution should be enabled to develop a genuinely vital activity in that sphere. Moreover, in the Austrian delegation's opinion, the League should be careful not to interpret its mission in too strictly formalist a sense, and thus to forgo the suppleness indispensable to any political organ. It is obvious that, if it takes too rigid a view of its duties and thus assumes tasks which commit its responsibility too far, the League may see its action paralysed and its authority compromised. It seems to me, for example, that it would be wisest to proceed to a detailed consideration of those articles of the Covenant which might, if too strictly applied, aggravate a delicate situation still further rather than promote a settlement.

Although the Austrian Government desires most sincerely to develop the vital forces of the League, it realises that cases may occur, and have in fact already occurred, in which a settlement of difficulties arising between Governments can be more easily sought through diplomatic channels than by recourse to an international forum. This argument appears especially powerful in the case of particularly delicate questions, for which a just solution can more easily be obtained by private negotiations between the Governments directly interested than by means of a discussion held before a great inter-

national forum, and under the arc-light of the public opinion of parties not directly concerned. We are convinced that action of this kind — and I would mention as an example the fortunate relaxation of tension which has occurred between Austria and Germany — far from prejudicing the real interests of the League, is manifestly to the advantage both of that international institution and of the principle of co-operation between the peoples of the world.

Before concluding, I think it my duty to deal briefly with the economic and social activities of the League, concerning which the Secretary-General's excellent report has given us gratifying evidence. The significant reports of the Economic and Financial Committees have been followed by events in the financial world which are at present the subject of discussion in all international circles. These monetary measures have opened the way in the economic field to fruitful collaboration which should lead very shortly to the abolition of the systems of exchange control and of clearing agreements, and to a progressive relaxation of the quota system. May I express the hope that the work of the present Assembly will form an effective contribution to progress along these lines ? Thereby, the League of Nations will once more prove that its activity in the economic and social fields is one of the most important and positive elements of the work it is accomplishing in the cause of progress, prosperity and hence of world peace.

The President :

Translation : Dr. V. K. Wellington Koo, first delegate of China, will address the Assembly.

Dr. Wellington Koo (China). — The seventeenth session of the Assembly meets in circumstances which are even less reassuring than those of past years. I know that most of you are anxious about the unsettled condition here in Europe, and your minds are preoccupied with the grave problems which are responsible for the existence of that condition. It is, therefore, with some diffidence that I propose to say a few words about my own country and the general situation in the Far East. My reason for doing it is my profound belief that, our world being so interdependent to-day, what takes place in one region inevitably reacts upon the rest. This is particularly clear as regards relations between Asia and Europe. The repercussions in Europe of the serious events of 1904-1905 in the Far East and those of the European conflagration of 1914-1918 upon Asia are two striking illustrations in contemporary history.

What, then, is the present situation in Eastern Asia ? Briefly I wish to mention two factors. In the first place, the political and economic reconstruction of China in the past year has made notable progress. The recent peaceful settlement of the relations between the Central Government and the two south-western provinces consummates political unity throughout the country. In the fields of public health, hydraulic works, co-operative development, technical improvement of agriculture and industry, electric communications, motor, railway and air transport, big strides have been made. The report of the Secretary of the Council Committee on his mission in China bears ample testimony to this progress, which is also referred to by the Secretary-General in his general report before us.

The system of technical co-operation between the League and my country continues to yield satisfactory results, while the recent arrangement with the League to facilitate acquisition by Chinese

experts of knowledge and experience as regards the latest technical developments in the West will further contribute to the success of this collaboration.

In this connection, I wish to record a grateful tribute to the memory of the late M. Robert Haas' who, in his capacity as Secretary of the Council Committee on Technical Collaboration, discharged his mission both here and in China with ability and distinction.

In the field of China's currency and foreign exchange, a noteworthy solution has also been achieved. This was a problem which for two years had baffled the Chinese Government on account of the wide fluctuations in the price of silver abroad. A series of measures were consequently adopted on November 3rd, 1935, which met with general approval and acceptance throughout China. This new policy has produced a stable currency, a steady exchange rate, a stimulating effect upon the export trade, and a considerable reduction of the adverse balance of trade. In the words of Sir Frederick Leith-Ross, the distinguished Chief Economic Adviser to the British Treasury: "The action taken has been fully justified by the success which it has achieved".

In short, the task of internal reconstruction in China has been making substantial progress, despite conditions of peculiar difficulty. As has been observed by the American Economic Mission which made a tour of the Far East: "A vast change is coming over China: a modernisation that, as compared with ten or even five years ago, marks many centuries".

The other factor in the Far Eastern situation I wish to mention is that conditions in that part of the world remain unsettled with the intensification of preparations for war, frequent movements of troops behind the frontiers, the multiplication of border incidents and the extension of armed aggression. The situation is an anxious one, and there is a veritable danger of an explosion which may have serious repercussions in Europe.

Turning to Europe, we find the present situation no less disturbing. A full-fledged race of armaments has been started and practically all nations, big and small, feel obliged to keep up the pace, lest they should be caught unprepared and swamped one day by a superior force. But while efforts are redoubled in all quarters to strengthen national defence and multiply the number of regional pacts of mutual assistance, it seems that none actually feels secure. Peace, far from being consolidated, remains in a precarious state.

In the economic domain, according to the valuable report by the Secretary-General on the economic situation, evidences are not wanting of a decided turn towards recovery in a number of countries. Whether the advent of general prosperity can be looked upon as certain remains a point of interrogation. In view of the unrelaxed pursuit of the policy of seeking national self-sufficiency by methods of economic jugglery, it is doubtful that the road to economic recovery is already clear. The dream of economic nationalism has not yet lost its spell over the nations of the world. Barriers to trade of all kinds continue to hamper trade and impede its development.

Moreover, faith in treaties has in recent years been profoundly shaken, and respect for international obligations has been seriously undermined. The system of organised peace and guaranteed security as embodied in the Covenant has not always been applied, and when it was applied recently, did not produce the anticipated result, because that application was dilatory and incomplete.

Considerations of expediency have too often prevailed over fundamental principles of law and justice, to the ultimate detriment of the interests of collective peace. The history of recent years shows that compromises on the question of principle, based upon the exigencies of the moment, have served, in the end, to increase international disorders. As the situation thus gets more aggravated and more anxious, it becomes still less easy to apply the rule of law. Those who lamented the failure four years ago to apply fully the provisions of the Covenant to the events of the Far East were apprehensive lest a similar situation might arise in the West. To-day that apprehension has well nigh materialised.

It may be asked: Such being the existing circumstances, what could we do to help ease the situation? This is a grave question and I do not pretend to be able to give you a completely satisfactory answer. If I say a few words about it at all it is only because my country feels that the unsettled conditions in the Occident have a direct bearing upon the situation in the Far East and therefore earnestly hopes for their early amelioration and appeasement.

We of the Chinese delegation, like many other delegations which have presented their views, feel that one of the essential things for us to do in the present crisis is to keep our faith in the League and uphold the Covenant. This organisation of ours is the only one in the world which aims at the maintenance of peace and at the same time provides a machinery and possesses a technique for dealing with international disputes and conflicts. The ineffectiveness of the League's action in the more important cases in the past has been due, as I have said on other occasions, not to the inadequacy of the provisions of the Covenant, but rather to the policy and method of application. This is indeed also the sense of the resolution which the Assembly adopted in its session of July 4th last.¹

Accordingly, my Government, in response to the invitation of the Council, has submitted a number of proposals to that end. These proposals have been outlined in a memorandum which the Chinese Government has addressed to the Secretary-General and which has already been distributed.² I shall not, therefore, go over them here again. Suffice it to say that they are inspired by a desire to strengthen the all-important functions of the League to prevent war or aggression before it develops and to repress it when it has actually arisen. For this purpose, it is proposed that the measures provided in Article 16 of the Covenant should not be excluded from the means or action which the League is authorised to take under Articles 10 and 11 of the same instrument.

In order to be able to deal promptly with aggression or war upon its first emergence, it is desirable that the League should be provided beforehand with a formula as to what constitutes aggression and with a plan for the automatic, immediate and all-inclusive application of the measures provided in Article 16 of the Covenant. In other words, promptness of action is an essential factor to secure effectiveness, and preparedness is a necessary condition to prompt action in time of crisis. To this end, therefore, the Chinese Government has further proposed the early adoption by the Assembly of a definition of the aggressor and the establishment of a permanent commission of experts in the Secretariat, not only to work out a definite procedure for the application of the measures provided in Article 16, but also to assist

¹ See *Official Journal*, Special Supplement No. 151, pages 65 and 66.

² See *Official Journal*, Special Supplement No. 154, page 30.

in putting them into application whenever a decision is taken to that effect by the Assembly.

As regards the eventual contribution of armed force to the League by Member States, as provided by paragraph 2 of Article 16, the Chinese Government considers it of vital importance. It is an essential complement of the repressive measures provided in other paragraphs of this article. Together, they constitute a comprehensive system of measures for the restraint and repression of aggression and war. Without it, the system of sanctions can never produce quick results. It is therefore considered desirable by my Government that an attempt to study and explore the possibilities of this provision and to place them within the reach of the League in time of danger to world peace should be made by a competent organisation of the League; and that a plan for its practical application, along with the supplementary regional pacts of mutual assistance concluded in the spirit and within the framework of the Covenant, should be drafted for consideration by the Assembly.

Another proposal of the Chinese Government to relax the application of the unanimity rule when acting under Article 11 is likewise intended to facilitate the prompt taking of decisions in order to prevent a dispute from drifting into armed aggression of war.

These points are not intended to exhaust the views of the Chinese Government, and the Chinese delegation reserves the right to make additional proposals when the whole question is brought up for discussion in due course. My purpose in referring to them here is to emphasise the earnest desire of my Government to support the League and, now as always, to do its best to contribute its share in the common task of strengthening our unique institution of peace founded upon the principle of collective security.

It is the same desire, too, which animated the request of my Government for adequate representation of Asia on the Council, and for an assured opportunity to China to bring her contribution to the work of the Council. In this connection, I wish to take the opportunity to express our appreciation of the sympathetic and friendly manner in which that request was received by the Council, and considered and unanimously approved by the Council Committee appointed last September¹ to study the question of the composition of the Council, and for the equally unanimous support it has received in the First Committee of the Assembly.²

I realise, however, that in the present troubled world, mere perfecting of the machinery of the League or of the application of the principles of the Covenant, while important and necessary, will not alone be sufficient to ensure international peace or promote the good understanding between nations upon which peace depends.

As I have pointed out above, the general situation is aggravated by continued aggression in

certain parts of the world and by the rapid increase of armaments on all sides. Suspicion lurks in the mind of every nation, and confidence and faith in the principles of law and justice appear to have withered everywhere. Peace-loving nations, no less than others, are now arming to the teeth. Might seems to have regained its throne and all peoples, great and small, are willy-nilly offering heavy sacrifice at its feet. Surely, this state of affairs with its consequent burden of taxation upon the common people, whose daily needs and necessities are thus cut down in order to help defray the expenses of ever-mounting armaments, cannot go on for ever. A halt must be called somewhere, some time, or an explosion will become inevitable. It is this view which leads me to ask whether the question of limitation and reduction of armaments cannot be usefully revived again, and whether the work of the Disarmament Conference cannot be resumed in some way or other, however modest it may have to be at the beginning.

But along with the question of disarmament, there is the question of economic rehabilitation and economic readjustment. It may indeed be said with truth that armaments are only the means to an end. The end in view, in nearly all cases, is proclaimed to be either economic expansion through acquisition of new markets and new sources of raw material, or protection of existing economic wealth against international spoliation. The spirit of economic nationalism, which pervades the international atmosphere to-day, not only hinders trade and impedes the progress of recovery, as I have mentioned above, but it does more: it generates discontent and accentuates the sense of grievance on the part of those who feel, rightly or wrongly, that they have not enough as against those who are thought to have too much. Economic pressure, real or imaginary, remains one of the causes of national discontent and international unrest. And aggravated by a melange of artificial restraints and restrictions, the general economic situation is prevented from working out its natural readjustment through the free flow of trade and commerce. All this leads me to ask another question: Is it not possible to find a way of bringing the nations together for a frank and friendly discussion of their respective economic questions, and for making a concerted effort to search for mutually satisfactory solutions?

I am aware that the questions I have put are questions of grave import, and I for one would not want to give an answer without serious reflection. But one fact I wish to emphasise here in conclusion, and it is this. In the common task of removing the causes of war and organising peace on the basis of collective security, China will always be disposed to contribute her share. Her own situation at present may be difficult and her ability to assist may be modest; but I can assure you that her will to peace is strong, and her willingness to collaborate in its advancement will always be sincere and wholehearted.

¹ See *Official Journal*, November 1935, page 1200; June 1936, pages 547 and 661; November 1936, page 1186.

² See *Official Journal*, Special Supplement No. 156.

TENTH PLENARY MEETING

Tuesday, September 29th, 1936, at 3.30 p.m.

CONTENTS.

35. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by M. Undén (Sweden), the Rt. Hon. S. M. Bruce (Australia), His Highness the Aga Khan (India), Mr. Jordan (New Zealand), and M. Krofta (Czechoslovakia).

36. SETTLEMENT OF THE ASSYRIANS OF IRAQ.

Resolution adopted by the Council on September 25th, 1936.

37. QUESTION OF PROHIBITING, UNDER THE PROVISIONS OF THE COVENANT, THE SUPPLY OF ARMS AND WAR MATERIAL TO BELLIGERENTS.

Communication from the Chairman of the Committee of Jurists appointed to study this Question.

President : M. SAAVEDRA LAMAS.

35. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36: CONTINUATION OF THE DISCUSSION.

The President :

Translation : The first item on the agenda is the continuation of the general discussion on the report on the work of the League of Nations in 1935/36 (Documents A. 6.1936; 1936.5 and A. 6(a).1936; 1936.6).

I call upon the first speaker, M. B. Östen Undén, delegate of Sweden, to address the Assembly.

M. Undén (Sweden) :

Translation : The Secretary-General's report, which forms the subject of this discussion, is hardly an encouraging document. It registers the defeat suffered by the League in its first attempt to apply the system of collective security provided by the Covenant. It recalls, in addition, the collapse of the Locarno system, once greeted by this Assembly with so many sincere hopes, as a first decisive step towards the reconciliation of former adversaries in the great war.

As regards the disarmament problem, the report merely states that no meeting of the organs of the Disarmament Conference took place during the past year. This inaction is thrown into relief by the fact that nearly every country in the world is increasing its armaments to an enormous extent.

The failure of the League to maintain respect for the external independence and territorial integrity of one of its Members has severely shaken confidence in the system of collective security provided by the Covenant, and has led to various suggestions for a reform of the League.

The Swedish Government is of opinion that the time has come to examine afresh both the principles of the Covenant and the means of action at the League's disposal.

In its reply¹ to the Secretary-General's circular letter, my Government indicated the points concern-

ing which it considers that modifications might be introduced into the constitution or the practice of the League organs. It does not, however, anticipate miracles from a measure of reform. The difficulties which have hindered the League's action in recent years are certainly not due to faults in the League's machinery. That machinery is not badly constructed, but it is deficient in motive power. The League's lack of universality, the extreme nationalism which reigns over considerable parts of the world, the absence in numerous countries of a free public opinion — all these factors constitute obstacles to the efficiency of an organisation which has tried to replace the traditional anarchy of international relations by order, justice and equity.

A real strengthening of the League can be obtained only by means of a reform which shall ensure it the continual and regular support of all countries, within the framework of the League itself. If this object cannot be attained by means of a universal adherence to the Covenant, new methods should be sought by which non-member States might be associated with the League's work.

The disarmament problem does not appear on the agenda of this Assembly. Public opinion will find it hard to understand why the Assembly is completely silent regarding the means by which an attempt might once more be made to stop the armaments race. Previous speakers, in referring to this problem, have expressed the hope that the work of the Disarmament Conference might be resumed on a limited scale. Thus, the French delegate has stated that he will bring before the Bureau of that Conference the question of the supervision of the manufacture of and trade in arms. The Swedish Government warmly supports this step, especially since Sweden has already put into force in her own territory laws placing the manufacture and export of war materials under permanent supervision. In this connection, I would also recall the statement by the United Kingdom delegate in favour of the reopening of international negotiations concerning the publicity of military expenditure.

Ever since the League was founded, we have heard from this platform conclusive testimony as to the dangers inherent in a high level of national armaments. In the face of the armaments race, which is now gathering speed, it cannot at least be pretended that statesmen and nations are unaware of the risks which that race entails. The Swedish Government cannot believe that nations will resign themselves, in a spirit of fatalism, to the continuance of the armaments race up to a point where it will no longer be possible to avert a catastrophe.

The statements which have been made on various aspects of the disarmament problem would seem to justify the holding of a public discussion on this matter in the Third Committee, the constitution of which has, up to the present, been postponed.

The President :

Translation : The Right Honourable S. M. Bruce, first delegate of Australia, will address the Assembly.

The Rt. Hon. S. M. Bruce (Australia).— The thought that must be uppermost in the minds of all of us in addressing the Assembly this year is the fact, which has been stressed by almost every

¹ See Official Journal, Special Supplement No. 154, page 17.

speaker, that we are meeting at a time of great political tension and of great world anxiety. In seeking a solution of the problems that face us, we are all very conscious of the fact, which was stressed very much this morning by the delegate of Canada, that certain phases of those problems can only be dealt with by the great Powers, and particularly the great Powers in Europe.

The co-operation of the great Powers is a question of vital concern to every nation in the world. Fortunately, within the last two days, we have had evidence of such co-operation between three of the great Powers — France, the United States of America and the United Kingdom — in attempting to bring greater stability into the exchanges of the world and, in that way, to pave the road towards the solution of the economic problems that at present confront us.

Is it too much to hope that in face of that success, which we are now happy to recognise, there are possibilities of similar co-operation within the even larger group of Powers which are now faced with the solution of certain very grave and serious problems for Europe? Such negotiations for political co-operation are vital to all of us here assembled, and we wish them well, because we believe they will contribute to the easing of the world's troubles and also because they will aid us very greatly in the tasks that confront us in the League of Nations.

In addressing ourselves to the problems with which we have to deal at this Assembly, I think the outstanding one is to try and determine how we can bring about a greater measure of co-operation amongst the nations, not merely for the solution of our political problems, but also for the solution of the economic ones. In considering the political side, it seems to me that the starting-point to be chosen is a re-examination of the whole position with regard to collective security. We should reconsider what were the objects of the League when it was created, what was the machinery that was designed to carry out the ideals behind the League, and we should view in retrospect, in the sixteen years that have gone by, what have been our achievements, in what respects we have failed, and what have been the causes of our failures.

The objective which inspired the founders of the League was to bring together in a society of nations all the nations of the world, so that they might band themselves in one for the collective maintenance of peace. The League was also designed to ensure the rule of law in international affairs and to bring about freedom and justice for all peoples. The machinery which they created for the achievement of such objectives and to give effect to their ideal was the Covenant of the League of Nations. The principle upon which the Covenant was to operate was free co-operation and consultation, and in the Covenant itself there were defined certain great objectives — the objective of bringing about progressive disarmament in the world and the objective of providing means for remedying the grievances of nations and ridding the world of those elements of friction which might lead to trouble. It was also designed to bring about a great social amelioration and human betterment.

Furthermore, those responsible for framing the Covenant realised to the full the frailties and imperfections of human nature, and in the provisions of the Covenant they laid down means whereby, in the case of aggression or the disturbance of the peace of the world, it would be possible for co-operative action by the States Members of the League to take place. By "States Members of the League", the founders meant all the nations in the world. Such co-operative action would be, in the first instance, by peaceful persuasion, and, in the second instance, if the first should fail, by force, to ensure that all nations would live up to and honour their obligations.

If to-day we had to ask ourselves whether we would change the ideal that the founders of the League laid down, or whether we would change the machinery, I think we should come to the conclusion that there is not one of the ideals that we should wish to change, and that the machinery is the best that could be devised if we could only get all nations to co-operate in this great collective system. But circumstances have shown that it is not possible for us to accomplish all those things which it was contemplated would be brought about by the framers of the Covenant. I think, nevertheless, that we have a duty to-day, and that duty is, to my mind, to reaffirm our faith in the League of Nations, and to reaffirm our belief in the machinery that has been created as the best means for the ultimate realisation of all that lies behind the Covenant.

It is for us as practical men and women, who face the circumstances of to-day, and who realise that the full measure of accomplishment cannot be brought about, to set ourselves resolutely to resolve the situation with which we are faced, to bring about the greatest measure of co-operation that is possible to-day, ever having in mind the ultimate end of bringing to full realisation the ideals that are embodied in the Covenant.

Recent events, I think, have taught us certain great lessons. One of the lessons they have taught us is that, in a non-universal League, it is not possible to implement to the full the provisions of the Covenant, and to achieve what was the objective of the founders when they embodied certain sections in the Covenant; that is to say, by the universality of the League and its overwhelming power, they hoped to bring about the immediate cessation of aggression should it take place, or to prevent aggression from occurring. A non-universal League cannot do that.

Recent events have taught us something more. They have taught us that for a non-universal League to attempt to implement in full the Covenant involves the danger of spreading the area of conflict, and should that take place it would be the very negation of the ideas embodied in the Covenant by its founders.

The outstanding reason for the failure of the League to realise all that was hoped for it is its non-universality. That is not the only cause of our failure, but I think little advantage would be gained by reviewing those other factors at the present time. It seems to me that we have to recognise the fact, we have to try to adapt this machinery to bring about the greatest possible measure of co-operation, and by doing that we shall be paving the way for those nations outside the League to come in and join our ranks.

The detailed examination of this question of the Covenant is a matter for the First Committee, and I do not wish to anticipate the discussions that will take place there, but it is desirable that I should, in broad outline, give the views of my Government with regard to some of the suggestions that have been made concerning the Covenant.

The first point I wish to make clear is that my Government does not in any way suggest that there should be amendments to the Covenant. It feels that it is most desirable that, by interpretative action, we should define more clearly what are the obligations of States Members. For its part, while the Commonwealth Government does not press for any amendment, there are some amendments it would like to see embodied in the Covenant, one, in particular, being the embodiment of paragraph 4 of the Assembly resolution of October 4th, 1921, dealing with the economic weapon.

I will deal, one by one, with the various articles to which I would like to refer, the first being Article 11. I desire entirely to support the views expressed the other day by the delegate of the

United Kingdom with regard to this article.¹ It would be eminently desirable that we should so adapt the machinery of that article as to enable the League to intervene more effectively in the earlier stages of disputes. The great advantage of so doing would be that it would create the possibility of our conciliatory efforts taking place before the dispute had reached such a point that it was almost impossible for those concerned in it to retire from the positions they had taken up.

My Government would also suggest that the Committee which will examine this question should consider the possibility, should any circumstance likely to endanger the peace of the world be brought to the notice of the Council, of calling together the States Members of the League for the purpose of their considering their attitude towards the dispute and determining whether, in the event of a country which appeared to be embarking upon aggression persisting in its intentions, they would be prepared to take some action on a co-operative basis before the contemplated aggression had actually become an act of aggression. My Government would like that matter to be considered by the Committee when this question is before it.

I would like also to express my Government's concurrence in the attitude of the Government of the United Kingdom towards regional pacts. We share the views of the Government of the United Kingdom as to the utility of these pacts, but I feel that there is a great deal in the statement of the delegate of Canada this morning that we must safeguard ourselves against these regional pacts becoming mere military alliances, which were such a menace to the world in days gone by. I think the suggestion of the delegate of the United Kingdom² that consideration should be given to the possibility of making these regional pacts subject to the approval of the Council or of the Assembly is one which is worthy of examination by the Committee.

My Government also endorses the views of the Government of the United Kingdom with regard to Article 19.³ We feel that this article, which is an article for the remedying of grievances — one of the fundamental objects of the League — should be made operative. The League cannot succeed if it is to be turned into an instrument for the maintenance of the *status quo* at any given time. We must stand by the principle that the rule of law must also be the rule of equity. My Government is also in favour of the separation of the Covenant from the Peace Treaties, and we sincerely hope that the Assembly will be prepared to agree to that modification.

With regard to Article 16 and the obligations which it imposes upon States Members of the League, my Government desires merely that the existing practice should be recognised and put beyond question. At the moment, the automatic provisions with regard to financial and economic sanctions are not being operated. All my Government desires is that there should be a full recognition that that is the system, that before action there is consultation, and that action is taken on a co-operative basis.

There are those who would say that, unless the present practice is abandoned and the full obligatory and automatic operation of sanctions is maintained, we are abandoning the principles of collective security and doing something to weaken the prestige of the League. With that view, I entirely disagree. To endeavour in a non-universal League to operate the strict letter of the Covenant would be a menace to the League, for I believe it would drive some Members out of the League, and it would certainly act as a deterrent to the entry of those Powers outside whose co-operation is so desirable.

It is also suggested that, without automatic compulsion, the nations will not play a worthy part and will take advantage of that freedom to refuse co-operation. With that view, I cannot agree. Such a view takes no account of what is potentially the greatest force in the world to-day — namely, the will to peace of the great mass of ordinary men and women in practically every country. In the minds of a large proportion of the population in many countries, there are vivid recollections of the horrors of the great war. They remember how the use of modern weapons added to the barbarity of war. Nowadays, through the Press, the cinema, and other methods of modern publicity, the peoples of all nations are learning how, day by day, the discoveries of science are adding to the hideousness and barbarity of war, and I believe there is growing up in most countries a force of public opinion which it is impossible to calculate.

I believe that force of public opinion to-day demands that the League shall not fail, and that temporary failure — and that we have to admit — however severe, shall merely be used as an opportunity for the readaptation of League machinery so that it may serve the purpose of promoting the peace of the world to the maximum extent. I believe that that very potent force will ensure that nations will behave with righteousness and that no statesman in future representing his country here will be able, or will be permitted, to play a part which does not assist in the maintenance of the peace of the world whenever it is at issue.

I desire now to turn for a few minutes from the political to the economic problems which confront us at the present time. I think all of us realise that the economic conditions which at present exist are fundamental to the unrest that we see in the world. Nations suffering from great economic difficulties, and faced with social unrest and unemployment, have been led to adopt various methods designed to improve their position.

They have established exchange controls, increased tariff barriers, quotas and various other restrictive measures; unhappily, those measures have not solved the problems even for the countries adopting them. They have led to still further unemployment, and they have intensified the general unrest that existed. In some countries faced with that position, great production of armaments has been undertaken — probably in all sincerity — in order to find employment for the people and to overcome the economic difficulties facing the nations. But these armament programmes, however legitimately they may have been undertaken, lead to fear and apprehension in other countries. They stimulate production of armaments in those other countries, and the result is a race in armament production and military preparedness. These things have been going on progressively, and, as the economic situation has deteriorated, other anxieties have increased. It is almost fortunate that that has been so, because it has at last driven into the minds of most nations the necessity for facing these economic problems and doing something to remedy them.

The first refreshing evidence we have received is the agreement, to which I have already referred, between France, the United States of America and the United Kingdom. That is a very great gesture of leadership to the world. These countries have all indicated that they propose to pursue a policy which will tend to provoke prosperity in the world and to improve the standard of living, and, for these purposes, to assist towards the realignment of currency and to secure progressive

¹ See page 45.

² See page 46.

relaxation of the present system of quotas and exchange control with a view to their abolition.

I do not think the importance of that announcement by these three great countries can possibly be exaggerated. They have given us a lead which I suggest it is our duty to follow here. I trust that, in the discussions in the Second Committee, when we shall have before us the annual report of the Economic Committee of the League, which has been endorsed by the Financial Committee, that we shall respond to the lead that has been given us and try at this Assembly to make a great step forward towards economic co-operation in the world. If we succeed in that, I suggest that we shall have made a striking contribution to the prosperity and happiness of the world and to the cause of peace, and that we shall have rendered the solution of our political problems infinitely easier.

At the meetings of the Assembly held in July last in this hall, M. van Zeeland, the President of the Assembly, directed attention to the danger, as he expressed it, of relying entirely upon political methods and neglecting economic considerations. The Belgian Prime Minister eloquently described the position in these words :¹

" You all realise what a feeling of appeasement and relief would spread through the world if the nations again knew comfort and prosperity ; if the peoples were content with their lot ; if their minds no longer dwelt upon the danger points by which they are at present, and have been all too long, unfortunately obsessed."

This is the hour of our opportunity to realise those things which M. van Zeeland referred to in his eloquent address in this hall. The World Financial and Economic Conference in 1933 failed because there was no co-operation and no agreement between the great Powers, either upon financial or economic policy. To-day, we have a statement of the complete agreement, both in respect of financial and economic policy, of three of the greatest Powers in the world, and the three Powers which count for most in the world in connection with monetary policy.

I do not desire to dwell at great length upon these economic questions or to anticipate the discussion which will take place in the Second Committee,² but I have felt for very long that this economic question is almost a fundamental one if we are going to solve the difficulties that confront the world to-day. I am quite certain that, if we can bring about the economic co-operation that I have suggested, we shall have made a great stride forward towards the maintenance of world peace, and we shall have done much to bring about an appeasement of the general unrest, which is one of the most serious factors in the world to-day.

There is only one other matter with which I desire to deal, and that is the almost amazing possibility that exists to-day for an improvement in the standard of living, the standard of comfort, the standard of culture and of leisure of the peoples of all nations, if advantage is taken of all that science has given to us during recent years. It seems to me that a great obligation is laid upon us. If we are to be leaders in the world to-day, we should never weary in our efforts to assure to the peoples of our respective countries the benefit of all those things to which they are entitled. I believe it can be done.

Last year, the Assembly initiated a nutrition campaign, which I am happy to think is receiving a wonderful measure of support, not only in

countries Members of the League, but also in countries outside it. That campaign, however, is only the starting-point of a much greater campaign to substitute the policy of increased consumption for what I venture to suggest is the fatal policy that has been pursued in recent years—the policy of reduction of production. In dealing with this economic question, we cannot delay. It is urgent. It is essential that we should act now, and act quickly, because, behind those barriers of trade restrictions that have been built up in different countries, vested interests are growing up which are going to be an impediment and a hindrance to any efforts that may be made to resume a freer and more natural flow of international trade.

There is in certain countries a growing belief in the idea of self-containment. It is, I believe, a menace to the nations who hold that theory, and it is a menace also to the general world economic position. No nation which practises self-containment, as it is being practised to-day, can achieve the full measure of prosperity that is possible to it. Some great countries or groups of countries—*as*, for instance, Russia, the United States of America or the British Empire—might conceivably, by pursuing a policy of self-containment, maintain the standards of living that they have built up ; but other nations, without the great natural resources which these countries possess, could have no hope in the future. There could only be a progressive diminution in the standard of living until it reached a point where even a well-disciplined people would find it intolerable. These things, it seems to me, make it urgent that we should act, and act rapidly.

I apologise for having detained the Assembly on this economic question, but, to my mind, its importance cannot be over-emphasised. If, at this Assembly, we can really take a great step forward in order to ensure economic co-operation between the nations ; if, simultaneously with that, we can view the collective system in a realistic spirit and can adapt our machinery so as to secure the maximum that can be achieved at the present time and in existing circumstances ; if, side by side with these accomplishments, those European Powers which are now confronting great problems can arrive at decisions which will lead to their solution, then I think we can look forward with lessened anxiety to the future, and the dark clouds which to-day hang over the world will progressively disappear.

The President :

Translation : His Highness the Right Honourable the Aga Khan, first delegate of India, will address the Assembly.

His Highness the Aga Khan (India).—It is now four years since I first attended an Assembly of the League of Nations. In four short years I have seen the League elated—over-elated—by success ; I have seen it downcast—cast down almost into despair—by failure. Within one short year, I have seen it pass through the whole gamut of emotions.

The ideals that inspire the League were conceived at a time of moral elevation, when men and nations thought that their passions had been purged by war, and were resolved that the world should never again pass through that awful experience. Those ideals appealed to the whole of India, irrespective of class or creed ; to India, that land of historic and persistent idealism which I have the honour to represent. To condemn the League, after these sixteen years of its short life, to abandon its ideals now that we have learnt that men and nations are imperfect still, would

¹ See *Official Journal*, Special Supplement No. 151, page 70.

² See *Official Journal*, Special Supplement No. 157.

be as foolish as to condemn all philosophies, all religions, and all the idealism of the past, because of the state of the world to-day.

It is not in moments of depression that wisdom comes into its own, or that a wise man repudiates his ideals — those great principles which are dearer than life itself — or seeks to recast the whole scheme of his life. Nor can this be the time for us to recast the whole scheme of the League, or to abandon its ideals just because we ourselves have fallen short of them. A wise man learns from the past; he does not let the past master him. Let us not shrink from recognising the realities in us and around us: let us adjust ourselves to the needs of the moment; but let us still set our ideals before us and grope our way through fair weather and foul towards them.

I have often thought that the causes of the League's failures and rebuffs are, in the main, two-fold; and both militate against that universality which inspired the conception of the League and on which its success ultimately depends. We have stressed far too much those elements in the Covenant which made for, or seemed to make for, the crystallisation of the world as it stood sixteen years ago. But change is the very essence of life. If the League is to be a living organism, it, too, must change, or, like all living organisms, perish. But the seeds of life are present in the Covenant itself. Let them at long last fructify.

And we have at times failed because we have all too often let the better be the enemy of the good. It is an amiable weakness that besets us the more readily, the more idealistic our outlook. But the realisation of ideals in this imperfect world can only come by way of a clear appreciation of what is practical. If we aim at too high a standard, we shall not make it easier for those who have left us to return, or for those who have stood out from the beginning to come in.

So I, for one, cannot believe that wisdom lies in attempting any heroic changes of our Constitution in this hour of depression. Our Constitution, after all, is elastic and can be adjusted to our changing needs. Our present task is rather to tackle the many concrete problems that cry out for solution. There are problems of regional pacts, of peace, and of disarmament, and to my mind no problem is more immediately pressing, or more hopeful of possible immediate success, than that of breaking through the chains of economic nationalism which are impeding the natural course of trade between nations, and are crippling their economic life.

For years we addressed ourselves directly to the problem of disarmament, and failed. If the world is to be saved from disaster, it must be tackled anew. If the time is not ripe for us to tackle military disarmament directly, it is at least ripe for us to tackle it indirectly. Let us now set ourselves in earnest to those monetary and economic questions which form the background to much of the present world discontent. Let us promote the suggested enquiry into the accessibility of raw materials and see whether certain misgivings on this subject can be removed. And let us see whether we cannot break down the barriers of economic nationalism before they become veritable barrages of war.

In this connection, I most heartily welcome the accord between those three great Powers — the

United Kingdom, France and America — that has just been concluded, and sincerely hope that it is the first step towards world economic and monetary settlement.

The President :

Translation : Mr. William Joseph Jordan, first delegate of New Zealand, will address the Assembly.

Mr. Jordan (New Zealand). — I am deeply sensible of the honour of representing New Zealand at the Assembly of the League of Nations, and I ask you to accept the thanks of the Government and people of New Zealand for entrusting us with a seat on the Council of the League.

I come to you, not only as the delegate of a small nation situated in a remote part of the world, but also as one making his initial appearance at Geneva. We have placed before you our proposals and they have been circulated.¹ We are in earnest in pressing for the enforcement of the terms of the Covenant. New Zealand, however, advances no complete or unalterable views as to the course the League should pursue. We intend to retain an open mind and a whole-hearted willingness to work with those who will work with us.

We are deeply concerned that the spirit of the Covenant, to which we have all attached our signatures, shall be made into a living thing, for the scars of the last bitter struggle are still visible to us, and, unless war can be outlawed, civilisation as we know it may be in danger of extinction, millions of our fellow human beings may be doomed to misery and degradation, and chaos, war and barbarism may take the place of law and order.

The growth of national armaments which is such an ominous feature of present world developments will, if unchecked, lead inevitably to war and disaster. For our part, we decline to believe that such a catastrophe is unavoidable, but the time is short. The peril is imminent. The League, as we see it, is drifting. We have witnessed with consternation its ominous failure in recent years to carry out with any degree of effectiveness its main function — namely, the preservation of the peace of the world — and we cannot stand idly by and watch, unmoved or unprotesting, a course which deprives mankind of any real sense of security. Our hopes lie in a return to those principles of the Covenant which alone, in our opinion, offer a sure and certain prospect that the present drift may be arrested.

In New Zealand, an intensely democratic country, all classes of the inhabitants, both Maori and European, are united in the desire to improve conditions of life — not only within our own borders, but also for the whole human family — to live in peace and amity with other peoples, to avoid injustices, to maintain the sanctity of both local and international obligations, and to follow the right as we see it. Nevertheless, we can visualise a situation resulting from the application or non-application of the Covenant which would compel us to face dangers and to assume burdens which, in proportion to our population and resources, would be no less severe than those to be borne by any other State Member of the League. For our part, we are prepared to take our collective share in the application of complete economic sanctions, and we are also prepared, to the extent of our power, to join with the other Members of the League

¹ See *Official Journal*, Special Supplement No. 154, page 6.

in the collective application of force against any future aggressor. To this end, we would agree to the establishment of an international force.

The Government of New Zealand believes that there is no material fault in the existing provisions of the Covenant. Were it possible to include all nations as equal partners in this great renunciation of war; indeed, were there sufficient confidence that the Covenant would be operated as it stands, it is our belief that the anxieties at present confronting the world would be sensibly diminished, if they did not disappear altogether. The Covenant as written and voluntarily accepted has never been applied, and it cannot, with any degree of logic or justice, be characterised as an ineffective instrument until it has been tried in full.

We have held these views in the past and we hold them now, despite the recent failure to apply, even in part, the obligation which we all undertook in full.

It may well be — and indeed it is our fervent hope — that the shock to mankind of successive failures will lead to a general realisation that the world must, to prevent complete disaster, accept in full, and implement in full, the provisions of the Covenant.

It was perhaps the growing fear of impotence resulting from its former failures that led to a resuscitation of the League last year, when, for the first time, a virile collective peace system seemed possible. When the world was presented with the remarkable sight of fifty nations combining to carry out what they had solemnly undertaken to do, its hopes were raised to the highest fervour of our times. It was believed that at last the nations of the world were in earnest. Our complete disillusionment is now recorded upon the pages of history.

But we still believe that success can be achieved. If we are to profit by experience, we can usefully review our recent attempt to apply the Covenant.

Omitting, as immaterial for present purposes, any reference to the reasons animating the two principal parties to the dispute, and omitting also, as similarly immaterial, any reference to the motives — which we are prepared to concede may have been of the highest — that led to the failure of Members of the League to fulfil their obligations, the plain facts of this case are before us.

An undoubted breach of the Covenant, and indeed of other international obligations, had been committed. The territory of a Member of the League had been invaded. Several Members of the League found themselves unable to agree that a breach of the Covenant had been committed.

The other Members of the League agreed to apply the appropriate provisions of the Covenant but only in a partial and incomplete manner, and, of these, some Members failed to apply even the limited sanctions that had been generally agreed upon. A proposal to reward the aggressor with a substantial part of the victim's territory was defeated by popular indignation. The sanctions as imposed proved to be ineffective and the League lapsed into futility. Fifty nations of the world, acting together for the first time to defend the Covenant, allowed themselves to be deterred from their plain duty. That is the short and sorry tale. It leads us to the disquieting thought that the League's continued failures may well give a

fatal encouragement to those who rely upon might rather than right.

We believe that the sanctions contemplated by the Covenant will be no more effective in the future than they have been in the past unless (1) they are made immediate and automatic; (2) economic sanctions take the form of the complete boycott contemplated by the Covenant; and (3) any sanctions have behind them the certainty that the Powers applying the sanctions are able and, if necessary, prepared to enforce them.

In fact, is it worth our while coming here at all, unless the Geneva system of understanding and of collective security is made effective?

We realise, however, the possibility that certain nations, while willing to support with all their power the prevention of aggression in particular areas, may not be equally prepared to apply force in any and every part of the world. While New Zealand does not, in general, favour regional pacts, which we fear may develop merely into the old system of alliances, we should be prepared to collaborate in a collective peace system in which all Members of the League agreed upon the immediate application of the full economic sanctions, but nevertheless restricted to defined areas their undertaking to use force.

Mankind faces a crisis — perhaps the greatest crisis in its history. Refuge can no longer be found in amiable resolutions or postponements.

What is to be done?

To make the Covenant fully effective, we advocate with all earnestness the formation of a universal League. Of equal importance, we believe that any plan to be adopted must be acceptable to the peoples of the world and not merely to their Governments.

We believe that, if the automatic application of sanctions is to be effective or generally acceptable, there must be a definite method of rectifying international injustices, whether economic or political, as soon as, and as far as, they can be rectified. We believe that the Peace Treaties of the great war carried within themselves the germs of future conflicts. We realise the enormous but, in our opinion, not insuperable difficulties of reconsidering the status established by those Treaties, and we are prepared to join in such a reconsideration. For this purpose we wish to see all the nations of the world, whether Members of the League or not, invited to take part.

Similarly, we wish to see all nations invited to take part in the consideration of the terms and the application of the Covenant.

We are prepared to strengthen the Covenant if necessary, and particularly in the direction of providing for the earliest possible enquiry into any injustices or any dispute that is likely to threaten the peace of the world, irrespective of the consent of the parties.

Believing, as we do, that the League's failures have been due to the vacillation of Governments rather than to the indecision of peoples, we suggest that all Governments should take a national plebiscite, in order to ascertain the views of their people.

If, as the result of some such plebiscite, the peoples of the world clearly indicate their determination to support the collective system, in the last resort by force, then we firmly believe that it has a better chance of succeeding in the future than it has had in the past.

I agree with Mr. Bruce that the Press has a great opportunity and responsibility. It should strive for peace by its influence, with the object of bringing the people of the world into the closest possible touch with the League. With the same object, we propose that the broadcasting facilities of the League should be utilised to the fullest extent, and that all appropriate League discussions and decisions should be broadcast. By this means, men and women the world over could, in their own homes, follow and understand the transactions of the League and thus realise, more fully perhaps than to-day, that the League is a living thing and not a mere series of written documents. The recent experience in broadcasting parliamentary debates in New Zealand has proved to us that the people are deeply interested in following the actual proceedings of the legislature.

The trade of the world is improving, material requirements and desires of mankind are increasing. We can make trade agreements for the interchange of foodstuffs, of manufactures and raw materials. We, the people of the world, can devote our intelligence and energies to the advancement of the human race or we can distort our intelligence and efforts into planning for human and material destruction. We of New Zealand are an isolated people — we could subsist without intercourse with other peoples. We strive to raise the standard of living of our people so that it shall be considered satisfactory by all our inhabitants, both Maori and Pakeha. We could produce our own actual requirements, but we can do better and can enjoy a more complete life by commercial intercourse. We seek mutual trade with all nations. We shall find satisfaction in greater trade, in travel, in friendly relationship and social advancement.

It is being forced upon us that there is danger in the armaments of other nations, and so we arm. Is our arming — is the arming of any nation — taken as a threat to others? Peace is desired in every nation, yet is not every nation arming because it fears attack? In the speeches delivered from this platform, a military challenge has not even been suggested by any of the representatives of the nations. On the contrary, they have declared that peace is desired throughout the world, or throughout the nations which have voiced an opinion from this platform.

As peace is so generally desired, can we not draw together in conference and candour and learn the minds of each other? If there are grievances, real or imaginary, from which any nations are suffering, cannot we confer together in an endeavour to dispel or adjust the grievances or misunderstandings? We desire peace. We believe that in truth the people of all countries, whether represented here or not, desire peace, and we are willing to co-operate in the common pursuit of this ideal, so that peace may be enjoyed and any threat of war dispelled or collectively opposed.

We have a vast responsibility and a wonderful opportunity. As, in our wisdom, we turn this way or that, so the happiness of millions may be assured or their destruction threatened. It is the burning hope of the Government and the people of our

Dominion that through this great organisation at Geneva we may be able to lay the foundations of peace.

We may differ from other nations in form of Government, in language, in custom, and in tradition, yet we can unite to construct a firm and enduring base upon which to establish for the whole human family a reign of prosperity, of truth and of justice.

The President :

Translation : M. Kamil Krofta, first delegate of Czechoslovakia, will address the Assembly.

M. Krofta (Czechoslovakia) :

Translation : I have asked to speak in this Assembly solely in order to define the attitude of the States of the *Petite Entente* towards the question of League reform.

I will be brief, because our views are known. The policy followed by the *Petite Entente* ever since its formation has been so clear and consistent in its aims and methods that there can never have existed the least doubt in regard to its attitude towards the various aspects of the problem now before us. Needless to say, therefore, the events which have occurred since the opening of last year's Assembly have in no way influenced our profound belief that the League is a necessity of international life; that as international life requires co-operation between States in every field, there is an absolute need for an organ to co-ordinate this indispensable collaboration systematically, in accordance with clearly defined rules.

These events have, it is true, forced the *Petite Entente* once more to the conclusion that institutions and rules take root much less readily in international relations than in national life; and the less readily, the more important they are to the life of the peoples. But that fact does not, in the eyes of the *Petite Entente*, diminish the intrinsic value of the institution, and the rules we are making every effort to introduce into international relations.

For that reason, the States of the *Petite Entente* will continue to regard the League as the mainstay of their policy. For that reason, both in collaboration among themselves and in their relations with other States, they will always be guided by the principles of the Covenant. They are therefore very anxious to eliminate from their ideas, their aspirations and their interests whatever might prevent States Members of the League from submitting to the principles of the Covenant with the same conviction and sincerity as the States of the *Petite Entente* themselves. Moreover, it is natural that the latter States should keenly desire that the States which have left the League should return, and that those which have remained outside it, should at least afford it their aid, whenever the League's policy is not contrary to their own aspirations and principles.

The more the principles of the Covenant gain access to the minds of peoples and their leaders, and the more numerous these peoples, the more certain will it be that these principles will be really observed, and if necessary imposed. The success or failure of the League will always depend, in the last resort, on the mentality of the peoples and of their leaders; it would therefore be useful for the League once again to direct its attention to the question of moral disarmament, on which it has already concentrated so much effort. What, however, makes the minds of peoples and their leaders most inaccessible to the principles of the

Covenant is the dangerous armaments race we are now witnessing. The States of the *Petite Entente* therefore desire nothing more ardently than to see the League concentrate all its energies on ending this competition, and finally bringing about, among States, an agreement to limit armaments.

As regards the reform of the League, the States of the *Petite Entente* do not think the Covenant should be altered. They think it would be best to consider for the future how the basic provisions of the Covenant can be applied in the light of past experience. In this connection, and as regards the application of Article 16, events have shown that measures of an economic and financial nature are insufficient, and that nations are not always prepared to take part in military measures when their vital interests are not at stake.

If that is so, the application of the provisions of Article 16 concerning military measures must be adjusted to this situation by ensuring in advance, with a view to their application in all cases that may arise, collaboration between States whose vital interests may be threatened by a violation of the undertakings entered into under the Covenant. It is by means of regional agreements and the organisation of new understandings that we can most surely succeed.

I may say this with sincerity because it is a cherished idea of the *Petite Entente*, an idea embodied in the well-known proposal of President Beneš that Article 21 of the Covenant should be completed, and its fulfilment has been actively pursued by the States of the *Petite Entente* both within and without the League.

These regional agreements, these pacts of geographical solidarity or solidarity of interests, should of course embrace all cases which might give rise to conflicts, so that no State should be checked in rendering mutual assistance by the fear of weakening its own means of defence in the event of its not receiving aid as well.

If the League were, on the one hand, to encourage, with a view to the application of the military obligations under Article 16, the organisation of regional agreements, it should at the same time make every effort to develop its preventive action, in order that these agreements may never have to be enforced. Hence we should study forthwith the possibilities of encouraging and improving such action.

I repeat that what we have in mind is not an alteration of the Covenant, but a change in the practice of the application of certain of its rules. It will not then be necessary to amend the Covenant; it will be sufficient for the Assembly to adopt resolutions expressing its opinion as to action to be taken by the States and the Council in application of the provisions of the Covenant, without affecting the fundamental principles of the latter in respect of the sovereignty and equality of States. In other words, we believe that all the safeguards of the present provisions of the Covenant should be maintained and we shall not accept any modification or interpretation which would impose upon us decisions to which we have not given our consent.

With regard to Article 19, the doctrine of the *Petite Entente* is so well known that I need not recapitulate it in detail. We hold, in particular, that no change is possible without the free and formal consent of the parties concerned. Moreover, we consider that to lay before the Assembly any territorial question, irrespective of the countries concerned, so far from serving the cause of peace,

will seriously disturb good international understanding, on which peace depends.

The *Petite Entente* is prepared fully to support any action that may strengthen the League and its Covenant; on the other hand, it would be opposed to any action that might weaken them.

This, in its main lines, is the opinion of the States of the *Petite Entente* as regards the reform of the League. So far as the details are concerned, its representatives reserve the right to define their attitude in the proper Committee of the Assembly.

36. — SETTLEMENT OF THE ASSYRIANS OF IRAQ: RESOLUTION ADOPTED BY THE COUNCIL ON SEPTEMBER 25TH, 1936.

The President :

Translation : I have received from the Secretary-General the text of the following resolution adopted by the Council on September 25th, 1936 :¹

" The Council :

" Takes note of the report of the Council Committee for the settlement of the Assyrians of Iraq and approves the present report by the representative of Spain, its Rapporteur ;

" Expresses the hope that the United Kingdom and Iraqi Governments, so far as they are concerned, will give a favourable reception to the financial suggestions contained in the Council Committee's report ;

" Decides to transmit the Committee's report to the Assembly together with an extract from the Minutes of this meeting of the Council recording the discussions on the present question, in order that the competent Committee of the Assembly may consider it when the annual budget of the League of Nations is examined. "

This Council resolution is accompanied by a number of reports and documents relating to the settlement of the Assyrians of Iraq.

As indicated by the Council in its resolution, the present communication is made to the Assembly with a view to the examination of questions of a financial character.

I accordingly propose, in preference to any other procedure and in order to avoid any delay, that the Assembly should authorise me to refer the matter forthwith to the Fourth Committee.

The President's proposal was adopted.

37. — QUESTION OF PROHIBITING, UNDER THE PROVISIONS OF THE COVENANT, THE SUPPLY OF ARMS AND WAR MATERIAL TO BELLIGERENTS; COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE OF JURISTS APPOINTED TO STUDY THIS QUESTION.

The President :

Translation : I have received the following letter, dated September 29th, 1936, from M. Limburg, in his capacity as Chairman of the Committee of Jurists appointed to study the question of prohibiting the supply of arms and war material to belligerents :

" By its resolution of September 28th, 1934,² the Council of the League of Nations, in execution of an Assembly resolution of September 27th, 1934, appointed a committee of jurists.

¹ See *Official Journal*, November 1936, page 1162.

² See *Official Journal*, November 1934, page 1468.

" . . . to study, from the standpoint of pure law and, in particular, from that of the interpretation of the Covenant, the question of prohibiting, under the provisions of the Covenant of the League of Nations, the supply of arms and war material to belligerents."

" 2. As President of the above-mentioned Committee, I have the honour to bring the following to your knowledge :

" 3. Hitherto circumstances have prevented the Committee from meeting. It has taken advantage of the present session of the Assembly to hold a meeting.

" 4. The Committee met on September 28th and examined as a whole the questions submitted to it. It at once observed that this question was connected with the general study of the reform of the Covenant, and in particular of Article 11, which the Assembly is on the point of commencing. In these conditions, the more practical course, in the Committee's opinion, would be not to commence an examination of the substance of the question but to adjourn such examination and undertake it only in the course of the study of the reform of the Covenant.

" 5. It is understood that the Committee holds itself at the disposal of the Assembly and the Council.

" 6. As the Committee is instructed to bring its report both to the Assembly and to the

Council, I am addressing a communication in the terms of the present letter to the President of the Council.

(Signed) LIMBURG,
Chairman of the Committee."

It will be recalled that the Assembly decided, at its third meeting, to refer this question, which appears on the agenda of the present session as item 8, to the General Committee for preliminary study.

The General Committee, having been informed that the Committee in question would meet at an early date, felt that it should adjourn consideration of the question referred to it by the Assembly.

At the end of the letter from the Chairman of the Committee which I have just read it is proposed that the study of the substance of the question should be postponed until it can be undertaken in conjunction with the study of the question of the application of the principles of the Covenant.

In these circumstances, I propose that the Assembly should take note of the letter sent me by M. Limburg on behalf of the Committee, and that it should instruct the General Committee to examine the suggestions contained in that letter, since the General Committee has also been requested to make proposals for initiating an enquiry into the application of the principles of the Covenant.

If there are no observations, I take it that the Assembly agrees to my proposals.

The President's proposals were adopted.

ELEVENTH PLENARY MEETING

Wednesday, September 30th, 1936, at 10.30 a.m.

CONTENTS.

38. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by M. TAEZAZ (Ethiopia), M. MONTEIRO (Portugal), M. CANTILLO (Argentine Republic) and M. MAYARD (Haiti).

President : M. SAAVEDRA LAMAS.

38. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36 : CONTINUATION OF THE DISCUSSION.

The President :

Translation : The first item on the agenda is the continuation of the general discussion on the report on the work of the League of Nations in 1935/36 (Documents A.6.1936 ; 1936.5 and A.6(a). 1936 ; 1936.6).

I call upon M. Lawrence TAEZAZ, delegate of Ethiopia to address the Assembly.

M. TAEZAZ (Ethiopia) :

Translation : The Ethiopian people would not consider that our delegation had performed its duty if we did not once more draw the attention of the Assembly to the present unfortunate situation of my countrymen.

Need I remind you of the stages of our terrible ordeal ? The Walwal incident ; our efforts to have applied the arbitral procedure provided for by our treaties ; the opposition of Italy, and her endeavour to limit the scope of that procedure ; the evasive and ineffective meetings of the Council ; the Italian military preparations and the grave decision of the Powers to refuse us arms. Later, at the close of the rainy season, and without any new incident having occurred to provide a fresh pretext against us, came the invasion, your meeting and effort to help us, weakened, alas, by fatal flaws ; then the resistance of our people, despite the inadequacy of their arms.

A new rainy season was at hand, and our country could have held out until the rains began without any decisive result having been achieved by the aggressor, when the latter, impatient to end the struggle, and certainly in defiance of the rules of war, turned upon us an appalling new weapon against which we were defenceless — the sprinkling of our troops and of our civilian population with a rain of mustard gas. How many more powerful armies than our own would have succumbed to such an attack !

Referring to the crushing of our unhappy country by military force, the President of the Swiss Confederation, M. Meyer, said a few days ago in a broadcast message that "the highest courage was unable to prevail against the most modern arms".

My fellow-countrymen will not have heard unmoved this testimony which will be confirmed by history.

We had hoped that the additional injustice we suffered would lead to a further effort on the part of the League to help us. His Majesty the Emperor, in agreement with the Government, decided to leave for Europe, there to bear witness to, and endeavour to arrest, this destruction of his people. His departure was unfortunately invoked as a pretext by those who, preoccupied with the European situation, were impatient to put an end to collective action.

Distinguished speakers have declared from this platform that it is by preventive measures of mediation and conciliation that attempts should be made to prevent disputes between nations from degenerating into war. True; but it should be remembered that such measures must be undertaken immediately, and with sincerity and decision, so that delays, procrastination and hesitation may not benefit the very State whose aggressive intention is manifest.

The conflict of which my country is the scene has been a painful experience for the League that has taught everyone a striking lesson; our delegation need not therefore go deeply into the problem of the reform of the League. Nevertheless, the Ethiopian delegation ventures to state its opinion that the Covenant is sufficiently clear to stand in no need of modification, but that the League's action is far from inspiring confidence in any of its Members.

Experience has shown that, failing a radical change in the methods by which the Covenant is applied, the League cannot give really effective assistance. It will rather confine itself to exhortations and prayers, to threats, even to offering economic or other advantages to the aggressor at the expense of the victim, and to showing such hesitation as to encourage the aggressor. A study of the question would appear to show, however, that economic sanctions did in fact produce a definite effect — namely, that of reducing the foreign trade of the aggressor State. It is none the less certain that such partial sanctions had no effect on the aggressor's will to conquest, and were powerless to arrest his warlike action. On the contrary, the prospect of the future cumulative effect of sanctions already applied, or likely to be so applied, induced the aggressor to employ poison gas in order to finish off his victim before such measures could take effect.

We have heard a great deal about the noble idea of collective security; but we fear that such security may become in practice merely the deceptive reality of a false security. If national pride, national prejudice, national selfishness, national inertia and secret diplomacy are strong enough to prevent the firm establishment of peace and security through efficacious collective action, would it not be better to say so clearly to all nations, and especially to the weaker ones?

However, I did not come to this platform to voice a new protest.

Reference has been made to the settlement of the Ethiopian question; but do the decisions to abandon sanctions against the aggressor and to allow our delegation to participate in the discussions of this session constitute a settlement?

If no agreement is reached, the coming months will witness a renewal on land and in the air of the murderous operations undertaken against those who nowadays are termed brigands, though their sole crime is to have opposed a desperate resistance to the invader, even though unable to obtain from abroad the indispensable weapons of defence. What can be hoped from this resistance, if the frontiers of the areas holding out are to remain effectively blockaded by neighbouring countries, and closed to the import of arms?

Accordingly, His Majesty, who is profoundly disturbed by such a prospect, instructs me to state

that, for the purpose of saving human lives and preserving an independent national home for his people, he would now regard himself as bound to consent to even the heavy sacrifice of rights which were nevertheless guaranteed to the Ethiopian people by the Covenant.

At the same time, we express the hope that the Powers which play a preponderant part in international politics will increase their efforts to bring about a solution within the framework of the League. Nothing would be more likely to place peace on a firm foundation, which is the desire of us all.

The President:

Translation: Dr. Armindo Monteiro, first delegate of Portugal, will address the Assembly.

M. Monteiro (Portugal):

Translation: I can readily understand the pessimism of all the speakers who have preceded me on this platform. A year's work has been completed, and we are forced to the melancholy confession that each day adds further troubles and misgivings to the heavy burden we already have to bear.

The peoples of the world are looking anxiously to the future, and the horizon seems to them to be dark with grave dangers. They feel that, in the logical course of events, to-morrow will bring us not fresh hope but unsuspected difficulty or disappointment.

The nations are in the grip of fear; and they appear to meet, not in order to work together in the cause of civilisation, as the short passage of man on earth would seem to require, but to organise their joint defence. The spirit of co-operation is absent, and without it we cannot go on with our task. We shall have to create it anew in the midst of threats and dangers, as a battalion repairs its trenches in the thick of the battle. To do this, each must bring his contribution in the form of frankness and truth.

But — and this is even more serious — the spirit of peace, too, is beginning to fail us. Europe resounds with the clang of arms, and the hearts of men re-echo the cry of war. Governments frequently affirm their desire to live peaceably. Some of them even claim to stand as a symbol of peace; but their acts lead to war.

We are convinced that those who threaten the unity or tranquillity of nations with ideologies that their genius has not conceived, those who divide men by setting them against each other in deadly hatred, those who foment disturbance and make one class the enemy of all the others, those it is who engender war.

In the light of recent events, it might be said that internal war has become, and is daily becoming more and more, a means of waging international war. Let us not speak of justice, humanity, liberty or principle; for, in some cases, it would be the most cruel irony.

The men who have conceived, and in some cases have carried into effect, the cold-blooded and pitiless extermination of those who do not belong to certain classes do not want peace; they want to make a desert. They do not want democracy or liberty; they want the empire of their own destructive hatred, of their own will or of their own interests. They respect no doctrines, no principle, no law. For all human respect begins with respect for human life, and where that elementary respect does not exist there can be no higher form of respect.

It would seem as if, because the spirit of peace is missing from the inner lives of nations, it is beginning to leave international life too. Gradually, yet quite noticeably, certain peoples are beginning to regard nations which have different ideologies as enemies, not because they have different ideologies — that is nothing — but because they wish to impose them on others. The great

danger of the moment is not the diversity of political organisations but the force of expansion, the violence and the proselytism of certain doctrines. When a man is attacked, his first right is the right of self-defence. Thus deadly rivalries spring up and thus the surest prospects of work in common fade away. One form of proselytism always calls into being its opposite form. Any Government which imposes a certain political form on a people by means of external war commits a heinous act; but if it resorts to the hypocrisy of internal conspiracy, it deserves general execration.

Never have any two peoples effectively applied the same constitution; but that fact has only rarely and temporarily prevented the necessary understanding from existing between them. Each people has its own genius and its own ideal; each history has its own logic; each environment has its own needs. Let us leave the peoples of the world to organise themselves according to the dictates of their own experience and of their own genius. Let us admit that what is suitable for one may not be suitable for its neighbour. Let us realise, for example, that the Parliamentary democracy which has brought happiness to one country may bring misfortune to another. In my own country, it has been the Moloch which for a century past has devoured the energies of the nation.

Let us not forget that words change their meaning in different latitudes and that institutions which in one part of the world work in a spirit of benevolence and tolerance, achieving a balance of contending wills, may in some other part of the world be no more than a façade concealing the worst kinds of tyranny, violence and spoliation. They may bear the same name, but their spirit will not be the same.

Let us genuinely respect the independence and sovereignty of peoples; but let us not suppose that others will believe us simply because we proclaim the fact in a moment of distress and difficulty. Words and acts must be in accord, and as long as words run counter to acts, we are obliged to regard acts as representing the truth, particularly as the assertions of to-day are often belied by the words of yesterday. This problem is a serious one, and demands the most profound reflection. There are already numerous causes of disturbance in the world; let us not complicate international life by allowing the drama of our intestine quarrels to be played out upon the stage which is the scene of our divisions and antagonisms.

I should like to repeat what Mr. Eden said a few days ago:¹ "The last thing we would wish to see is the nations divided into camps, their alignment determined by the form of government they practise". I should simply like to add this — let us not believe that all the virtues are on one side and all the vices on the other. Let us not argue as though ideas of peace and order were the property of one party, and the horrors of war and disregard of international undertakings an incurable infirmity of the other. Let us observe a happy medium.

These considerations lead me to pay a tribute to the policy of non-intervention in the civil war in Spain which has been advocated by the Governments of France and the United Kingdom, and which has the support of all the chancelleries of Europe. My Government has fully understood the good intentions by which that policy was actuated. Its aim was to prevent what M. Yvon Delbos called, in a happy phrase, the ideological mobilisation of Europe. It did not, perhaps, allow for Portugal's particular preoccupations; but it is profoundly European in spirit. It has its place in the framework of the preventive policy which has so often been advocated here, but which has so rarely been put into practice. My country has been able to support it, while making reservations to safeguard its special circumstances. And I should like to say

here that, once Portugal's word was given — as it was on August 21st last — it has been strictly kept.

Against this wise policy, I have heard the argument of a Government's legitimacy put forward. From the legal point of view, the contention of those who argue that a legitimate Government is entitled to maintain its normal commercial relations unchanged seems to me unanswerable. But it would lead to practical difficulties which might perhaps be insurmountable, at least when a certain stage of civil war has been reached, and especially if widespread movements bring about an upheaval of internal policy. The policy adopted already constitutes an important precedent which will doubtless be invoked in the future.

Everyone can see how easy it is for a Government to claim to be legitimate by invoking the national will, even if that will represents, not the will of the majority of the people, but what barely amounts to a certain organisation of political forces. Let us suppose — the hypothesis will perhaps not be very common, but it may arise — that the majority of a people and all its truly representative factors — tradition, culture and strength, the desire for order and justice, the ambition to achieve unity and greatness, the cadres of labour and of the public services, and finally wealth — rise up against a Government. Could it still be regarded as legitimate?

As will be seen, the problem may present a number of difficulties which a wise policy of non-intervention is able to avoid. Without it, there might easily be a risk, due to respect for a legal fiction, of succouring a Government which was divorced from the national will and had lost all legitimacy and even all authority. A time may come when legitimacy is no more than the vain appearance of a non-existent conformity with law.

This brings me back to Spain. In this connection, I must confess that our one desire is soon to see an end to the terrible struggle that is convulsing a country to which we were bound by the closest friendship — a friendship which the sufferings of to-day have made truly fraternal. Our only wish is for the greatness and prosperity of Spain, the mother of so many new countries, the cradle of so many geniuses, the creator of a tradition of heroism which comes down in its splendour from the remotest times of history to the tragic hour through which we are now living.

It is my hope that events will further strengthen the solidarity of the two Iberian countries. But the unanimity with which this policy of non-intervention was welcomed proves that we are still far from the spirit of peace of which I spoke. The first of our duties is to bring about a change of heart in this respect.

Is this still possible? That is the anxious question of the moment. I am not too optimistic of the result, but I should like to believe that the League of Nations is able to do a great deal to change the present aspect of things. At all events, it is the most effective instrument we have to hand. But we must introduce far-reaching reforms in its means of action, and perhaps in its organisation.

The time seems to me to be an opportune one for undertaking this task. Events have proved the weakness of our present methods. Are we going to let the danger grow before we strengthen them? As the danger increases, will not also the powerlessness of our institution increase? Are we going to leave things as they are until there are no further risks? And what if the risks increase? Are we sure that this organisation will survive? Let us avail ourselves of the lull before the storm which circumstances have given us.

We are not faced with a crisis of principle. The debates of recent Assemblies show that a sort of general agreement exists as to the objective of the League — peace within the framework of

¹ See page 45.

international justice. Even a superficial analysis of events proves that what is lacking is the will to apply the Covenant. The peoples of the world are not yet prepared to make the sacrifices such application entails. They already claim the benefits of collective security at times of difficulty or despair; but they do not yet wish to pay the price of solidarity which it involves.

Article 10 for most Governments is still the corner-stone of this edifice. But discussions, doubts and disagreements arise as to its application.

Universality evokes certain doubts. But the idea of universality forms the basis of the Covenant; it constitutes the very essence of the system. The juridical formation of the whole is inconceivable without it. Once it is abandoned, we shall be constrained to seek means of action other than those indicated. We shall have to provide for forms of coercion, not only against the aggressor but also against those who will not accept the League's decisions. This task seems to me to be for the time being beyond us. The Powers should unite every effort to bring about the return to Geneva of the States which have abandoned us, and to induce the States which have never given us their co-operation to join our ranks. If sacrifices are necessary to this end, in my view they should be made without demur. The co-operation of all countries is essential to the work for peace and to the influence of the League.

But universality is not enough; good organisation of universality is necessary. The problems which are laid before the Council or the Assembly are not of equal concern to all States. Often, indeed, they interest a small number of countries only. The present organisation of the Council forces all Members to undertake responsibilities in all matters submitted for their consideration. Public opinion is sometimes uneasy as to this state of affairs. Moreover, the Council seems isolated from the community of nations.

The statute governing the Council should be rendered more flexible, in such a way that all the parties competent or concerned in a given question should have no difficulty in making known their views. We often hear the praises of democracy sung here in the League; but we cannot honestly say that the organisation and working of the Council are democratic. To my mind, decentralisation would be profitable; it might effectively contribute to a closer link between the nations and the League.

The system of sanctions also calls for profound consideration if we are to make a reality of collective security. This question is of special moment: our strength depends on our potentialities in the matter of sanctions. Experience shows the weakness of our means of constraint. I need hardly repeat a view which I expressed from this platform some months ago:¹

"We have seen clearly that collective security can be guaranteed by military sanctions alone. As in personal affairs, the time always comes when right must be supported by might . . . Abandon once and for all the use of military sanctions, and you will have abandoned international order."

I still hold this view to be the most just and to be that which serves our highest interests. To abandon the study of the system of sanctions would perhaps be a mistake. Each State should take specific responsibilities in the matter, in order that there may be no doubt when the moment to act comes.

The Council procedure for the application of sanctions must be reformed. With the present system, surprises of all kinds are possible. No guarantees in fact exist. So long as the existing state of things is that which we all know and which has been brought into prominence through the painful experience of these last months, we cannot blame anyone for lack of confidence in League action. The future of collective security hangs on the organisation of a rapid system of applying our means of coercion. We must admit that all the forms of action prescribed in the Covenant are vague, imprecise and nebulous.

A policy of repression is obviously not enough. A preventive policy is necessary. Punishment of the aggressor and prevention of aggression are good; but elimination of the causes of aggression is even better. A preventive policy will call forth more loyal and more active co-operation from all. Mr. Eden made from this platform a statement which seems to me to constitute the bulwark of the most constructive of policies:¹ "We must also", he said, "seek to encourage and facilitate the use of the League's machinery for adapting situations to changing circumstances and for the remedy of what may be recognised to be legitimate grievances."

Obviously we must not, in our efforts to remove causes of dispute, create fresh injustices. The remedy would be worse than the disease; but the Assembly would never have power to impose changes without the consent of the parties concerned.

The revision of some existing circumstances can be advocated in so far as such a step helps to restore international co-operation. But no one can fail to realise that rapid or hasty revision may engender fresh causes of disagreement, perhaps even keener than those we know to-day.

We must nevertheless recognise that there are injustices which we can mitigate. The task is not easy, for we are bound to meet with dogged and often understandable resistance.

The problems must be studied at leisure; and the idea of satisfying the ambitions of the powerful at the expense of the lesser nations must never be allowed to constitute a decisive factor. For the League was not set up to realise or to stimulate political ambitions.

Too many illusions perhaps exist as to the possibility of solving certain problems by the method of simple international agreements. A typical case seems to me that of granting facilities, in the matter of access to colonial raw materials, to the countries which express their need of them.

This question raises one difficulty only: that of payment. Raw materials are plentiful, and the producers ask nothing better than to sell their stocks and develop their production. It is the purchasers who are lacking, not the goods.

Africa is the subject of many a flight of fancy. Most people look upon it as a vast treasure trove only half exploited, and persist in regarding colonisation solely as a matter of exploiting wealth. That is not so. The essential element in colonisation is the native. Colonisation means the raising of the black man to our level. It is a work of self-denial and sacrifice, demanding knowledge which can only be acquired by long study. It is a slow and arduous task based on understanding and on disinterestedness. It is not a profiteering matter. This we can testify in the light of more than five centuries of experience.

The preventive policy to which I have just referred will be possible and useful only if it is practised in an impartial atmosphere. The political and social neutrality of the League seems to

¹ See *Official Journal*, Special Supplement No. 151, page 54.

¹ See page 45.

me an essential element of its success. The League must be absolutely neutral where international policy is concerned. If not, the difficulties of international co-operation will be singularly increased. Speeches made at Geneva must never be interpreted as favouring one ideology and contrary to another. That is a point of vital importance.

The President :

Translation : M. Cantillo, delegate of the Argentine Republic, will address the Assembly.

M. Cantillo (Argentine Republic) :

Translation : The Argentine Republic, which is always anxious to co-operate in the work of the League, took immediate action upon the wish expressed by the Assembly on July 4th last, and accordingly forwarded to the Secretary-General, as early as August 28th,¹ the suggestions it had to make for the application of the principles of the Covenant. It did more than lay down the general lines along which it felt that this should take place: it submitted to the Secretariat a memorandum containing a series of documents, among them a statement by the Minister for Foreign Affairs and a draft general treaty for developing the means of preserving peace, which will be submitted by my Government to the forthcoming Pan-American Conference at Buenos Aires.

No one here will be surprised if I say that unanimity exists as to the need for strengthening the Covenant and for ensuring its integral application in letter and in spirit. This is evident, moreover, from all the communications submitted to the Secretariat on the subject and from the survey of the various proposals submitted by a number of Members of the League which has been distributed to us.²

Where opinions differ is in the matter of choice of the procedure to be followed in this work of improvement. Some feel that we must proceed by means of amendments, because they consider that this is the correct legal procedure and that it is well to hold to it. The Argentine delegation does not share that view. If, as we think, it is necessary—indeed urgent—to strengthen the League and to improve the application of the principles of the Covenant, to do so by the system of amendments seems to us the longest, the most difficult and the least efficacious method. We know by experience how hard it is to achieve results by this means, and the long delays which such a course involves.

The task before us is not an academic task with all time before it. It is governed by urgent political duties and will itself affect the immediate future. Doubtless many States share this view, since many chancelleries, abandoning reform by means of amendment, prefer resort to simpler and swifter means and advocate reform by a process of interpretation. But here again we are faced with a serious difficulty.

My Government recognises that the system of interpretation allows of a certain margin, but this margin must necessarily be a narrow one which cannot be exceeded without grave risk.

It is possible to conceive of and to apply a mere interpretation of the Covenant in some exceptional and urgent case of a purely formal nature; but can we say that the reforms now called for are merely formal in character?

Is not our principal aim to ensure the universality of the League, to promote co-operation with it and to extend, over the whole field of international relations, its work for security and peace between the nations?

Such an ideal, you will agree, goes far beyond the bounds of formal interpretations. But if, as a result, we felt obliged to enlarge and develop the system of interpretations beyond the narrow limits I mentioned, should we not run the risk of creating, by indirect revision, another League than that sanctioned by the Parliaments, with all the serious inconveniences this would entail? This does not mean, however, that our aim must be abandoned.

We think there is a third way of achieving the lofty aim we have set before us. The League's weakness is largely due to its lack of universality. We might even say that any other weaknesses it may have are due to that fact. It has consequently always felt the need for associating in its action States, or organisations, which, though remaining outside it, shared to some extent its aspirations and worked for the same end.

I need not mention all the efforts the League has made on various occasions to secure the collaboration of countries which, while not members of the League, are actuated by the same principles. Such efforts have not been in vain. As you well know, countries outside the League have, on several occasions, worked in harmony with the League, or lent it concerted support, in its work for peace.

That is why most of the replies which Governments have sent express this strong desire that the League should be universal. The means proposed vary with the replies; but all aspire to universality as the essential purpose of the reform to be undertaken. This purpose is not new in the case of the Argentine Republic. You will remember that, ever since the Assembly of 1920, my Government, in pursuance of this idea, has supported, among other things the wisdom of which has since become apparent, the automatic incorporation of all sovereign States.

To-day, confirmed in our opinion by the lessons of experience, we are more than ever convinced that everything must be done to bring about a world League, whether by formulæ enabling countries outside the League to enter it or to return to it, or—and this seems more practical—by securing universality through co-operation, by the adoption of measures which will at once promote such co-operation. In short, the means of preventing war and restoring our threatened peace must be generalised; that is the League's fundamental task and the supreme hope of the peoples of the world.

The Argentine Government considers that the most effective and feasible means of strengthening the League's action is to promote the fusion of all efforts to secure concord and goodwill, to open the door wide to all collaboration, and to work for co-ordination. This question of the co-ordination of the various Pacts, which figures again on to-day's agenda, has had a somewhat lengthy, though a by no means brilliant, history in the League. In the Assembly of 1929, the question, in so far as it concerned the Kellogg Pact was brought before the Assembly by His Britannic Majesty's Government, and the Assembly then declared that Governments should be consulted concerning it and that it should be examined by a Committee of eleven members appointed by the Council. The Committee went into the question and drew up a report;³ but the Assembly, for political reasons, confined itself to affirming the necessity for continuing the work undertaken.

The matter came up again before the Assembly of 1931; but, for the same political reasons, it was decided that the Committee appointed to examine the amendment of the Covenant with a view to

¹ See *Official Journal*, Special Supplement No. 154, page 13.

² *Ibid.*, page 47.

³ See *Official Journal*, May 1930, page 353.

bringing it into harmony with the Pact of Paris could be convened by the Secretary-General on a date which he was to fix with the President of the Disarmament Conference, etc.

In 1933,¹ the Argentine Government, for its part, asked for the examination of the question of the co-ordination of the Argentine Non-Aggression Pact with the League Covenant and with the Kellogg Pact.

In January 1934,² the Council adopted the conclusion of its Rapporteur, then Baron Aloisi, which read as follows:

"The Council will no doubt agree with me in accepting the Argentine Government's happy suggestion, and decide to communicate the new Treaty to the Committee."

In 1935, there was a further reference to the Committee; but that Committee, so often mentioned, never met, and the question appears in the same state on the agenda of the present Assembly.

In view of the vicissitudes of the Disarmament Conference and of its present situation — a matter to which I need not refer at length — we ask ourselves what will become of this phantom Committee on the present occasion? Will it remain linked with the Disarmament Conference? We think not. We think action is called for and that the matter is too important to be considered as a mere accessory of the Disarmament Conference. We believe that the application of the principles of the Covenant is an urgent matter, and my Government considers that co-ordination must be adopted as a practical means for strengthening the effective action of those principles.

The ideal would of course be to devise, by means of the legal ingenuity that has already proved so serviceable here, formulæ strong and effective enough, and sufficiently attractive in themselves, to restore to-day in practice what was the League's aim in the first hour of its existence, when it seemed destined to have a genuinely universal application. But the politicians who are gathered here know only too well, from experience and from the realities of the life around us, that this ideal is beyond our reach.

What has been proved is that the League, conscious of the vast scope of its mission, has at all times felt the need for the collaboration of all, and has on more than one occasion obtained valuable help from outside.

What must be done, therefore, is to rid this co-operation of its transient and incidental character. Repeated co-operation of this kind may delude us. What is really necessary is to give it an organic and permanent character and to promote, at any rate, pacific contributions to the League at times of universal tribulation.

For many years past, attempts have been made to organise peace, but, in all these attempts, the great difficulty has been to embody in juridical rules fluid material of politics, which are essentially dependent on the chance of events and follow a fickle and irregular course.

The system of complementary pacts and regional agreements which might be said to be already in force in Article 21 of the Covenant, and to which the distinguished delegate of the United Kingdom has again referred,³ could, by adapting itself, meet political needs without straining the legal structure of the League, by attracting from without all the collaboration it needs to reinforce collective security, which is the fundamental aim of our institution.

This method has already been applied in regional pacts and could be applied again in other cases. The problem is, therefore, to reach a solution, while

relegating political action to its own field, and, without disturbing the mechanism of the Covenant, to find a way of effecting the collaboration which collective security demands. Such pacts may or may not have a permanent character, and they contribute to this security without impairing the legal framework of the Covenant. Of course, such collaboration has already existed, and may exist again to-morrow. But I would ask the Assembly: Is it not better to deprive it of its contingent and uncertain character? Is it not better that there should be pre-established rules laying down means of approach and promoting this collaboration in a firm and uninterrupted manner? That is precisely what is meant by co-ordination.

Without going beyond the limits I have marked out for myself, I ask myself, and I ask you, speaking as the representative of a Member of the League and bearing in mind only the interests of the League: Would the Covenant be in any way impaired if the League declared that it was prepared to receive this collaboration from outside, to make use of the help of complementary regional pacts which, as the delegate of the United Kingdom has said, are not incompatible with Article 21 and whose adaptation is, on the contrary, in conformity with that article?

Such a declaration would be neither an invitation nor an appeal; but would facilitate world action for peace and would, so to speak, enlarge the League's horizon. Guided by these ideas, the delegation of the Argentine Republic proposes that the Assembly should have this question studied immediately, bearing in mind the point of view we have adopted. This study must deal with the need for facilitating the co-operation of the League with States which are linked to it by other instruments than the Covenant — such as the Argentine Pact, for instance — but which are inspired by the same principle — namely, co-operation with a view to a study of methods for the pacific settlement of international disputes.

The President:

Translation: M. Constantin Mayard, first delegate of Haiti, will address the Assembly.

M. Mayard (Haiti):

Translation: During the past few years, a series of international acts of violence, which have remained unpunished, have increased the criticism levelled against the League. Clashes between peoples, with a view to territorial expansion and national supremacy, and civil wars waged on behalf of opposing systems of government and social claims, which threaten to precipitate a general conflagration are daily strengthening the severe indictment brought against our Institution for its incapacity to prevent or punish these breaches of the peace.

The worst feature of the situation is that reproaches no longer come from outside alone. Almost the only place in which the conventional profession of faith can now be found is the Secretariat's report on the year's work of the League. The public utterances made in the names of Governments Members of the League are now compact of bitterness and despair. Nothing is to be heard from this platform but lamentations over the League's impotence and its failures. Some, even the heads of Governments Members of the League whose co-operation is obviously essential for our work, are surprised and offended because small States in distant continents, representing only limited national interests, are called upon to participate in your collective decisions regarding the destinies of the great Powers. Others — those who are still sometimes called the secondary Powers — flattered by our constitution with the illusion of complete equality and international solidarity, had placed all their trust, since their defensive resources

¹ See *Official Journal*, February 1934, page 208.

² *Ibid.*, page 134.

³ See page 46.

were limited, in the collective protection of their political sovereignty and territorial integrity, and are now bewailing the ruins of their shattered dream.

It could, indeed, scarcely be otherwise when our administrative authorities, alarmed by the growing menace to the future of the world and by our repeated failures, have found it necessary to consult the Governments directly as to how to make the Covenant operate really effectively henceforward.

Intermediate between these two types of criticism directed from opposite quarters are the complaints of a few disinterested spectators, who consider that — whether through lack of foresight on the part of those who framed the Covenant or through the subsequent pressure of public opinion — the League is acting as a judicial authority and a political assembly simultaneously, with disastrous results. In the former case, it tends to enclose international life, constantly evolving though it is, in the watertight compartments of juridical formulæ; in the latter case, it is constrained through excess of caution to bow before the crude realities that still dominate international relations.

Caught between the inexhaustible vitality of the great Powers and the natural and enforced idealism of the small States, the League has necessarily steered a hesitating and perilous course. At one time, it was thought that an improvement could be made through procedure — the delaying procedure of a "waiting-room", to which the first delegate of the Union of Soviet Socialist Republics has referred.¹ It was thought that discussions in this building could be ingeniously controlled. Some members found it difficult to enforce "League-minded" views or, when they had expressed them, were disconcerted to see them neatly converted into unsubstantial elements. The ultimate outcome was what has been called — sometimes in a derogatory tone — "the spirit of Geneva", which is akin to the spirit of those authoritarian regimes in which parliamentary life is reduced to mere bureaucracy.

Such are the criticisms that have been made. Let us now briefly consider, in the light of the Secretary-General's latest report — which, like all the previous reports, is admirable in its lucidity and construction — whether those criticisms are justified and whether there is any remedy for the disease they indicate.

First and foremost there is, to my mind, one extremely important point to be noted in this general discussion. For the first time, if I am not mistaken, the head of one of the most influential delegations to this Assembly has not hesitated to say that his Government is in favour of formally separating the Covenant from the Peace Treaties, in order to eliminate one cause of misunderstanding.

It can no longer be denied that the link between our peace organisation and the treaties which put an end to the war, following upon the defeat of one of the two groups of belligerents, was bound to exert an unfortunate influence on the Covenant itself.

The statement to which I have referred, made by Mr. Eden on behalf of the United Kingdom Government,² may not have been pleasant hearing to everybody. At the same time, it must necessarily receive the attention of reasonable statesmen, who care more for the peace of Europe and of the world than for easy oratorical triumphs over the superficial and inflammable minds of the mob.

The violent reactions that have lately taken place against the military clauses of the Treaty of Versailles, and the general apprehension lest those reactions lead to a fresh catastrophe, show the desirability of emancipating the League from this too compromising connection.

I may remind the Assembly that three years ago, at the Disarmament Conference,¹ the delegation of the Republic of Haiti, undeterred by its country's position as a small extra-European State, ventured to say — backed by the view expressed by M. Léon Bourgeois himself — that henceforward the ideas of victor and vanquished should be banished from the League as much as from ordinary life. That is indeed the only way in which the League can progress towards universality — the end which everyone desires — and unite and associate all the forces existing in the world, whether military, economic or intellectual, in the general undertaking of preserving and consolidating peace.

In saying this, my delegation has in mind; not merely the return of those of our European members who have withdrawn from international collaboration; it is also thinking of those Powers, great and small, in all parts of the world, which refuse to accede to the Covenant for fear of entering into commitments that have nothing to do with their vital concerns and will profit only some particular Power in some particular continent.

Are these apprehensions justified? Are they gratuitous? I shall not undertake to answer that question; I leave it to our constitutional and legal committees, and especially to those of their members who belong to countries which place the interests of the world above their purely national interests and who conceive the possibility of reconciling them with the obligations contained in the Covenant.

In this connection, I trust that the Assembly will not think it out of place for me to give expression to my Government's fervent hope that, after bringing the Paris Pact into harmony with the Covenant and having, in one of its resolutions of July last,² recognised the American Declaration of August 3rd, 1932, the League will likewise decide to incorporate without delay, in its pacific means of action, the Argentine Pact of Non-Aggression and Conciliation of October 10th, 1933, which bears the name of a statesman to whom this Assembly looks up with admiration, and whose career is already a matter of pride to all the peoples of America. The delegates of the States assembled here will realise that if we do this we shall have taken a new and decisive step towards the universality of the League — that is to say, towards increasing its membership.

I must apologise for keeping the attention of the Assembly on this question of universality. It is fundamental. As we are all aware, it is because the League has so far failed to attain this universality that, in spite of the most praiseworthy efforts, it has been unable — whether in the "Manchukuo" affair, in the conflict between Bolivia and Paraguay, or in the more recent Italo-Ethiopian conflict — to attain results more in accordance with the ideals of Geneva and the prestige which it must maintain in the eyes of the peoples of the world.

All the delegations know, through the special report of the Co-ordination Committee and that of the Secretariat which we are now discussing, that the competent organs of the League have done all that was in their power in existing circumstances; that the Committee of Eighteen worked in the most conscientious manner; that France and the United Kingdom, entrusted with a mission of conciliation, tried to secure the acceptance of a compromise which in the light of present events deserves a genuine tribute. But they know too that this enormous task, this praiseworthy effort has only led to failure, just as sanctions have failed, because they were imperfectly organised and unequally applied, it proving impossible to realise, in the

¹ See page 61.

² See page 46.

¹ See verbatim records of the plenary meetings of the Conference: Series A, Volume I, page 155.

² See *Official Journal*, Special Supplement No. 151, page 65.

action demanded by Article 16, as well as in other circumstances, the very idea of collective unity.

The compensatory measures which formed the necessary set-off to commercial losses incurred as a result of sanctions have not been granted, and it has seemed sometimes that Members of the League have not spontaneously remembered their duty in this matter.

Who among the parties concerned in the application of sanctions, whether Ethiopia, the League or the Member States, obtained even a semblance of satisfaction ?

No one. And the disappointments and errors go on, while facts, moving faster than our procedure and evolving in a more concrete manner than our doctrines, are in process of shaping a new order which seems likely to engender a new system of law in contradiction with that in whose name we have acted and still act.

The representative of one of the European States of the neutral group, the Norwegian Minister for Foreign Affairs, has absolved the League by remarking, in connection with the Italo-Ethiopian conflict,¹ that it is not organised to prevent war by war, but is only armed by the Covenant with means to prevent war.

Nothing could be more true ; but again, if these methods are to be really effective in principle, the indispensable condition of universality must be fulfilled. Not merely universality which would unite in one common action European countries divided by historic quarrels, not merely a universality based on trade between all civilised nations and on other relationships of various kinds, but also a universality regarded from other points of view.

The delegation of Haiti considers that the League of Nations must pursue the principle of universality according to another conception of its meaning — that is to say, our social activity must be applied without restriction, and with equal concern to problems of peace in all parts of the world where there exist national communities having relations with the League, or even with some of its Members only.

The principle of universality, in our opinion, must finally have the third significance that all Members, by the very fact of their membership, must be called upon, without any discrimination, to exercise individually, in the name and on behalf of all, active social functions in the Council, in the Committees, or in the Secretariat.

It is by thus imposing the burden of collective responsibility on each one in turn, and by making each one amenable to the jurisdiction of all, that the strongest will be imbued with respect for treaty law, without coercive sanctions, and that the weakest will become aware of their contractual rights and will draw confidence from their membership of this supreme authority. The mechanical vote, the vote of convenience, will disappear from our ballots, from which, however, peace or disaster may emerge for mankind. Since common protection is ensured to this extent, and as all will have the same responsibilities, why should we not hope that, in the end, our procedure and methods will be governed by reason and conciliation for the common benefit of civilisation ?

Why should we not also hope that when events render, necessary, not a simple vote of principle but a political vote, which is the principal means of bringing into play our procedure of conciliation, the members will not feel released from the obligations of the collective concept by the fear of their responsibilities to their own public opinion ?

We shall make no attempt to conceal the surprise and relief felt on one occasion by our delegation, which had come to the Assembly thinking that it might have to play an ungrateful part in order to promote agreement between the great Powers in whose hands lies the tragic alternative of peace or war, when it learned that it was proposed that the delegates should vote according to their own sentiments. As a small unarmed nation exposed to the arbitrary action of stronger Powers, our country had no choice in the matter. It could only express itself unhesitatingly in favour of the oppressed and in favour of the course enjoined by law.

In a well-reasoned statement, the Foreign Minister for Denmark¹ urged that, before the close of our work, a Commission should forthwith be set up to study, in accordance with the replies from Governments to the last enquiry and the views expressed by the delegations, the possibility of improving the means for applying the principles laid down in the Covenant with a view to realising our fundamental aims. My delegation cordially associates itself with this practical recommendation.

My Government considers that this Commission should propose, either by means of amendments or interpretative texts, the adoption of proposals designed to bring into line with the principles of international equality and mutual respect on which the Covenant is based :

(1) Those of its articles, such as Articles 4 and 22, certain provisions of which are held to have divided the Members into different categories based, in particular, on the aftermath of the war from which the League originated ;

(2) Those of its articles, such as Articles 10 and 21, which appear each to alter the significance and scope of the other, to the detriment of the underlying principle of the collective defence of the political independence and territorial integrity of States ;

(3) Articles 12 and 13, the terms of which should be strengthened by the establishment of a compulsory rule of conduct for Member States which can no longer, which must no longer, have the possibility of resorting to any measure enabling them to take the law into their own hands, but which must, in the case of any dispute arising between them, submit it to arbitration or, when the formal text of a special agreement precludes this, to judicial settlement or examination by the Council.

In this connection, an agreement with the Permanent Court of International Justice should be reached whereby its procedure and jurisdiction, even so far as it is competent to decide these matters itself, should in certain cases be established in such a way as to facilitate methods of direct citation so as to compel States to adopt pacific solutions, and hence to deprive them of any excuse to judge their own case, which leads to the use of force and is fatal to the establishment of friendly relations between the nations.

(4) Articles 15 and 16, the full force of which should be compulsorily restored by national diplomacy and Governments which should, in particular, prohibit in every case the severance of commercial and financial relations with another State Member of the League, as this measure should be employed solely as a collective weapon, of which the League has all too few, for use against an aggressor. If moral disarmament is a necessity of international life to-day, it should first of all be put into practice by the Members of the League.

As regards disarmament, the delegation of Haiti wishes to associate itself wholeheartedly with the French proposal to re-convene the Disarmament

¹ See page 53.

¹ See page 65.

Conference. This is a most urgent and imperative necessity if the world is to be saved from the final catastrophe with which civilisation is threatened on account of the fresh and insensate armaments race.

It is obvious that our most valuable collaborator, in carrying out our painful and honourable duty of achieving improvement, is time, which is on our side.

The League must therefore go on — that is the first essential. It must and it can continue to exist; and there is no justification for the complaint that it constitutes too heavy a charge on national budgets and has failed to achieve the primary purpose which the nations are anxious that it should fulfil.

We need only glance through the other parts of the report under consideration to realise what extremely important work is being done by the League and its specialised organs, but to which, unfortunately, sufficient publicity cannot be given.

My Government earnestly desires that all countries should be informed of what has been done by the League to protect minorities, irrespective of race, language or religion.

Admirable work has undoubtedly been accomplished in the sphere of public health, as regards the supervision of the traffic in dangerous drugs, social questions and intellectual co-operation, as well as the extension of international judicial procedure for ensuring peace. My country will continue to co-operate wholeheartedly in that work.

It considers, in particular, that the international preparation by the League of the principles to be embodied in national legislation regarding labour and relations between the different social classes, constitutes the surest guarantee of internal order, and that efforts to increase the economic potentialities of the nations by the dissemination of rules of nutritional hygiene among the working classes and their application are of the utmost importance.

No praise is too high for the prodigious and enlightened efforts of the League's specialists in economic and financial questions. Their studies and enquiries, by making available to every Government the result of the experience and methods of all the others, afford ample technical facilities for improving their internal administration.

The work of our special services dealing with economic and financial relations between nations obviously constitutes the best preparation for and the most certain method of securing peace between them; because, if it has been shown that the welfare of the individual depends on the most stable and most constant national synergy, it must be admitted that to-day, more than at any other time, the material progress of each nation is closely bound up with universal progress, and that tariff strife and Customs restrictions are acts of war which are just as sterile in their general effects as actual warfare, which has ceased to be a lucrative industry.

Hence the greatest benefits may be expected to ensue from the international agreement in regard

to currencies which has at last been reached. There will no doubt be individual losses; but an improvement in national economies is to be anticipated — we will hope so at all events. It would be significant — would it not — if the hardships caused by the depression, empty treasuries, the effects of excessive taxation and monetary chaos induced States to co-operate and to conclude new Locarno agreements, which the most subtle diplomacy or the most aggressive or most conciliatory policy has been powerless to bring about.

At a time when the nations, intoxicated to the point of madness by mystical beliefs which set them at variance instead of bringing them together, are tearing each other to pieces within their frontiers and threaten to disturb the international atmosphere by their ideological disputes, their quarrels over races and beliefs, my delegation, representing a people that has inherited French culture in America, feels renewed confidence in the destiny of the world after hearing France through her eloquent spokesman, M. Yvon Delbos, reaffirm her traditional principles of liberal tolerance, which have assured her an unlimited spiritual empire, an empire which will never perish.

You will understand my emotion on listening to the following statement made by the French Minister for Foreign Affairs on behalf of his country:¹

“What we desire is to defend, side by side with you, the liberty, equality and fraternity of the peoples, for such are the necessary conditions of international security and peace.

“International law must be protected from the wrongful encroachments of ‘national law’ and from the claims of that law to establish itself as universally valid. . . .

“There is only one reasonable form of international collaboration . . . namely, not to do unto others as we would not have them do unto us, not to make use of force when so many means of conciliation and arbitration are available; that is what we call fraternity.”

The enunciation of these principles, by which French progress in the course of history has nearly always been governed, has given hope and faith to the peoples which are in close sympathy with that nation.

These are the principles which my delegation would like to see defined in the Covenant, with a view to their compulsory application by all the Members of the League in respect of each one of them.

I am convinced that if, from the lofty beacon of Geneva, their light radiates to the farthest parts of a world that has been reconciled, we shall all have earned and deserved peace — the peace promised on earth to men of goodwill.

¹ See page 51.

TWELFTH PLENARY MEETING

Thursday, October 1st, 1936, at 10 a.m.

CONTENTS.

39. CONSTITUTION OF A THIRD COMMITTEE OF THE ASSEMBLY.

Communication by the President on behalf of the General Committee, concerning the Proposal by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden.

40. COMPOSITION OF THE COUNCIL.

Report of the First Committee.
Resolution.

41. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by M. Lozano y Lozano (Colombia), M. de Vasconcellos (Portugal), M. Henriquez Ureña (Dominican Republic), M. Levillier (Argentine Republic) and M. Costa du Rels (Bolivia).

President : M. SAAVEDRA LAMAS.

39. — CONSTITUTION OF A THIRD COMMITTEE OF THE ASSEMBLY : COMMUNICATION BY THE PRESIDENT ON BEHALF OF THE GENERAL COMMITTEE, CONCERNING THE PROPOSAL BY THE DELEGATIONS OF DENMARK, FINLAND, THE NETHERLANDS, NORWAY AND SWEDEN.

The President :

Translation : The General Committee met yesterday evening and considered the proposal submitted to the Assembly at its eighth meeting¹ by five delegations regarding the constitution of a Third Committee.

The General Committee proposes that the Assembly should defer to the wish thus expressed, and should therefore decide to set up a Third Committee.

The delegation of Hungary has asked to be allowed to make a statement in this connection.

General Táneczos (Hungary) :

Translation : With regard to this proposal, I have the honour to make the following statement on behalf of the Hungarian delegation :

In view of the position which certain Powers take up, on principle, in the matter of equality of rights regarding armaments, the Hungarian delegation, while appreciating the generous and praiseworthy intentions which doubtless inspired the originators of the proposal about to be adopted by the Assembly, feels compelled, to its great regret, to refrain from taking part in the work of the Third Committee.

The President :

Translation : The Assembly will take note of the declaration by the delegate of Hungary.

If there are no further observations, I shall consider the General Committee's proposal adopted.

The General Committee's proposal was adopted.

The President :

Translation : Delegations are therefore asked to send in to the Secretariat the names of their representatives on the Third Committee.

Upon receipt of the necessary lists, I shall call a meeting of the Third Committee to elect its Chairman and to consider the questions which will be referred to it.

40. — COMPOSITION OF THE COUNCIL : REPORT OF THE FIRST COMMITTEE : RESOLUTION.

The President :

Translation : The next item on the agenda is the consideration of the report of the First Committee regarding the composition of the Council (document A.48.1936).

In a letter dated September 24th, 1936, I am informed that the First Committee unanimously stated that it did not consider a discussion of this report at a plenary meeting to be necessary.

Nevertheless, one delegation has informed me of its wish to make a statement on the First Committee's report, in accordance with Rule 14 (a), paragraph (ii), of the Rules of Procedure.

I do not think, however, that it will be necessary to call first upon the Rapporteur, in view of the Committee's decision, and I therefore call upon M. Hambro, delegate of Norway, who wishes to make a statement to the Assembly.

M. Hambro (Norway) :

Translation : On behalf of the Norwegian delegation, I wish to draw the Assembly's attention to the fact that several members of the First Committee have expressly stated that they are opposed in principle to the proposal to increase the number of Members of the Council. They resigned themselves to voting for this proposal because circumstances made it necessary.

The Norwegian delegation is of opinion that any further increase in the number of Members of the Council is contrary to the interests of the League and harmful to the efficient working of the Council as a League organ. In support of this opinion, I would particularly refer to the arguments of the Belgian delegate in the First Committee.

For the reasons put forward by M. Rolin, the Norwegian delegate, as a member of the Committee, felt bound to vote against the proposal. All the other members of the Committee having declared in favour of the proposal, the Norwegian delegation thinks it useless to maintain its opposition. It will therefore abstain when the Assembly votes.

The President :

Translation : The Assembly has heard the statement by the delegate of Norway on the First Committee's report. This statement does not seem to call for the intervention of the Rapporteur, unless he himself wishes to speak.

If he does not, I shall assume that the Assembly takes note of the Norwegian delegation's statement, and I shall ask it to take a decision on the First Committee's report.

¹ See page 66.

If there are no observations, I shall regard this report and the accompanying resolution as adopted by the Assembly.

The resolution was adopted (Annex 3, page 129).

41. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36 : CONTINUATION OF THE DISCUSSION.

The President :

Translation : The next item on the agenda is the continuation of the general discussion on the report on the work of the League of Nations in 1935/36 (Document A.6.1936; 1936.5 and A.6(a).1936; 1935.6).

M. Carlos Lozano y Lozano, delegate of Colombia, will address the Assembly.

M. Lozano y Lozano (Colombia) :

Translation : The Colombian people retain a reasoned faith in the ideals which led to the foundation of the League.

The ideas of collective security and indivisible peace enjoy the support and sympathy of our people. The present system of peace organisation, by its embodiment of numerous moral and material forces making for the supremacy of certain lofty rules in international conduct, strikes my country as the greatest success achieved by international law.

In this frame of mind, which, as applied to foreign policy, is borne out in Colombia by a long tradition of political liberty — that is to say, of the supremacy of laws and institutions over individual interests — my Government wishes to put forward here certain considerations suggested to it by the international events of the past year.

At the sixth meeting of this Assembly, the eminent Minister for Foreign Affairs of the United Kingdom¹ declared that an essential factor in the future of the League was the will to make its machinery work effectively. This remark is all the more true since criticism directed against the work of the League has mainly referred, not to the articles of the Covenant, but to their incomplete or inappropriate execution. My Government is therefore of opinion that the League would obviously profit if greater scope were allowed for the vast regional groups which compose it to develop their common activities on more independent lines.

Certain incontestable affinities due to tradition, interest and sentiment, and traceable both to history and to the very nature of things, suggest that a permanent understanding between homogeneous groups of countries, acting together as limited associations according to the great legal and political principles of the Covenant and as simple functional units of the vast League organisation, might enable the work of conciliation and of promoting universal peace to be carried out more effectively.

The impartial influence of nations or of continents not directly concerned in the outcome of certain disputes must unquestionably be maintained, since it embodies a universal agreement to accept and defend a single system of law, and such unanimity forms the only firm basis for international life.

Nevertheless, in moments of danger arising out of these same disputes, it would seem equally useful to take advantage, not only of the profounder knowledge possessed, as a result of their mutual aspirations, by States which, to a certain extent, form constellations of peoples, but also of their collective will to harmonise such aspirations by

renouncing all exclusiveness and all violence, since nations in distant parts of the world would be unable to bring this will into play to the same extent.

For this reason, we incline to a form of decentralisation which, far from weakening the machinery of the Covenant, would strengthen it by defining more clearly certain obligations which might, in principle, be limited to a geographical area, without abandoning the idea of co-operation between all the Members of the League and without engendering either calculated indifference or a selfish isolation.

The Colombian delegation was very pleased to hear the statements made from this platform by the representatives of two great nations, who paid a tribute to the democratic conception of life and culture, whilst at the same time proclaiming their respect and tolerance for other ideologies. My country fully shares these feelings, to which it has always remained unshakably loyal.

The logical development of this doctrine, together with the teachings of experience, which show that all fundamental progress demands constant endeavour if it is to be made permanent, has led my Government to the view that the League of Nations has reached a stage of sufficient spiritual maturity for us to approach the problem of its progressive democratisation.

The normal aim of the policy of States during long historical periods has been, and still is to some extent, might rather than right. While, however, policy is satisfied if it can maintain an equilibrium, right demands something more — the equality of States, united in a single legal and moral system, "a unity, not of power, but of right".

Since the inevitable progress of civilisation, however, tends daily to reconcile politics with international law, the equality of nations becomes one of the most valuable means for keeping the peace, and a natural historical corollary of the principles upon which the existing international organisation is founded.

If this is true, the supreme organ of the League, its Assembly, ought to choose the Members of the Council freely from amongst candidates nominated by the regional associations, and this without any preliminary discrimination. In that way, every Member of the Council, knowing that it had behind it this or that group of nations, would find its authority increased and its influence strengthened. At the same time, all States might aspire equally to the honour and responsibility of guiding the peoples of the world through the medium of regional organisations, while respecting the balance of interests and forces represented on the Council, as well as the opportunity given to all to co-operate with equal efficiency in the measures required by each particular case.

If this idea of a *rapprochement* between politics and international law obliges us to admit, as scientific thinkers are doing to-day, that we ought to conceive of sovereignty only in the form represented by the personality of the State and as acknowledging the supremacy of international law, another consequence follows logically from the very idea of the organisation of peace — namely, that, when preventive measures have to be taken under Article 11 of the Covenant, we ought not to insist upon the unanimity rule, which is the outcome solely of an exaggerated conception of sovereignty.

In the opinion of many Governments, the experience gained during the existence of the League would seem to suggest that Article 11 provides the best means of avoiding conflicts, since it offers a method for preventing their outbreak by an impartial investigation into their origin. It would

¹ See page 45.

be rash, in this extremely disturbing period through which we are passing, to continue to make the supreme importance of safeguarding peace subordinate to the obstinacy of the parties to a dispute. On this point also, my Government shares the views expressed by the delegates of the French Republic and of the United Kingdom.¹

I have no wish to weary the Assembly with remarks which would be superfluous, after the wise and vigorous words spoken here with regard to moral and material disarmament and the necessity for acting with courage and frankness if the catastrophe which, unfortunately, some people believe to be imminent is to be avoided. I shall therefore merely express the fervent hope of my Government that these alarming problems will be solved.

These, then, are the measures which my Government considers it necessary to apply during the immediate future: relative decentralisation, as a means for obtaining more genuine universality; progressive democratisation; abolition of the unanimity rule in the procedure for preventing conflicts; revision of what has been so strikingly called the policy of the "waiting-room".

In bringing to the notice of the Assembly the above considerations, calculated, as we believe they are, to strengthen the Covenant, which remains in most respects a sufficiently complete instrument, the Colombian Government has endeavoured to escape from the premature sense of disillusionment felt, as the result of recent failures, by a considerable section of world opinion. The foundation of the League was one of the most revolutionary moves in history, representing as it did the substitution of the reign of law for that of force. It is therefore natural that it should not be able to impose itself on mankind without momentary lapses and without obvious errors. For this reason, I would recall to you those unforgettable words of Léon Bourgeois: "Let there be neither scepticism nor impatience!"

The President:

Translation: M. de Vasconcellos, delegate of Portugal, will address the Assembly.

M. de Vasconcellos (Portugal):

Translation: In September 1935, I came to this platform in my capacity as Rapporteur of your Sixth Committee. The latter had examined the situation arising out of the dispute between Bolivia and Paraguay, and I laid before you, on its behalf, a draft resolution expressing the hope of the Assembly that the efforts being made at the Buenos Aires Conference would lead to a complete re-establishment of peace and good understanding between Bolivia and Paraguay.²

As you will see from the Secretary-General's report to the Assembly, the hopes we placed in the efforts of the mediating States have not been disappointed. Under the presidency of the eminent statesman whom you have called upon to preside over this Assembly, the Peace Conference made determined efforts to solve the difficulties which were still outstanding in September 1935. At the end of October,³ the Argentine Minister for Foreign Affairs, as President of the Conference, informed the Secretary-General that the Conference had decided to declare the war between Bolivia and Paraguay at an end. Last January, an agreement was reached providing for the repatriation of all prisoners of war.⁴ By the month of August, repatriation had been completed and diplomatic relations resumed between the two former belligerents.⁵

On August 25th,¹ the President of the Conference telegraphed to the Secretary-General that this happy circumstance made it possible to regard the dispute between the two countries as terminated, and that questions regarding the Chaco affair which were still being considered by the Conference would be solved by normal pacific means.

Having had the honour to preside over the Advisory Committee which worked at Geneva for many months on the dispute between Bolivia and Paraguay, I should like to emphasise the magnificent results obtained by the Buenos Aires Conference. You will remember that the idea of summoning a peace conference in that American capital originated with the Advisory Committee, which placed it at the head of its recommendations in November 1934.² Now that peace is restored between the two countries, it would be foolish to set what have been called the failures of the League against the undeniable successes obtained in this matter by the skilful diplomacy of our American friends.

Without flattering our *amour propre* as authors of the settlement, we may say that the Buenos Aires negotiators were inspired to a considerable extent by texts prepared by the organs of the League. This, however, will be a task for future historians. I need only recall that it was the League organs themselves which guided the peace efforts required from them under the Covenant towards a settlement by negotiation in Buenos Aires. Having taken this decision, the League organs remained faithful to it, and their reward was the communication of June 15th, 1935,³ signed by the Ministers for Foreign Affairs of Chile and the Argentine Republic, in which the latter "thanked the League of Nations for the effective and solicitous co-operation afforded by it with a view to obtaining peace in the Chaco".

In this distant conflict, the League at first confined itself to supporting the efforts to achieve peace undertaken in America, and only intervened directly when those efforts ceased. The result of its intervention was renewed American mediation, recommended and supported by the League and eventually crowned with success.

At a time when the question of reforming the Covenant is on the agenda of this Assembly, we ought not to forget the experience acquired during the Bolivo-Paraguayan dispute. The League of Nations does not abandon its mission for peace when, after examining the special circumstances of the case and with a full understanding of the co-operation which may be necessary, it collaborates with, and supports, an independent organ working in the same spirit as itself. In the Bolivo-Paraguayan conflict, the group of neighbouring States and the United States of America formed one of those regional *ententes* which are now being advocated in various quarters. This *entente* worked in the spirit of undertakings binding upon American States — namely, the Briand-Kellogg Pact, the Declaration of the American Republics of August 3rd, 1932, and the Saavedra Lamas Pact.

By referring the task of restoring peace to a regional *entente* set up on those lines, the League did not abdicate, or allow the problem to go out of its hands. It was unquestionably a wise step to entrust to statesmen, such as the one who presides over us to-day, the heavy task of acting as conciliators and peacemakers. The Chaco dispute was not a failure for the League of Nations. It was, on the contrary, one of its successes, and the author of that success is the President of this Assembly.

¹ See pages 45 and 52.

² See *Official Journal*, Special Supplement No. 138, pages 90 and 122.

³ See *Official Journal*, December 1935, page 1650.

⁴ See *Official Journal*, March 1936, page 279.

⁵ See *Official Journal*, August-September 1936, page 925.

¹ See *Official Journal*, August-September 1936, page 925.

² See *Official Journal*, Special Supplement No. 132, page 49.

³ See *Official Journal*, July 1935, page 904.

The President :

Translation : M. Max Henriquez Ureña, first delegate of the Dominican Republic, will address the Assembly.

M. Henriquez Ureña (Dominican Republic) :

Translation : It is always a little disquieting, if one does not wish to make a useless speech, to come to this platform when the general discussion has reached an advanced stage. In every general discussion, the first speeches are listened to with keen interest, since they mark out the general course of the discussion, except in so far as special problems are concerned. When the essential points of the discussion have been established, interest languishes, not as a result of weariness, but because it is thought that everything of importance has been said.

Perhaps this is the case to-day. A new speaker comes to this platform, as I do, almost at the end of the discussion. Some members of the audience will certainly be trying to forecast what he is about to say. Is he going to repeat that the situation is extremely grave, that the League of Nations is undergoing a decisive test? Will he utter one more cry of disillusionment, followed by some saving clause to take the edge off his confession of faint-heartedness? For if he declares that the League has suffered a setback, he will be sure to add with emphasis: "Nevertheless, the League must be upheld! This noble work for peace and for the welfare of the world must be continued." Or perhaps he will prefer some other of the various formulæ of encouragement to be found in the literature of international politics.

Nevertheless, the formulæ that we obtain from the political literature of our time are not meaningless. The mere fact of our being here is the best proof of our confidence in the work of the League. Yet, for that very reason, there is one matter which interests us all, and concerning which it is always of value to hear a new opinion, even though that opinion may hardly vary from many others already expressed: I refer to the future of the League.

The League is a symbol of man's noblest and loftiest aspiration, and its future is of the greatest interest to us all. If it is to go forward with authority, honour and dignity, we must evolve for it some effective working formula based upon experience, a formula guaranteeing the universal scope of its action without detracting from the essential principles to which it owes its origin. If we enquire into the means of applying the principles of the Covenant, or if we contemplate modifying the Covenant itself, the reason is that we want to make provision for the League's future.

Reform of the Covenant! A few days ago, I read some remarks by Professor Yepes, who approaches this problem from a different standpoint. In his view, the best means of reforming the Covenant would be to apply it in its entirety, both in letter and in spirit. Ah! How fine that would be! But reality teaches us that the Covenant, however fine, is ineffective. Like Nyls Lynne, the hero of the Danish novel by Jacobsen, who floated between this life and the world of dreams, the League has hitherto lived in a perpetual conflict between ideal and reality.

In our optimism, we take the Covenant for a reality. But reality always forces itself upon us; and since that is not so here, we must recognise that at least part of the Covenant still belongs to the world of the ideal. The ideal it embodies may one day become an undoubted reality, and, in order to attain that end, we must unite our efforts and not become disheartened by any setbacks, which are always more apparent than real.

Is it really necessary to modify the Covenant? Its machinery, in any event, is not unduly rigid. The Covenant can provide solutions, of which one, and by no means the least, was adumbrated by Mr. Eden in his brilliant speech, when he referred

to the possibility of negotiating regional pacts for the strengthening of collective security. The League has been strikingly successful in its technical organisations and services; but it has not achieved equal success in dealing with political problems. Regional pacts of mutual assistance, entailing regional limitation of political responsibilities and obligations, open up for the future a path which may lead us to practical results. It is no paradox to say that regional pacts afford perhaps the best guarantee that the League's work will be made world-wide.

I was reading yesterday the Argentine scheme for developing the means of preserving peace.¹ This scheme contains a plan for associating the Saavedra Lamas Pact with the Covenant of the League of Nations "in order to permit the collaboration of States which are not Members or have ceased to be members of the said institution". What was the origin of the Pact which bears the distinguished name of Dr. Saavedra Lamas, President of this Assembly? It was evolved in order to secure peace on the American continent. The twenty-one American States adopted it unanimously. The Pact thus came into being to meet an American need. Many nations in other continents have acceded to it; and this instrument may serve to-day, in harmony with the League Covenant and the Briand-Kellogg Pact, to secure the co-operation of certain States which are not at present Members of the League. In origin a regional pact, therefore, it is now on the way to becoming universal.

The problem of regional pacts which can be made to fit in with the League machinery calls for particular attention on the part of the American Republics. Over a century ago, Bolivar conceived for the American continent a vast amphictyonic scheme, which may be regarded as the germ of the idea that developed into the present League of Nations. Faithful to this tradition, the American Republics have belonged for nearly half a century to an association known as the "Pan-American Union", which was not originally political in scope, since it was started in the interests of the trade of the American continent. We might use a business term and call it a limited liability company. Nevertheless, this limited company is assuming a wider significance every day. It has drawn up several arbitration and conciliation treaties; it has embarked upon the codification of international law; it has adopted, on a number of occasions, legal recommendations which have had political significance. The sphere of action of the Pan-American Union has gradually widened with the passing of time, and already there is a prospect of endowing it with political powers which would transform its character, so that there would emerge from it a real association of the American peoples. This proposal we owe to His Excellency the President of the Dominican Republic.

Far from detracting from the validity of the principles embodied in the League Covenant, an association of American peoples would help to give those principles still more striking efficacy and an even wider scope; for it would form a regional *entente* for dealing with purely American questions, and regional agreements, as Mr. Eden suggested with reference to Western Europe, could facilitate the application of the principles of the Covenant through specific measures and obligations going beyond those at present embodied in the Covenant itself.

Regional pacts and the regional limitation of certain political responsibilities entailed by the Covenant could, I repeat, effectively guarantee the universal scope of the League's action. By this means would be removed one of the objections which have led States either to hold aloof from the League or to withdraw their membership, since, as

¹ See *Official Journal*, Special Supplement No. 154, page 13.

Mr. Eden said,¹ "the Covenant invites signatories to assume obligations and commitments which all the Governments of the world are not ready in the present circumstances to accept".

I take this occasion to express the hope that we shall soon see the return to the League of those nations which have renounced their membership, and, in particular, certain American Republics. The age in which we live does not justify splendid isolation. The American Republics have contributed to the contemporary development of international law by their conscious devotion to the ideals of peace and justice. To collaborate with the League is to help on the final triumph of ideals which do honour to the conscience of mankind.

The Dominican Republic has always remained faithful to those ideals and those principles. During the current year, it has given another practical proof of this in the friendly and final settlement of its frontier dispute with the Republic of Haiti, a settlement which we owe to the personal initiative of Presidents Trujillo and Vincent; and it will always be prepared to co-operate in any generous effort to inaugurate the lasting reign of peace and justice throughout the world.

The President :

Translation : M. Levillier, delegate of the Argentine Republic, will address the Assembly.

M. Levillier (Argentine Republic) :

Translation : The Argentine delegation is much moved and gratified by the Portuguese delegate's cordial reference to the work of conciliation accomplished by the Buenos Aires Conference on the Chaco dispute. To express this satisfaction is a duty which the Argentine delegation is especially glad to perform, because our country had the honour to offer hospitality to, and to preside over, the memorable proceedings of that Conference, which was the outcome of the earnest attempt made by the League of Nations and by six Governments to restore peace between two peoples.

This is a time of universal anxiety; grim shadows are creeping over world peace, even here in the League itself, discouraged as it is by unfortunate failures, yet striving to overcome the numerous obstacles to its effective action, and as yet hesitating between conflicting proposals for strengthening its authority and the reign of law in the world; and so the announcement of the success—the definite, the ideological success—achieved by this Chaco Conference is a gleam of light in the darkness, a challenge to defeatism, a legitimate hope for the future.

No one could appreciate the value of this success better than M. de Vasconcellos, for he was himself the devoted Chairman of the Advisory Committee in Geneva which first opened active negotiations with the belligerents and then, in view of the difficulties and delays encountered, decided to follow another path, to suspend its own activity and hand over the task of mediation to the Argentine Republic and Chile. The League did not withdraw from the affair; on the contrary, its action was extended through the step it took. The two countries I mentioned, in association with Peru and Uruguay—ever ready as they are to co-operate in work for peace—were joined spontaneously by the United States of America and Brazil. I must emphasise the nobility of their action and also the novelty of this form of co-operation, accorded by two States which are not members of the League to promote a mission of peace entrusted to the League.

Their attitude is, we hold, a proof of the popularity of conciliation and also of the readiness with which the efforts of those who are trying to combat war can be co-ordinated and extended throughout the world.

Perhaps the best way of informing the Assembly of the actual work done and of its inner significance will be to give a brief account of the negotiations themselves, the nature of the agreements arrived at, and the successful outcome of this move for conciliation.

The Buenos Aires Commission, composed of the plenipotentiaries of the countries I have named, met and conferred with the leading statesmen of Bolivia and Paraguay. At the beginning of June 1935, the belligerents agreed on the text of a draft Protocol. On the 12th of that month¹—I will mention only the most important events—it was decided that hostilities should cease from the 14th. A twelve-day truce was granted, to enable a Neutral Military Commission, consisting of representatives of the mediating nations, to fix intermediate lines of separation between the positions of the belligerent armies, these lines to be watched and supervised by the Military Commission. The armies were to be demobilised within ninety days of the date of the fixing of the line of separation between the armies. For the reduction of military effectives, a maximum of 5,000 men was laid down, and the Commission obtained an undertaking that no new requisitions of warlike material would be made. When signing the agreement, the parties gave an undertaking of non-aggression, and the declaration of August 3rd, 1932, concerning non-recognition of territorial acquisitions, was recognised by the belligerents.

At the instance of the Bolivian and Paraguayan Ministers for Foreign Affairs, the mediating group asked President Justo to convene the Peace Conference forthwith for the ratification of the agreement, for the settlement of such practical questions as might arise in carrying out the measures of security adopted for the purpose of bringing about the cessation of hostilities and for the promotion of the settlement of disputes between Paraguay and Bolivia by direct agreement. In the event of the failure of direct negotiations, it was understood that the parties should assume, as one of the terms of their agreement, an obligation to settle disputes regarding the Chaco by legal arbitration, the Permanent Court of International Justice at The Hague being designated arbitrator.

The Peace Conference would put an end to direct negotiations whenever, in its opinion, the time had come to declare that no final settlement could be reached by that means. In that event, the parties were to proceed to negotiate an arbitration agreement, and the Peace Conference was not to close its proceedings until such arbitration agreement had been definitely reached.

Other clauses specified that the Peace Conference might take steps, at such times as it might think expedient, to obtain an agreement between the parties in regard to the exchange and repatriation of prisoners, in accordance with the usages and principles of international law. The Conference was also empowered to establish a regime of transit, trade and navigation which should take into account the geographical positions of the parties, and to assist in the promotion of facilities and in the conclusion of agreements of various kinds for the purpose of encouraging the development of the two belligerent countries.

The Bolivian and Paraguayan Governments undertook to obtain the approval of their respective legislatures within ten days from the date of the agreement. This approval was forthcoming from both Parliaments; and the war was over. The mediators, however, had still much to do to allay the war spirit, maintain the system of safeguards, ensure measures of security, supervise demobilisation, determine the conditions for the restoration and repatriation of prisoners and gradually restore an atmosphere of goodwill between the two countries.

¹ See page 45.

¹ See *Official Journal*, July 1935, page 901.

This was no easy task, at a time when wounds were still fresh and feelings deeply stirred. To conciliate meant not merely to appease both parties, but to propose solutions for problems as they arose, to strive to obtain mutual agreement, to give time for reflection, to await decisions without impatience, to fail and begin anew, until both Governments accepted what was proposed by the members of the Conference, actuated as they were by a spirit of justice and equity, and the desire to achieve a constructive and lasting peace.

I describe these facts without the slightest implication of criticism or regret. On the contrary, speakers have already pointed out that, both around the table of the Buenos Aires Peace Conference and before the Chaco Committee at Geneva, patriotism vied with a sense of justice, as all of us could observe, in the minds of the delegates of Bolivia and of Paraguay, in their defence of what they deemed to be the rights and interests of their cause. And, what resourcefulness the representatives at the Conference showed in the formulæ they suggested, one after another — only to see them accepted by one party and rejected by the other — continuing unweariedly until at last points of contact between both parties were reached and success achieved!

All this represented but a single step along a path beset with innumerable and complex difficulties. As M. Saavedra Lamas remarked in one of his speeches: "The Conference's sole weapon was the loftiness of its motives, the deep and unquestioned disinterestedness of its efforts, the duty enjoined by its fraternal instinct, the impulse to achieve solidarity which unites feeling and reason in appreciation of the incomparable benefits of peace".

After more than six months' common endeavour on the part of six chancelleries, all these manifold and complex points were disposed of. Then came the second stage. On January 21st, 1936,¹ Paraguay and Bolivia ratified the preliminary protocol, and decided, among other measures providing guarantees and ensuring security, to proceed to the mutual surrender of prisoners until all had been set at liberty. A special Commission constituted by the Peace Conference was to be responsible for settling repatriation questions, and two sums were agreed upon under the head of expenses to be refunded by each party to the other for the maintenance of its own prisoners.

This decision was followed by executive measures requiring the assistance of an international military force. The Repatriation Commission, composed of officers of the neutral countries, sent observers and sub-commissions to points from which the convoys of prisoners handed over by Paraguay and Bolivia set out, or through which they were expected to pass or where they were due to arrive, in the course of their journeys through immense tracts of country. Every detail regarding their conveyance, food-supplies, personal identification and hygiene needed to be arranged and settled. Convoys had to be escorted, and this alone called for a large police force. Gradually, the men returned to their homes after years of absence, the concentration camps were emptied, and their inmates returned once again to work in freedom and happiness in other and more fruitful fields.

After six months of incessant toil, the repatriation of liberated prisoners was completed on August 21st, 1936. On that date, too, the Conference decided to refund to Paraguay and Bolivia the costs they had respectively incurred for prisoners of war. Those countries marked the completion of this process by declaring officially that diplomatic relations had been restored between their Governments, and by deciding to accredit their respective plenipotentiaries without delay.

The international military organisation showed such care, impartiality and tact in its difficult

mission that both the heads and the observer officers who carried out its orders in zones where there was a constant risk of friction won the full confidence and respect of both parties. In the agreement of August 21st last,¹ signed by Bolivia and Paraguay of their own free will, it was stated that the Conference would continue, through its international military observers, to discharge police and supervision duties between the lines separating the two States.

The territorial question, which forms the heart of this problem, is now on the Conference's agenda; and we have reason to hope that a solution will be found, thanks to the cordial relations existing between the ex-belligerents and to the certainty that their enlightened leaders can trust the goodwill, ability and good faith of the group of selected Ambassadors and Ministers who, having succeeded in bringing this war to a happy ending, are now striving in a spirit of fraternal fellowship and love of peace to settle this centuries-old dispute.

This attempt at collective conciliation, as has already been pointed out, goes beyond the means suggested by the two Hague Conferences, and known as commissions of enquiry; it also goes beyond the scope of the conciliation formula embodied in many treaties. Mediation was not limited to a mere consideration of problems in their various aspects, or even of the substance of the questions at issue. Combining diplomatic action with legal argument, the Conference strove to establish a fellowship of the mind, to convince and not to command; and, as a result, conciliation became reconciliation.

By following throughout its long negotiations, the formula and the procedures laid down in the Argentine Pact of Non-Aggression, which all its members have signed, the Conference, by its success, afforded an example of the satisfactory results which may be obtained by conciliation, and of the advantages offered by the elasticity of this system, as compared with the imperative character of an arbitral solution. A legal authority recently said of the conciliation formula embodied in the Argentine Pact that it signified a form of arbitration which would elicit no more than an opinion, and was, in effect, a mere legal consultation or a kind of arbitration by persuasion. Nothing could be truer than these last words; for, in fact, conciliation was brought about through persuasion. But it proved successful precisely because the Conference did not impose its solutions, but awaited the final consent of both parties to them; in putting forward solutions, its object was to secure their recognition as being just, and hence their voluntary acceptance for that reason.

In a remarkable speech delivered from this platform a few days ago,² the Norwegian Minister for Foreign Affairs appealed to all the Members of the League to accept, in an impelling spirit of conciliation and mutual confidence, the friendly mediation of the League in all disputes which they might be unable to settle directly by pacific means. On Tuesday,³ the delegate of Sweden told us that the League could be really strengthened only by a reform ensuring for it the continuous and regular support of all countries, within its own framework. And, going further still, he added: "if this object cannot be attained by means of a universal adherence to the Covenant, new methods should be sought by which non-member States might be associated with the League's work".

As the Argentine delegation has already pointed out, the most striking feature in the settlement of the Chaco dispute was the collaboration of two non-member States with the League. We also alluded to the possibility of rallying countries outside the League in an effort to achieve conciliation, and in a general movement on behalf of peace.

¹ See *Official Journal*, August-September 1936, page 925.

² See page 53.

³ See page 74.

¹ See *Official Journal*, March 1936, page 279.

Perhaps the best way of satisfying the wishes expressed by Norway, Sweden and other great countries for an improvement of the working of our machinery for maintaining peace, and for the willing co-operation of all men of goodwill who wish to spare mankind the tragedy of war, would be to co-ordinate on a logical basis the instruments of conciliation which already exist. To make the whole world actively co-operate in action for peace would seem at this juncture the best way of avoiding war. All appear to agree on this principle; many speakers have brilliantly defended it. Let us then set to work to put it into practice, at the earliest possible moment and for our common weal.

The President :

Translation : M. Costa du Rels, delegate of Bolivia, will address the Assembly.

M. Costa du Rels (Bolivia) :

Translation : You have just heard the statements of our eminent colleagues, M. de Vasconcellos, delegate of Portugal and Chairman of the Chaco Committee, and M. Levillier, delegate of the Argentine Republic, and General Secretary of the Chaco Peace Conference.

Bolivia, one of the actors in the tragedy that is now ended, has many times laid before you, from this platform, the story of her sufferings and her pacific claims, and she cannot now keep silence. My country feels that she must come forward to express her joy and her gratitude to the six mediating nations which, at Buenos Aires, carried out so fully the principles of our Covenant. I have already expressed here Bolivia's gratitude to the League, which spared no effort to arrive at a just settlement of the problem.

With a devotion which is above all praise, the six mediating nations set to work under the presidency of M. Saavedra Lamas, whose nobility of character and tactfulness, combined with his energy and resourcefulness, were one of the undeniable factors of success. Thanks to the efforts

of these nations, the Conference was able to put an end to the bloodshed, to settle the thorny question of the prisoners of war and to place the whole issue on a legal footing which alone could produce a final solution.

This question will be settled according to the terms of the Protocol of June 12th, 1935, and on the basis of the legal principles regarding which my friend M. Cantilo recently remarked, with all the force of his authority :¹ " We have proclaimed and defended them from our beginnings, setting up the legal *uti possidetis* as the principle which was to govern our territorial divisions, and we have accepted no solutions which were not based on titles derived from that principle ".

Nor must we forget the declaration of August 3rd, 1932, which provided that no recognition should be given to the acquisition of territory by force.

We have therefore every reason to hope and believe that the problem will be solved within a reasonable time, as might be expected from the patience and dignity of the mediating nations.

The Chaco question poisoned the atmosphere of the American continent for fifty years, until it came to the bloody arbitrament of war. The lessons learned through the sufferings of that war make a final solution all the more urgent to-day.

We must therefore have faith in the active perseverance of the mediating nations.

The Assembly of the League of Nations, which has done so much to obtain peace in the Chaco, will welcome before long the glad news that this conflict has been finally settled, and the presence in our midst of M. Saavedra Lamas, who has been President of three great international Conferences, and whose person constitutes a living link between the peace ideals of two continents, is unquestionably the surest guarantee of success.

¹ See *Official Journal*, Special Supplement No. 151, page 21.

THIRTEENTH PLENARY MEETING

Friday, October 2nd, 1936, at 10 a.m.

CONTENTS.

42. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by M. García-Oldini (Chile), M. Kaya (Turkey), M. Parra-Pérez (Venezuela), M. Bassols (United States of Mexico) and M. de Blanck (Cuba).

43. REDUCTION AND LIMITATION OF ARMAMENTS : REFERENCE TO THE THIRD COMMITTEE OF THE PART OF THE REPORT ON THE WORK OF THE LEAGUE IN 1935/36 CONCERNING DISARMAMENT.

Adoption of the Draft Resolution proposed by the Delegations of Denmark, Finland, the Netherlands, Norway and Sweden.

President : M. SAAVEDRA LAMAS.

42. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36 : CONTINUATION OF THE DISCUSSION.

The President :

Translation : The first item on the agenda is the continuation of the discussion on the report on the work of the League of Nations in 1935/36 (Documents A.6.1936 ; 1936.5 and A.6(a).1936 ; 1936.6).

M. García-Oldini, delegate of Chile, will address the Assembly.

M. García-Oldini (Chile) :

Translation : If we look back and seek to analyse the work of the League during the past year, we see in the forefront, eclipsing the efforts and genuine successes achieved in many fields, the painful evidence of the League's failures in one essential field, which rightly or wrongly is considered by public opinion throughout the world to be the only one of vital and unique importance, the field of politics. If we look further back still, we note that the previous years, with the various alternatives they held out, prepared and anticipated the weaknesses which the events of the last few months have made evident.

The resolution adopted by the last Assembly as a result of the proposal made by the delegation of Chile stated that¹ " various circumstances have prevented the full application of the Covenant ". This admission requires detailed and conscientious examination if it is to bear fruit. Otherwise we shall run the risk of remaining where we were, and of achieving similar results.

¹ See *Official Journal*, Special Supplement No. 151, page 65.

We should, in the first place, realise and admit that the various circumstances to which the resolution of the last Assembly referred have existed since the birth of the Covenant; only the incidental aspects of events are new.

It was such a situation that enabled us to make the purely objective statement, at the time of the Assembly of September 1935, that "it is a common error . . . to demand of the League of Nations solutions which are beyond its powers."¹

We need only read the Covenant to see that the fundamental duties assigned to the League of Nations presuppose universality. If we do not wish to be illogical, we must admit that this lack of universality was bound to make it impossible for the League to carry out the task which the Covenant had allotted to it. What was incontestable on the plane of reason was as true on the plane of reality, as the last events have more than proved. No plausible reason can enable us to hope that, in the future, the same causes will not lead to the same results.

We must thus conclude that the radical and permanent defect of the League is its lack of universality. This defect, by introducing elements of impotence, has undermined its strength, hampered its action, and in short, has been the cause of its failures. It may ultimately prove its downfall.

During the Council meeting of June 26th, 1936,² when we first raised the question of the study of the Covenant in relation to the lessons of experience, it was because of the considerations I have just put forward that we placed in the forefront of our argument the fundamental need for universality, and that we indicated the exceptional importance our Government attached to it.

We then said, and I now repeat, that the Government of Chile deems it necessary and desirable that the voices of the States absent from Geneva should be heard. A consultation of these States or their eventual participation in the work, which the replies received so far from various Governments and the opinions expressed from this platform will not fail to determine, would in our opinion be one of the most effective means of ensuring their entry into or their return to the League. We note with satisfaction that the same wish has been expressed by the French Minister for Foreign Affairs in the remarkable speech he made in the course of this discussion.³

We think it self-evident that the opinions of those who, for one reason or another, are absent from Geneva should be known. Several of them are members of the International Labour Office or parties to the Statute of the Permanent Court of International Justice at The Hague, or belong to both institutions. If we confer with them, if we discuss matters in an atmosphere of calm and of mutual understanding, we shall be able to reach an agreement. We shall, by knowing and examining their observations or grievances, be able to appreciate to what extent they are justified and can be met.

We hope that either the Assembly or the Council will take our remarks into consideration and that a resolution will be adopted on the lines we have indicated, without in any way prejudging the very delicate question of the choice of the most suitable time, the most propitious circumstances and the means to be employed, all of which may play such a decisive part. We reserve the right to submit a proposal on this subject in due course.

In the meantime, we are of opinion that the whole of this question should be referred to the

¹ See *Official Journal*, Special Supplement No. 138, page 68.

² See *Official Journal*, July 1936, page 751.

³ See page 51.

First Committee and that a Special Committee should subsequently be set up to continue to study and bring into harmony the different points of view.

In coming to this platform, we had thought of indicating the general lines of policy which, in our opinion, any study of the Covenant, any adaptation to the lessons of experience and any possible reforms, should follow. But, on the one hand, these general lines resemble fairly closely certain replies received by the Secretariat, and, on the other, it is essential that they should have that universality upon which their efficacy depends and with which they are bound up.

We should have liked to consider, for a few moments, regional interests, the possibility of their special organisation and the need for their own particular activities, within the universal framework of the Covenant.

We should have reminded you that such regional organisation, provided it bears no characteristics of a political or military alliance, is perhaps the most active means of making universality a living force.

We should have shown the urgency of resuming work with a view to arresting the race in armaments and thereby preventing the catastrophe to which this race is leading us.

We should have liked to dwell also on economic questions, so closely bound up with those political problems on which, as we have already said, peace so often depends.

Finally, we should have liked to say a few words on the need for ensuring, by means of true justice, social contentment without which it is difficult to conceive political appeasement. And here we should have recalled that there is still too much suffering and wretchedness in the world awaiting the hour of relief.

But all these vital questions depend on what the League can do, and this in its turn depends on the universal scope of our action. This brings me back to my point of departure and the need for that co-operation of all countries which the authors of the Covenant had imagined and desired for the League.

This co-operation may be organised in various forms, some of which may be combined or exist side by side. One of these forms of organisation is that suggested by the Argentine delegation, which has our whole-hearted support.

But our work for the co-ordination of pacts must be in line with the efforts to bring back to Geneva all those whose collaboration is, in our view, indispensable. As I have already said, the conception and machinery of the League presuppose the participation of all the States of the world. The absence of one of these removes an indispensable link in the chain, involving either complete inertia or failure and loss of prestige.

Thus viewed, all the problems which at present concern the League seem dominated by that fundamental problem of universality and it follows that everything must be subordinated to it. In our opinion, that is the only way of producing positive and fruitful work and the only possibility of saving the future. Therefore it is towards this goal that all our future efforts must be directed.

The President :

Translation : M. Sükrü Kaya, delegate of Turkey, will address the Assembly.

M. Kaya (Turkey) :

Translation : The head of the Turkish delegation, my colleague and friend, M. Aras, has asked me, as General Secretary of the Kemalist Party, to

describe to you the development of the new Turkey, and to state the views of our delegation on the matters discussed at this Assembly. I should like first of all to pay a tribute to the brilliant report prepared by the Secretary-General on the work of the League in 1936.

Turkey, I am glad to say, continues to follow its upward trend in calm self-confidence; and the Turkish nation, rallying around its great leader, is putting forth its best efforts to maintain this progress. I should like in particular to point out that, at a time when the world is distraught with controversy over rival political systems, my country, internally, remains more closely attached than ever to the teachings of democracy, and preserves its unshaken faith in republicanism, as introduced by our Nationalist revolution. Devoted as we are to our own system of government, it is inconceivable to us that the political regime of any country should be made an article of importation, or subjected to attacks, regardless of the respect due to the sovereignty of the peoples.

As regards our foreign policy, I need not add that Turkey continues to maintain the best possible relations with every country, strictly observing her international obligations and remaining faithful to her allies and friends. Grateful for the spirit of wise understanding shown at the Montreux Conference by the countries concerned, I can say in all sincerity that we have every reason to congratulate ourselves on the development of our good relations with all countries without exception. These relations, moreover, are clear from various published documents.

Perhaps I ought, in this connection, to pause for a moment, and refer to the news — which, moreover, we welcome — of the reforms shortly to be introduced in the districts adjoining the south-western area of our own territory, and to voice certain anxieties felt by the Turkish people, who desire to know whether the vital interests of the considerable and compact Turkish element dwelling in our immediate neighbourhood are being sufficiently taken into account in these proposed reforms, the bases of which are not yet known to us.

With reference to the reform of the League Covenant, I would observe that we do not think it desirable, at any rate for the moment, to make any suggestions in that direction. This, of course, does not prevent us from examining, with all the care and attention they deserve, the proposals put forward by various delegations for making the Covenant more effective and more practical.

On this occasion I can only affirm once more our faith in peace. In our view, no problem can be solved by war. That is why, although we are obliged, like all other nations, to take account of each and every possibility, and although we do so with a calm mind, we love peace for its own sake, as an end and not as a means.

We do not think it expedient to summon a conference for the limitation of armaments, until it has been possible to fix the time and the conditions most likely to favour the success of such negotiations. It is, however, quite natural that the Third Committee should be instructed to carry out the necessary preliminary studies for this purpose. To abandon, or even to seem to abandon, the idea of disarmament, would be to abandon our common ideal and the spirit of the Covenant.

As regards the economic unrest from which our generation is suffering, Turkey has already, on every available occasion, made known her views on this subject. We are of opinion that present ills cannot be remedied by attempts on the part of nations to exploit one another, but only by the co-ordination of common efforts to increase the

purchasing power of the masses, and hence of all nations, and by raising, with the same object, the standard of life of the masses, since that standard is bound up with the development of productive capacity. The welfare which mankind so eagerly desires can be restored only if our efforts in this direction are properly harmonised. These are the principles by which Turkey's national economic policy is guided.

Similarly, we welcome, in a spirit of hopefulness, the movement which is taking shape in the financial world for a *de facto* stabilisation of currencies. It is nearly ten years since this system was adopted in my own country, and there is no need for us to make any change. But if these attempts to improve the economic situation are to produce their beneficial effects, there must be a parallel movement to restore confidence and to reopen a period of international credit. Meanwhile, we desire to add that, in our opinion, there can be only one form of confidence, single and indivisible — confidence in both the economic and political fields.

Thus, the problem of trade and questions of political security are interconnected. Barriers to the development of international trade, which are rightly deplored by all countries, have no other origin than exchange difficulties and the anxiety of every country to protect its vital interests. These hindrances can only be removed, therefore, by providing an atmosphere of political calm, together with monetary stabilisation and the reopening of international credit. In this field, coercive measures and theoretical schemes are quite useless.

While not overlooking the seriousness of the present situation, we do not for one moment lose our optimism and our confidence in the wisdom of the nations; and this fact emboldens us to offer our modest contribution to the improvement of international relations, both economic and political. We do not believe in miracles or in the sovereign power of fixed formulas. We are, on the contrary, convinced that well-being depends on linking up the various efforts now being made to overcome the many-sided crisis in which mankind is at present involved.

The President :

Translation : M. C. Parra-Pérez, first delegate of Venezuela, will address the Assembly.

M. Parra-Pérez (Venezuela) :

Translation : At this grave hour in the League's destinies, the voice of my country could not but join with those which, from this platform, have warned the peoples of the world of the perils besetting them and appealed to the Governments to remember the responsibilities they must shoulder.

My country has played too large a part in the history of the American continent, and it has too deep a sense of its future destinies, to remain indifferent to the efforts which are being made to save for mankind, with the benefits of peace, the universal heritage of civilisation.

I have no great liking for the term "Latin America" as a description of a political entity obeying certain common formal principles of action, and capable of making them felt as elements of stability in the concert of nations.

The Venezuelan who, one hundred and ten years ago, tried to create a League of Nations, lighted the flame of an ideal which, unfortunately, has remained a mere gleam fitfully illumining the complexities of the existence of our various States. Perhaps, indeed, this was a necessary consequence of their normal development.

Nevertheless, it is an undeniable fact that there are twenty nations living beyond the sea whose beliefs, feelings and thoughts are similar, if not identical, and that all of them are toiling to find formulas that will assure them a future of peace

and progress and allow them to live united in their harmonious diversity. That is why Latin America is always spoken of as a homogeneous body, with definite tendencies of its own, which sometimes expresses common desires and seems always to be seeking a common course.

But besides these links between the peoples of Latin America, there are others, no less powerful, which extend to the whole of the New World, which bind the entire continent, and create real affinities as imperative as those of blood or history. Hence there came into being the Pan-American Union, which up to the present has carefully held aloof from all purely political activities, but whose influence is bound to be very great on the future political trend of our countries.

Each Pan-American conference has drawn the States of the Continent closer together, and at Buenos Aires next December we have high hopes of carrying out a programme extending from the old field of law to that of economics, which is of such significance to-day.

All are agreed that what adds to the importance of the Buenos Aires meeting is that it will be held at a moment when nations are discussing the reform of the League Covenant, to whose spirit a number of our South American States remain loyal.

In several quarters, too, there is talk of the possibility of establishing closer and more clearly defined co-operation between the League and the Union, thus forging as it were new links between the Geneva and the American nations that remain loyal to the League.

It is clear that these problems as a whole will need to be considered with extreme care. Whatever may be the results of the Buenos Aires discussions, whether the Conference, in response to circumstances which it is not at present easy to foresee, goes beyond its traditional limits or remains within them, each of our States seems likely to draw from those results conclusions which may exert a decisive influence on its policy outside America.

From this point of view, and as a Member of the League, my country is watching with interest the attempts which are being made to render the Covenant more effective, and my Government will examine carefully the various proposals put forward. This is a time of intense activity in Venezuelan politics, and my country is engaged upon one of the most important experiments in its history. The Venezuelan nation, attached as it is to its ideals of freedom, cherishes peace too, and has no other wish than to co-operate with all who sincerely make peace their aim.

The President :

Translation : M. Narciso Bassols, first delegate of the United States of Mexico, will address the Assembly.

M. Bassols (United States of Mexico) :

Translation : Mexico appreciates the full weight of the responsibility lying at this moment upon each and every Member of the League of Nations. We meet here fully conscious of our duty, and of the undertakings into which we have entered to carry out a revision of the machinery of collective security, since all recent experience shows us that the time has come to enquire into the real value of the League as an instrument for preserving world peace.

My countrymen are well aware of the extent to which national interests paralyse any effective attempt to overhaul the League's machinery. We know, too, that there exist fundamental divergencies concerning the specific formulas to be adopted as a result of an investigation pursued in common; and, further, that antagonism has reached a point where it seems unlikely that any investigation into essential problems could usefully be undertaken. This is due to the regrettable

fact that the most varied and subtle resources of dialectics are called into play to prevent, by means of long discussions, any real examination of the veritable problems of peace.

In these circumstances, Mexico does not wish to dwell on the fact that some nations are losing their faith in the League, convinced as they are of the futility of its efforts. If Mexico found nothing in the League but grounds for discouragement, she would undoubtedly prefer to renounce her membership, and seek safety by cutting herself off from European problems; her geographical position would make it easy to adopt such an attitude. My country realises, however, that if our culture is to record any achievement — and the League of Nations is such an achievement — it is necessary to show determination and a readiness to accept the risks and consequences of the struggle. Mexico will therefore continue to participate in the League's work as long as there remains the remotest possibility of organising international life on a foundation of peace and mutual respect; for our people have a clear idea of the common interests of civilisation, and of the duties incumbent upon each one of us if we are to preserve it. At a time when our first duty — to find out if the fifty nations here represented are capable of evolving practical methods of avoiding war — takes precedence over all secondary tasks, the Mexican delegation feels bound to state its attitude with the utmost clearness.

The League's inability to carry out its first and most decisive obligation — namely, to maintain the integrity and independence of all its Member States — has quite naturally obliged us to recognise that the existing machinery must be overhauled, since, whatever the causes of this recent failure, it would be absurd to hope that, in the event of a fresh conflict, the same machinery could yield results any different from those obtained in the past. Everything is ready for an investigation of this problem in all its vastness and complexity, and although the one thing not to do is to do nothing, the Mexican delegation — while still hoping that it may be mistaken — notices with alarm signs that this question is about to be indefinitely adjourned.

This is not the proper time at which to go into a detailed analysis of the various solutions proposed and the obstacles in their way. If the League decides to undertake a thorough investigation into its guiding principles and methods of procedure, as well as into the mistakes and imperfections of the past, we shall then have an opportunity to state our views on this matter. For the moment, the Mexican delegation considers it important to make sure that all the countries represented here are determined to take steps without delay to strengthen the League for the future by the adoption, at this session of the Assembly, of definite resolutions aimed at an immediate investigation of this problem.

We believe that as a result of the failures we have experienced, and of our effective promises to overhaul our working machinery, the League has reached a critical point in its existence — I say this with all frankness and in all loyalty — when those who desire its final ruin will have gained their wish if they succeed in securing an indefinite postponement of the readjustment of our machinery. Last July we were all in agreement, although we used different expressions to admit our defeat; and we have no right to hope that the world will still place confidence in us if we justify its disappointment by failure to act now.

The relations between States — especially in the event of internal strife in any one of them —

are a possible source of friction, and will constantly become more so as economic and cultural relations develop, and diminish the importance of geographical distance and of the purely political frontiers separating one country from another. This aspect of the growing interdependence of nations is far from being a fact of secondary importance or one that falls outside the scope of the League's activities.

Here too, as in the case of internal conflicts, the existing international norms should be strictly observed under the active and close supervision of the League, set up to regulate international life. Otherwise we may be led to adopt — in order to avoid purely hypothetical international complications — the unjust solution of refusing legitimate means of defence to a Government which is suddenly attacked on its own territory by armed forces resolved to prevent the will of the people from being carried out. There is a risk also that the absence of principles shared by all nations in common might give a dangerous turn to a civil war, of which the international aspect might find the States without any common rules as a basis for their policy. Countries which, for some reason or other, resolved to cross the legal abyss separating a Government from a group of rebels, instead of finding their way barred by international principles which there could be no disputing, would discover some way of twisting what ought to be a specific undertaking not to assist factions into a mere compromise, the vague and elastic outcome of belated political manœuvring.

These considerations lead the Mexican delegation to point out in no vague terms the gravity of the present situation. We all agree that the progress achieved in international law comes essentially from the decision to remove from the plane of political contingency — that it is to say, to eliminate from the category of disputes not settled through legal channels — certain aspects of international relations, and to transfer them to a higher and more civilised plane.

In this sense it is a veritable regression, a step backwards to accept solutions which, instead of introducing into the field of law certain international events, merely remove from the scope of law phenomena previously included in its province and, at the best, convert them into an ordinary compromise between the military and political forces which, at a given moment, are in control of a continent.

In taking this stand upon a firm legal basis and upon its understanding of the problem confronting the Spanish Government — Mexico herself having suffered so frequently from the scourge of unjust military dictatorships — my Government has, from the outset of the conflict, pursued a policy of material co-operation with the legitimate Spanish Government, confronted as it was by a military rising.

The policy, carried out by my Government, in the full exercise of its sovereignty, needs no defence; international law provides an abundant justification for it. We should have no cause even to refer to it from this platform if, as we have already observed, the recent Spanish phenomenon had not made clear the urgent need for us to seek, within the framework of the League, means of adequately applying the legal rules which are in force.

Mexico feels it her duty to point out to this Assembly the necessity of avoiding the danger that international law, so far from progressing, may suffer a set-back.

The President :

Translation : M. Guillermo de Blanck, first delegate of Cuba, will address the Assembly.

M. de Blanck (Cuba) :

Translation : Though in some countries national opinion is divided into two clearly hostile camps

in all matters relating to the form of government; and though, for the same as well as other familiar reasons, such as the economic situation, inter-State rivalry remains the chief preoccupation of the world and consequently of the League of Nations, it may legitimately be said that the most important task the present Assembly wishes to undertake would seem to be the reform of the Covenant.

My Government is not one of those which lays at the door of the Covenant the failures for which it cannot in all fairness be blamed. The Covenant is an admirable instrument; but its resources have not been fully utilised, or it has not been possible to utilise them, for well-known reasons which I will not recall here, and over which we need not spend time in idle lamentation.

Much has been said and written of the Covenant, of what it is, of what it ought to be and of what it will become; still more will be said and written in the future. Some wish it to be an instrument carrying sufficient authority to declare what is right, and, backed by force, to impose its decrees. Others wish it to be the charter of an advisory body standing for co-operation and conciliation, enabling the task of ensuring and guaranteeing security to be left to local groups and regional pacts. To some it is and will always be too rigid; to others, too elastic; to yet others, imprecise and defective, incapable of preventing war. To idealists, it is a generator of peace; to those who are exaggeratedly realist, it is a sower of discord.

I will not dwell further upon its qualities, least of all on its defects. I will merely add in passing, to complete the list of contradictions, that some have gone so far, as regards the League and we, its delegates, as to write that we are "an agency for cultivating the habit of acting parts together". In face of this divergence of views, we are almost driven to wonder what the Covenant is and what it is not and, in face of the clever arguments adduced in support of the various theories, whether it is really of some use or none at all.

Praises and criticisms apart, the Covenant will certainly never be a perfect instrument, and it will inevitably have to be reformed at intervals, in order to keep in time with the main swings of the pendulum of world public opinion and policy. Hence the Covenant must always retain a certain elasticity.

It is one of these great swings of the pendulum that we are witnessing now. A large number of States consider that reform of the Covenant is necessary; and in connection with that reform the question of regional pacts occupies an important place. A day will come when this theory will seem outworn and dangerous, no matter what precautions are taken; for no pact can prevail against the psychology of peoples or of their leaders. None can guarantee to ensure that rivalries between nations will not become rivalries between regions. None can guarantee that if a conflict such as that of 1914 were to break out, such regions could hold aloof from it or could keep strictly within the limits laid down by the law.

My Government is prepared, nevertheless, to co-operate in promoting the movement that is indicated at the present time. It notes, however, that the tendency towards a basic revision of the Covenant only began to spread some years after its first acceptance, and that only after the most profound consideration was it submitted to the different States. My Government does not support this tendency, because, in the first place, it considers that the Covenant is, as I have said, an admirable instrument; and, further, on grounds of prudence.

A distinguished delegate who appeared for many years at our meetings, the Belgian Minister, M. Paul Hymans, recently wrote that we ought not to mutilate "an edifice which has all the beauty of style and unity"; he followed up this advice

with a reference to "the necessity, more urgent than the reform of the Covenant, for the 'reform of minds', 'moral reform', 'reform of the mentality of peoples and of the men who govern them'".

The first danger can be avoided. A few necessary touches will not alter the physiognomy of the Covenant; on the contrary, they will give it added character. As to the second point, it represents no more than the latent conflict between the League spirit of law and the different conceptions of events held by the nations — psychological differences, if not between the Governments composing the League, at least between the peoples. Governments may react along lines which accord with League principles, and may at times impose their reactions upon the peoples; but sometimes there are notable differences of opinion between Governments and governed, and in such cases Governments find themselves obliged to allow for tradition and the thousand and one factors that go to make up the spirit of a race.

Governments, I repeat, may very often react internationally; the people as a rule only react nationally, and, when serious disputes arise, their sympathies may even impel them to decisions contrary to their interests. This is but human, and to gainsay it is hard, or at least takes a long time.

In actual fact, a more important question than the reform of the Covenant is the immediate and urgent question of the relations between certain States, and the provision of some solution as regards what might be termed the right to a standard of reasonable contentment for all nations. So long as there are discontented nations, great and small, and so long as there are rivalries, nothing can be done by reforming the Covenant. Happiness and justice cannot be secured by the mere printing of words and appending of signatures.

Until that state of affairs is achieved — we insist on this point — and until the League of Nations is universal, we doubt whether it will be of any practical use to undertake reforms of the Covenant, which, owing to the absence of co-operation on the part of the nations that should be here, might prevent that universality we all desire.

In conclusion, I will say that my Government, loyal to an organisation in whose future it has confidence, will endorse all attempts towards the fulfilment of the League's ideals.

43. — REDUCTION AND LIMITATION OF ARMAMENTS: REFERENCE TO THE THIRD COMMITTEE OF THE PART OF THE REPORT ON THE WORK OF THE LEAGUE IN 1935/36 CONCERNING DISARMAMENT: ADOPTION OF THE DRAFT RESOLUTION PROPOSED BY THE DELEGATIONS OF DENMARK, FINLAND, THE NETHERLANDS, NORWAY AND SWEDEN.

The President:

Translation: The delegations of Denmark, Finland, the Netherlands, Norway and Sweden have just submitted to me the following draft resolution concerning the Third Committee which the Assembly set up yesterday:¹

"The Assembly decides to refer to the Third Committee for examination:

"1. That part of the Report on the Work of the League of Nations during the Year 1935/36 which deals with the question of the reduction and limitation of armaments;

"2. The statements made on the same subject during the general discussion, and particularly those concerning the resumption of the work of international disarmament."

According to our practice and our Rules of Procedure, before calling upon the Assembly to take a decision on this draft resolution, I should have it communicated to the Assembly in writing. But existing circumstances and reasons of urgency may justify a departure from the usual practice.

This case seems to me to be one of those exceptions. The Third Committee set up yesterday will meet this afternoon for the first time. It is most desirable that, at this first meeting, it should be able to take cognisance of the whole programme that is before it.

In these circumstances, I would suggest that the Assembly should decide without further procedure to accept, in principle, the proposal contained in the draft resolution submitted by the five delegations, and that consequently the texts referred to in that resolution should be referred to the Third Committee.

The resolution was adopted.

FOURTEENTH PLENARY MEETING

Saturday, October 3rd, 1936, at 10.30 a.m.

CONTENTS.

44. REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36.

Continuation of the Discussion.

Speeches by M. Ossorio y Gallardo (Spain), M. Zaldumbide (Ecuador) and M. Tudela (Peru).

45. PERMANENT COURT OF INTERNATIONAL JUSTICE.

(1) Method of Election to the three Seats vacated by Mr. Kellogg, M. Schücking and M. Wang Chung-Hui.

(2) Participation, in the Election of the Judges, of a State which is not a Member of the League but is a Party to the Statute of the Court.

Report of the First Committee.

Resolutions.

46. COMPOSITION OF THE COUNCIL: PROVISIONAL CREATION OF TWO NEW NON-PERMANENT SEATS: Resolution adopted by the Council on October 2nd, 1936.

President: M. SAAVEDRA LAMAS.

44. — REPORT ON THE WORK OF THE LEAGUE OF NATIONS IN 1935/36: CONTINUATION OF THE DISCUSSION.

The President:

Translation: The first item on the agenda is the continuation of the discussion on the report on the work of the League of Nations in 1935/36 (Documents A.6.1936; 1936.5. and A.6(a).1936; 1936.6).

¹ See page 91.

M. Angel Ossorio y Gallardo, delegate of Spain, will address the Assembly.

M. Ossorio y Gallardo (Spain) :

Translation : The proposals and suggestions which have been made for applying the Covenant of the League of Nations ought to be one of the principal subjects discussed at this Assembly. Many delegates have given proof of their excellent intentions in this respect, and the Spanish delegation has been anxious, from the outset, to ensure that any interpretation of the Covenant should serve to accentuate its character as a means of defending, and not of weakening, the autonomy of the peoples. The views of my countrymen were fully explained to you by M. Alvarez del Vayo,¹ in a speech that was received by the Assembly in a manner with which we have every reason to be satisfied.

Among the allusions which have been made from this platform to the situation in my country, I should like to draw particular attention to those contained in the speech delivered by the Portuguese delegate.² I take this opportunity of expressing our appreciation of the gratifying words by which he told you how anxious he was to see our greatness and prosperity return again when the tragic hours we are now passing through are over. These generous words have their value, like all words ; but, naturally, words acquire a greater value when they are accompanied by deeds in keeping with them.

It will be understood that our delegation is not able to express similar sentiments regarding other statements which have been made from this platform. We fully realise that certain arguments have been brought forward in a purely scientific spirit and without the least intention of applying them to concrete realities, still less to the situation in Spain. Nevertheless, we feel compelled to state publicly that we disagree with them. It is not enough to bear in mind a speaker's intentions. We must also consider how his audience may interpret the speech. If we raised no objections, if we remained silent, it might be thought that the Spanish delegation had given its tacit assent to certain theories.

I refer, in particular, to the opinion which has been expressed with regard to the legitimacy of public authorities. That involves a serious conception, so serious that it might even imperil the *raison d'être* of the League itself. By definition, the League is an Assembly of self-governing States, dominions and colonies. From this premise there follows logically a question of great importance : how are we to define the freedom of the peoples, and in what does this freedom consist ? The members of the Assembly will, I am quite sure, be unanimous in believing that every people has the right to define its conception of its own freedom. If the freedom and personality of nations were a matter to be freely decided by the League or to be referred to the biased decision of another people, no country could claim to be master of its own destinies, and it would be impossible to know which States had, and which had not, the right to be represented at Geneva.

We cannot admit the theory that a State is more or less worthy of respect according to the enemies who are plotting against it. To base an argument on the fact that certain elements of wealth, power or culture have taken up an attitude hostile to a Government, would be to state the question in unacceptably ambiguous terms. Who is to decide in such a case to which party the wealth, culture or power inclines ? When two social groups are at war in a single nation, each believes that it is defending justice, that the noblest forces are behind it and that it enjoys the deepest

sympathies of the people. If we state the problem in that way, we cannot solve it by heeding the biased views of the two parties. But could such a question arise at all for any specific nation ? The very suggestion would be met with indignant protests. Certainly not one of the States represented here would tolerate any attempt by a third party to define its sovereignty. By a process of elimination, we arrive at the only conclusion which is both legally and morally acceptable. The legitimate governing authority of a people is that which is elected in conformity with the legal rules of that people.

Certainly nobody has wished to criticise Spanish policy, since that would have amounted to an act of verbal aggression against the spirit of serenity, courtesy and public duty which should reign at our meetings. I should like, however, to make a few observations concerning the case of my own country.

The Republic exists because the Spanish people brought it peacefully into being, amidst the warm enthusiasm of practically all its citizens, the monarchy, which had recently been overthrown, preferring not to intervene. The people elected constituent Cortes, and these elections were fought in such conditions that they might be cited as models. The Cortes adopted a Constitution which is in force to-day. For us, Spanish Republicans, a Government is legitimate if it fulfils its constitutional obligation to come before the Parliament, and if it wins the latter's confidence. It is legitimate if it controls the State services, and if the people are ready to perform deeds of heroism in its defence. It is legitimate if it has the support of powerful intellectual movements. It is legitimate if it owes its origin to existing legislation passed by a duly elected Parliament. In a word, a Government is legitimate if it is not the puppet of any institution, and if it employs no officials who have been forced upon it by military *pronunciamentos*, by revolutionary movements, by financial influences or any other inadmissible means. A Government which is the true representative of its country's laws is entitled to the respect due to a legitimate authority which none can dispute, divide, or violate.

Perhaps I may be allowed to point out the complete agreement which exists between our conception of the legitimacy of the public authorities issuing from the sovereign will of the people, and the very idea which inspired the creation of the League. It was not for nothing that the Spanish Constitution embodied the principles of the League Covenant in the law of the land.

Let me remind you that our institution came into being as a result of the most terrible of wars, and that it was set up in order that mankind might not pass through such an ordeal again. The founders of the League did not place it at the service of the mysterious forces and irresponsible powers which had led to the tragedy of the war. They placed it under the safeguard of the peoples themselves. They entrusted the defence of peace to men of good will throughout the world, to the men who, when in the trenches, had established their claim on us. The old conception of a struggle between States made way for a new conception of the collaboration of the peoples of the world in a system resting on publicity, law and justice. The sword of the warrior who imposes his will on the vanquished was to be replaced by the legal code of the judge who defends the weak against the aggressor.

These principles of publicity, law and justice, and that other principle of freedom enshrined in the Covenant — these were the Spanish people's guides when organising themselves into a national community. Governments derive their legitimate power from the mandate of free peoples, even as the hope of world peace rests upon the concert of free nations.

Allow me, in conclusion, to mention two characteristic examples. The first is taken from the

¹ See page 47.

² See page 84.

beginning of the nineteenth century, when a powerful army invaded Spain. It had every advantage — irresistible strength, money, and the prestige of warlike glory; and it could also count on the support of the royal family of Spain, a traitor to its duty. To these must be added a school of thought in Spain which counselled submission to the conquerors rather than obedience to the voice of the people. The Government suffered so many defeats, misfortunes and disasters that the territory under its control was reduced, not to a few great cities, but to one little town situated on the edge of the map of Spain, Cadiz. Yet those sober, dogged Spaniards, who so stubbornly defended Cadiz and who very soon drew up a Constitution that was the source of the whole of nineteenth-century liberalism in Spain, represented for their contemporaries, as they have done for history, the only legitimate authority, the sole authority entitled to respect.

If someone, departing from the historical significance of this example, were to remind me that those good Spaniards had foreign assistance, I would venture to reply that, behind the good Spaniards of to-day is rallied the whole of world democracy, so nobly defended on this platform yesterday by the Mexican delegate,¹ to whom we owe a profound debt of gratitude.

The second example is more recent, taken, as it is, from the year 1934. Certain political tendencies expressed by non-republican parties which had not voted for the Constitution having been given a place in the Government, the Socialist forces of Spain, especially those of the Asturias and of the Generalitat of Catalonia, revolted. The rebels felt they were acting rightly against this new political movement. And did anyone talk at that time of culture, military force, the power of public opinion? No. The movement was everywhere condemned, because it was directed against the legitimate Government. In order to give more weight to my words, I would refer you to what was said by the Sovereign Pontiff Pius XI, in a declaration recently published by the Press.

Those are the Spanish delegation's views on lawful public authority and its right to universal respect. The contrary theory might be dangerous even to those nations which think they have least to fear from it; for it may happen that, in other countries, armed forces will rise against the Government and do their utmost to overthrow it. Would the Governments thus attacked allow us to judge between the two parties to the dispute? Would they allow us to forecast the outcome of the struggle, or to discuss whether or not the rebels should be placed on the same legal footing as the legitimate Government?

There are many countries, real friends of Spain, which are firmly resolved to live according to the principles of law. Yet some of these have thought fit to decree a curious form of neutrality, which makes no distinction whatever between the legitimate Government and those who are in arms against it.

We Spaniards feel keenly this utter lack of equity. But whatever happens, our attitude will remain, as before, one of dignity and respect. We have right on our side, and we are firmly resolved to defend the cause of peace, and to apply in all loyalty the Covenant of the League of Nations.

The President :

Translation : M. Gonzalo Zaldumbide, first delegate of Ecuador, will address the Assembly.

M. Zaldumbide (Ecuador) :

Translation : At this late hour, at the end of a discussion during which you heard so many authoritative voices speak of the present and future of

the League, I shall not venture to add an opinion that is of so little weight to all the various arguments which have almost exhausted the debate.

I would merely express my country's wish that the League should emerge both strengthened, and also more flexible, from the trials through which it has lately passed.

The eyes of the whole world have been upon it in these difficult days. The need for reform has made itself felt by a sharp revival of our faith in the League. This need, this hope, owing to the very fact that there has been no haste to fulfil it, must perforce — in the wake of the disturbing events that have taken place — become a certainty, in view of the ample assurance this Assembly has given us. Able minds, clear-sighted and sagacious, are about to study, perhaps recast and then lay before us the various schemes submitted, each outvying the rest in goodwill, and each a token of agreement and faith.

Whether by amendments to the Covenant, or by a more appropriate application of its principles, we hope to see this creation of the spirit of universality freed once for all, implicitly or explicitly, from the slough of a past which we cannot allow to remain the sole standard of the future.

In the case of the Powers with limited interests — as the small countries were recently so well described, by a euphemism which was not merely courteous or considerate, but was really a definition, since it seemed to connote a limitation of risks and responsibilities — and, more particularly, in the case of a small and distant country like mine, the reform hoped for must always be on the lines of the one I had the honour to propose to the previous Assembly.¹ Such a reform would make it easier and more normal for us to use our right of abstention in conflicts to which we are doubly strangers, the causes of which do not concern us, and which lie beyond our pale in the intricacies of their political developments, yet in which we are involved through the wide range of their repercussions and their consequences.

Let us hope, too, that the continental and regional understandings for which the Covenant makes provision, and which indeed it invites, may grow in number and consistency, to join the movement towards the international ideal of which the League is already more than a symbol. For these partial yet concordant agreements, the League alone can serve as common denominator and organic centre, provided that, as representative of the world conscience, it keeps distinct and unimpaired the variety of their aims and the various means of collaboration from afar.

The Latin-American continent professes neither isolation nor particularism; we cannot and we have no wish to cut ourselves off from Europe, from the ever-youthful old world — too youthful still, perhaps — that has nurtured us with its own substance, giving of its life-blood and its culture. We in Latin-America have no wish to — indeed we cannot — cast off this old teacher, with his inexhaustibly creative mind, and his never-failing inventive power that provides us with all we can assimilate in the world of thought, of art and life in all its loftier forms.

Yet, naturally, the American nations as a whole regard the geographical factor as predominant, so that, for instance, the policy of good neighbourliness proclaimed at Washington stands for us as a precious pledge of peace.

If a Great Power is absent from Geneva, it does not harm Geneva. As for us, we cannot forget the generous help Europe accorded us in two American conflicts, those of Leticia and the Chaco,

¹ See page 100.

¹ See *Official Journal*, Special Supplement No. 151, page 57.

by lavishing upon us the fruit of her experience, the intellectual probity of her reasoning, and her beneficent neutrality, and by weighing our problems with the most meticulous care. Nor have we forgotten that, after the elucidation of those problems, they were transferred for final solution from the League itself to America, their natural and most appropriate destination in the circumstances. Rio de Janeiro and Buenos Aires have brought this work to a brilliant conclusion. We are glad to see this Assembly presided over by one of those who worked for American peace, and who thus maintains the connection between the Continents. It is only natural that we should seek first to agree among ourselves to attempt to settle our conflicts between neighbours.

Hence I am glad to be able to announce from this platform that, thanks to the free and spontaneous will of two sister nations, and to the lofty and friendly impartiality of the Government of the United States of America, the last cause of dispute over the frontiers inherited from Spain will soon disappear. Two days ago, Ecuador and Peru formally opened at Washington negotiations to put an end to a state of uncertainty which did not indeed threaten peace, but was none the less a subject of anxiety, a disturbing factor, and a cause of misunderstanding between two countries which, prompted alike by the voices of the past and of the future, should unite in common action for peace and friendship, with nothing between them that could disturb the natural good understanding pre-established, as it were, in all spheres of their communal life.

At the opening meeting, in the presence of the Secretary of State, high officials and the delegations officially received at the White House, the President of the United States of America, appointed by the Protocol governing these negotiations to be the final arbitrator between the two countries, proclaimed his belief that a prompt agreement would be reached, and his determination to do his utmost if called upon to act as arbitrator in legal arbitration proceedings.

In accordance with the Protocol I have mentioned — it was signed at Quito in 1924 — and with the negotiations recently opened up at Lima, the settlement will be in the nature of a direct agreement between the parties, negotiated at Washington between the respective delegations, under the auspices of the appointed arbitrator, and completed, if necessary, by legal arbitration on any particular points on which direct agreement between the parties should prove unattainable. This formula, commonly known as a mixed formula because it calls for mutual understanding between the two parties, in order to guide them as far as possible towards conciliation irrespective of their individual interests and claims, and because it leaves it to the arbitrator to state the law wherever there might have been insuperable obstacles in the way of agreement, this happy formula does not close the door either way to a complete settlement.

You have already heard more than once, in connection with the two American conflicts now happily terminated, of those titles, emanating from the Spanish Crown, to which our nations trace their origin. But nothing could triumph over the determination to end this uncertainty and to find other aims for the national life than constant wrangling over the different parts of the former whole, which might be revived, in another form, as a common weal, a bond of peace, brotherhood and collaboration.

My Government and my country are firmly determined to put an end to this state of affairs. They are ready to conclude any friendly and worthy compromise ensuring good relations between the two countries; for such are more precious to them than the territories themselves that have been so long in dispute.

If the parties found it very difficult or really impossible to determine, at every point on a long

frontier, the demarcation agreed upon, the legal definition by arbitration would surmount the obstacle, would smooth out the road, and would restore agreement as to the rest.

Thus, this settlement, which takes into account the vital interests and the inviolable rights of both parties, is being launched under the best auspices. The last frontier dispute will vanish from the American horizon. Let us welcome this happy augury.

The President :

Translation : M. Francisco Tudela, delegate of Peru, will address the Assembly.

M. Tudela (Peru) :

Translation : I have no intention of taking part in the general discussion on the work of the League.

The delegation of Peru has had an opportunity of stating its views on the problem of the application and possible reform of the Covenant in connection with recent disputes. My Government, moreover, in response to the invitation sent to it, as to all the Members of the League, has submitted its views on this subject to the Assembly through the Secretary-General.¹

I merely wish to refer to an allusion that my distinguished colleague, M. Zaldumbide, has just made to the negotiations that are taking place at Washington, under the auspices of the President of the United States, between the representatives of Peru and of Ecuador, for the purpose of settling the old frontier controversy between the two countries.

I associate myself with the hopes expressed by the delegate of Ecuador, for I feel certain that no effort will be spared to find a settlement for this problem on the basis of the agreement which resulted in the Washington Conference, in accordance with the principles of American law and in a spirit of fraternal understanding.

The President :

Translation : There are no more speakers on my list.

I accordingly declare closed the general discussion on the report on the work of the League in 1935/36.

45. — PERMANENT COURT OF INTERNATIONAL JUSTICE. (1) METHOD OF ELECTION TO THE THREE SEATS VACATED BY Mr. KELLOGG, M. SCHÜCKING AND M. WANG CHUNG-HUI. (2) PARTICIPATION, IN THE ELECTION OF THE JUDGES OF A STATE WHICH IS NOT A MEMBER OF THE LEAGUE BUT IS A PARTY TO THE STATUTE OF THE COURT. REPORT OF THE FIRST COMMITTEE: RESOLUTIONS.

The President :

Translation : The next item on the agenda is the consideration of the report by the First Committee relating to the Permanent Court of International Justice (document A.49.1936.V).

In a letter of to-day's date, I am informed by the Chairman of the First Committee that that Committee has unanimously declared that it does not consider a discussion of the report in plenary session to be necessary. Further, the provisions in Rule 14(a) of the Rules of Procedure have been observed as regards the circulation of the report to the delegations. Lastly, no delegation has expressed in advance a wish to speak on this report at a plenary meeting.

¹ See *Official Journal*, Special Supplement No. 154, page 25.

The delegation of Norway, however, has informed me that it intends to abstain from voting on the adoption of the First Committee's proposals regarding the participation, in the election of the judges, of States which are parties to the Statute of the Court but are not Members of the League of Nations.

The Assembly notes the Norwegian delegation's attitude on this point.

If there are no observations, I shall consider the resolutions proposed by the First Committee as adopted.

The resolutions were adopted (Annex 4, page 130).

The President :

Translation : The Assembly will now be able at a forthcoming meeting to proceed, simultaneously with the Council, to elect judges to the Permanent Court of International Justice.

For the convenience of the delegations, I propose to have distributed a note explaining the procedure to be followed at the elections.¹

I shall inform the delegations later of the date chosen for the election of judges to the Permanent Court.

**46. — COMPOSITION OF THE COUNCIL :
PROVISIONAL CREATION OF TWO NEW
NON-PERMANENT SEATS : RESOLUTION
ADOPTED BY THE COUNCIL ON OCTOBER
2nd, 1936.**

The President :

Translation : The next item on the agenda is a decision by the Assembly on the subject of the resolution adopted by the Council on October 2nd, 1936,² regarding the provisional creation of two new non-permanent seats on the Council. This resolution reads as follows :

" The Council,

" Having taken cognisance of the resolution adopted by the Assembly on October 1st, 1936,³ in favour of the provisional creation of two new non-permanent seats on the Council ;

" Acting in accordance with the provisions of Article 4, paragraph 2, of the Covenant ;

" Decides as follows :

" For the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936 and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council shall be provisionally increased to eleven."

The decision which the Council has taken is that which the Assembly itself approved in the resolution adopted at its twelfth meeting, on October 1st, on the proposal of its First Committee.

In these circumstances, I believe that I am interpreting the views of the Assembly in considering that the Council's action is unanimously approved by the Assembly and that, therefore, the provisional creation of two new non-permanent seats has been effected in accordance with the decision of the Council.

If there are no observations, I will consider that that is the view of the Assembly, and that the decision taken by the Council is approved by the Assembly in accordance with Article 4, paragraph 2, of the Covenant of the League.

Agreed.

The President :

Translation : I therefore propose to consult the General Committee as to the date of the meeting at which the election of two non-permanent Members of the Council will be held.

The Secretary-General, in accordance with the regulations, will receive nominations of candidatures and requests for re-eligibility, and will communicate them to the Members of the Assembly as provided for in the supplementary rules adopted on October 2nd, 1933.

The procedure proposed by the President was approved.

¹ Document A.51.1936.V.

² See *Official Journal*, November 1936, page 1186.

³ See page 91.

FIFTEENTH PLENARY MEETING

Thursday, October 8th, 1936, at 5 p.m.

CONTENTS.

47. PARTICIPATION, IN THE ELECTION OF THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE, OF STATES NOT MEMBERS OF THE LEAGUE OF NATIONS BUT PARTIES TO THE STATUTE OF THE COURT.
Convocation of the Committee on Credentials.
48. REQUEST BY CHINA FOR RE-ELIGIBILITY FOR ELECTION TO THE COUNCIL.
49. ELECTION OF TWO NON-PERMANENT MEMBERS OF THE COUNCIL.
50. APPOINTMENT OF A SPECIAL MAIN COMMITTEE FOR THE QUESTION OF THE APPLICATION OF THE PRINCIPLES OF THE COVENANT AND PROBLEMS CONNECTED THEREWITH.
Resolution proposed by the General Committee of the Assembly.
51. CREDENTIALS OF DELEGATES.
Third Report of the Committee on Credentials.
52. ELECTIONS TO FILL THE VACANCIES AMONG THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.
Election to fill the Two Vacancies caused by the Death of M. Schücking and the Resignation of Mr. Kellogg.
Election to fill the Vacancy caused by the Resignation of M. Wang Chung-Hui.
53. REPORTS OF COMMITTEES SUBMITTED TO THE ASSEMBLY FOR APPROVAL IN ACCORDANCE WITH THE PROVISIONS OF RULE 14(a) OF THE RULES OF PROCEDURE.
- I. Work of the Health Organisation.
Report of the Second Committee.
Resolutions.
- II. Traffic in Women and Children.
Report of the Fifth Committee.
Resolutions.
- III. Traffic in Opium and Other Dangerous Drugs.
Report of the Fifth Committee.
Resolutions.
- IV. Nutrition.
Report of the Second Committee.
Resolutions.

President : M. SAAVEDRA LAMAS.

47. — PARTICIPATION, IN THE ELECTION OF THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE, OF STATES NOT MEMBERS OF THE LEAGUE OF NATIONS BUT PARTIES TO THE STATUTE OF THE COURT: CONVOCATION OF THE COMMITTEE ON CREDENTIALS.

The President :

Translation : The first item on the agenda is the convening of the Committee on Credentials. This Committee has further work to do in connection with the election of judges of the Permanent Court of International Justice, which the Assembly will hold to-day.

By adopting, on October 3rd,¹ the resolution submitted on this subject by its First Committee, the Assembly decided that States which are not members of the League but are parties to the Statute of the Court, and which have expressed a desire to participate in the election of judges of the Court, should, *ipso facto*, be admitted to vote in the Assembly.

In these circumstances, the Credentials Committee will be asked at once to examine the credentials submitted by the representatives of the States not members of the League which have expressed a desire to participate in the election of judges of the Court.

I therefore request the Credentials Committee to meet as soon as possible, so that it may submit a report to the Assembly before the election takes place.

48. — REQUEST BY CHINA FOR RE-ELIGIBILITY FOR ELECTION TO THE COUNCIL.

The President :

Translation : The next item on the agenda is the Assembly's decision on the request submitted by China for re-eligibility for election to the Council of the League. This application was submitted in a letter dated October 2nd, 1936, which has been communicated to the delegations and which reads as follows :

" I have the honour to inform you that I have to-day addressed a communication² to the Secretary-General proposing China's candidature for the new seat on the Council for Asia to be created on the basis of the report and resolution of the First Committee adopted by the Assembly at its twelfth plenary meeting on October 1st, 1936.

" In accordance with the Rules for the Election of Non-permanent Members of the Council adopted by the Assembly on September 15th, 1926, I have the honour, on behalf of the Chinese delegation, to ask you to be good enough to submit to the Assembly the request that China be declared re-eligible.

(Signed) V. K. Wellington Koo,
First Delegate of China."

The Assembly will have noted that the request for re-eligibility by China has been submitted in the regular form and within the time-limits laid down by the Assembly resolution of September 15th, 1926.

It is therefore for the Assembly to decide on this request, in accordance with the provisions of the resolution of September 15th, 1926, laying down the rules for such an election.

I think I should remind you of these rules by reading the provisions of Article II, paragraphs 1 and 2, of the resolution, which reads as follows :

" 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.

¹ See page 105.² Document A.53.1936.

OCTOBER 8TH, 1936

"The Assembly shall pronounce separately, by secret ballot, upon the request for re-eligibility. The number of votes cast shall be determined by the total number of voting-tickets deposited, deducting blank or spoiled votes."

The Assembly is thus called upon to decide by secret ballot on the request by China. As the name of each delegation is called, a representative of that delegation will deposit its voting-ticket in the ballot-box.

Delegations of the Assembly desiring to vote in favour of the request for re-eligibility submitted to them will write "Yes" on the voting-ticket, and those desiring to vote against it will write "No". No account will be taken of spoiled or blank voting-tickets.

I will ask M. Paul-Boncour, delegate of France, and M. Litvinoff, first delegate of the Union of Soviet Socialist Republics, to be good enough to come to the platform and act as tellers.

(M. Paul-Boncour and M. Litvinoff took their places on the platform as tellers.)

(The vote was taken by roll-call.)

The President :

Translation : The result of the voting is as follows :

Number of votes cast	52
Blank or spoiled voting-tickets	2
Number of valid votes	50
Majority required for acceptance (i.e., two-thirds)	34
Number of votes in favour of the request	48
Number of votes against the request	2

Consequently, the majority required for re-eligibility has been obtained.

I wish to thank the tellers for their kind assistance.

49. — ELECTION OF TWO NON-PERMANENT MEMBERS OF THE COUNCIL.

The President :

Translation : The next item on the agenda is the election of two non-permanent members of the Council, to occupy the two provisional seats created in virtue of the Council resolution of October 2nd, 1936,¹ approved by the Assembly at its meeting on October 3rd, 1936.²

Before proceeding to the vote, I would remind delegates of the substance of the various rules applicable thereto.

In the first place, I would inform the Assembly that the rules laid down in its resolution of October 2nd, 1933, have been observed. The two proposals for candidature received from China and Latvia respectively were communicated within the prescribed time-limit. They were incorporated in a list drawn up by the Secretary-General and submitted by him to the Assembly in document A.56, dated October 6th, 1936.

I would also briefly remind you of certain provisions of the Assembly resolution of September 15th, 1926, and of the Rules of Procedure of the Assembly which are applicable to this election.

In accordance with Rule 22(a), paragraph 1, of the Rules of Procedure, the election must take place by secret ballot.

In accordance with paragraph 2, ballot-papers, to be valid, must bear two names only, since there are only two seats to be filled. In accordance with paragraph 3, no Member shall be elected at the first or at the second ballot unless it has

¹ See *Official Journal*, November 1936, page 1186.
² See page 106.

obtained at least the absolute majority of the votes. In calculating this absolute majority, spoiled or blank ballot-papers will not be taken into account.

I would also draw the attention of the Assembly to the fact that ballot-papers must bear the names of two States and not those of representatives of States; otherwise, they will be null and void.

I will ask M. Costa du Rels, first delegate of Bolivia, and Mr. Jordan, first delegate of New Zealand, to come to the platform and act as tellers.

(M. Costa du Rels and Mr. Jordan took their places on the platform as tellers.)

The President :

Translation : We will now proceed to ballot by roll-call.

(The ballot was taken by roll-call.)

The President :

Translation : The result of the ballot is as follows :

Number of votes cast	52
Valid ballot-papers	52
Absolute majority	27

The votes obtained by the States are as follows :

China	51
Latvia	49

I therefore declare that China and Latvia, having obtained the requisite majority of votes, are elected non-permanent Members of the Council for a period of three years. I have pleasure in congratulating those States.

I wish also to thank the tellers for their kind assistance.

50. — APPOINTMENT OF A SPECIAL MAIN COMMITTEE FOR THE QUESTION OF THE APPLICATION OF THE PRINCIPLES OF THE COVENANT AND PROBLEMS CONNECTED THEREWITH: RESOLUTION PROPOSED BY THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The Assembly will remember that, at the beginning of its present session,¹ it submitted certain important questions on the agenda to its General Committee for preliminary examination, in order that that Committee should make suggestions concerning the procedure to be followed.

Among these were, in particular, the question of the application of the principles of the Covenant, that of harmonising the League Covenant with the Pact of Paris, that of the Argentine Treaty of Non-Aggression and Conciliation and, lastly, that of the supply of arms and war material to belligerents.

In the course of several meetings, the General Committee exchanged views regarding the suggestions which it might make to the Assembly, and, during its meeting yesterday evening, this exchange of views ended in the adoption of a draft resolution, which the General Committee now submits for the approval of the Assembly. The resolution reads as follows :

"The Assembly,

"Acting upon the recommendation adopted by the Assembly on July 4th, 1936 ;²

¹ See page 39.

² See *Official Journal*, Special Supplement No. 151, pages 65 and 66.

"Having regard to the replies of the Governments of States Members to the invitation extended to them in pursuance of that recommendation ;

"Having regard to the statements that have been made concerning the application of the principles of the Covenant during the general discussion ;

"Considering that, among the problems which arise out of the question of the application of the principles of the Covenant, and which must therefore be covered by the enquiry into that subject, mention should be made of the problem, already considered by the League, of harmonising or co-ordinating the Covenant with other treaties of a universal tendency aiming at the pacific settlement of international disputes — that is to say, the Treaty for the Renunciation of War, signed at Paris on August 27th, 1928, and the Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro on October 10th, 1933, on the initiative of the Argentine Republic, which treaties fall within the scope of Article 21 of the Covenant and, like the Covenant, are designed to ensure the maintenance of peace ;

"Considering that another problem already envisaged by the League of Nations is also connected with the question of the application of the principles of the Covenant — namely, the prohibition, in virtue of the provisions of the Covenant, of the supply of arms and war material to belligerents — a problem the study of which was entrusted by the Council to a Special Committee, which suspended its work owing to the fact that the Assembly was also dealing with the question of the application of the principles of the Covenant :

"Decides to set up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Committee to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued."

I ask the Assembly to be good enough to take a decision at once on this draft resolution, which, under the Rules of Procedure, is a procedure resolution submitted by the General Committee.

The delegation of Chile has asked to speak. I call upon the delegate of Chile to address the Assembly.

M. Garcia-Oldini (Chile) :

Translation : We are now at the second stage in the initiative set on foot by the Government of Chile for studying the Covenant, and for seeking, in universality, the best guarantee of the efficacy of the League, an initiative which, as the Assembly will recall, led to the resolution of July 4th last. The Chilean Government regrets that the last Assembly did not decide to extend the scope of the consultation to States which are not members of the League, and the Chilean delegation therefore proposes the following draft resolution :

"With a view to ensuring the universality of the League of Nations, which is an essential condition of its efficacy and success, the Assembly deems it necessary to ascertain the views of States not members of the League, either through direct enquiry or by the convening of a diplomatic conference."

The President :

Translation : The Assembly has heard the remarks of the Chilean delegation. These constitute a proposal concerning the substance of the

question and not merely the procedure to be followed. They are therefore connected rather with the preamble of the text drawn up by the General Committee than with that Committee's resolution, which is intended solely to recommend the setting-up of a Special Main Committee.

I suggest that the Assembly should refer the Chilean proposal, together with the other questions which its General Committee suggests should be so dealt with, to the Special Main Committee, upon whose constitution the Assembly will now have to decide. If the Chilean delegate has no observations to offer on this point, I shall interpret his silence as a sign that he is in agreement with my suggestion, and I therefore propose that the Assembly should simply include the question raised by the Chilean delegate with the others to be submitted to the Special Main Committee.

The President's proposal was adopted.

The resolution proposed by the General Committee was adopted.

The President :

Translation : By its adoption of the draft resolution submitted to it by the General Committee, the Assembly has decided to set up a Special Main Committee, under Rule 14 of the Rules of Procedure. This will be an Assembly Committee on which all the delegations will be represented, and it will be similar to the six Committees which the Assembly sets up every year.

I therefore request delegations to appoint their respective representatives on this new Committee at once, and to enter their names on the special forms which will be handed to them for this purpose by the Secretariat.

The first meeting of this new Committee will take place to-morrow, Friday, at 10 a.m.

It will first elect its President, and will then begin the work assigned to it by the resolution adopted by the Assembly on the proposal of its General Committee.

51. — CREDENTIALS OF DELEGATES: THIRD REPORT OF THE COMMITTEE ON CREDENTIALS.

The President :

Translation : M. Politis, Rapporteur of the Credentials Committee, will address the Assembly.

M. Politis (Greece), Rapporteur of the Credentials Committee :

Translation : The Credentials Committee, which was appointed by the Assembly to verify the credentials of delegates, met again to-day, October 8th, 1936, in the President's room in the Salle du Conseil Général, at 5.30 p.m., at the request of the President of the Assembly, to examine the credentials of delegates of States which, though not Members of the League, are parties to the Statute of the Permanent Court of International Justice, and which, according to the Assembly's decision of October 3rd¹ and under Article 4 of the Statute of the Court, may participate in the vote for the election of judges of the Court.

The Committee has examined the documents submitted by two non-member States — Brazil and Japan — which were communicated to it by the Secretary-General of the League.

Brazil sent a letter signed by His Excellency M. José Thomas Nabuco de Gouvêa, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, communicating the text of a telegram which he had received from his Government, appointing him jointly with the Consul-General of Brazil at Geneva, M. J. C. Muniz, to take part in the election of judges of the Permanent Court of International Justice.

¹ See pages 105 and 130.

The Acting-Director of the Japanese Bureau for International Conferences at Geneva also communicated a telegram from the Japanese Minister for Foreign Affairs accrediting M. Masayuki Yokoyama and M. Yoshitana Kiuchi and authorising them to participate, as representatives of the Japanese Government, in the election of judges by the Council and the Assembly to fill the vacancies on the Permanent Court of International Justice.

In view of the very short time granted to non-member States between the adoption by the Assembly of its resolution of October 3rd, 1936, and to-day's election of judges of the Court, and also in view of the distance of these States from Geneva, it has not been possible for them to send the Committee full powers in good and due form. The Committee, therefore, confined itself to examining the documents mentioned above, which it deemed sufficient to allow the delegates to participate in the voting for the election of the judges.

At the same meeting, the Committee examined the new documents submitted by the delegations of China, Iraq and Turkey, which, according to its report of September 21st last,¹ did not wholly satisfy the provisions of Rule 5, paragraph 2, of the Rules of Procedure of the Assembly.

The credentials presented by the delegation of China were issued by the President of the National Government of the Republic, those of the delegation of Turkey by the President of the Turkish Republic and those of the delegation of Iraq by the Minister for Foreign Affairs.

The Committee is of opinion that the delegates of China, Iraq and Turkey have been duly accredited to take part in the work of this session of the Assembly.

The President :

Translation : The delegations have heard the report of the Credentials Committee, from which it appears that the representatives of Brazil and Japan have the necessary credentials to take part in the election of judges of the Permanent Court of International Justice.

I invite the representatives of Brazil and Japan to take their places among us for the purpose of participating in this election, and I offer them a welcome.

I thank the Rapporteur of the Committee on Credentials.

(The representatives of Brazil and Japan took their places in the Assembly.)

52. — ELECTIONS TO FILL THE VACANCIES AMONG THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

The President :

Translation : On October 3rd, the delegations received a note* from me containing full particulars of the procedure which will be followed during the two elections of members of the Court.

Accordingly, I need only call my colleagues' attention to certain matters of detail.

ELECTION TO FILL THE TWO VACANCIES CAUSED BY THE DEATH OF M. SCHÜCKING AND THE RESIGNATION OF MR. KELLOGG.

The President :

Translation : We shall now proceed to elect judges to fill the two vacancies caused by the death of M. Schücking and the resignation of Mr. Kellogg.

The only candidates eligible are those whose names appear on the list distributed to members of the Assembly and bearing the names of candidates submitted for the two seats in question.

¹ See page 35.

* Document A.51.1936.V.

I have to inform the Assembly that two of the candidates whose names appear on the list communicated to delegations have informed the Secretary-General that they could not accept the appointment if elected. These are M. Cemil Bilsel (Turkey) and Mr. H. L. Stimson (United States of America). The Assembly will note that these candidatures have been withdrawn.

Successive ballots will be held until two candidates have obtained an absolute majority of votes.

The Council, which sits simultaneously with the Assembly, will proceed in the same manner. It will communicate to me in a sealed envelope the names of the two candidates who have obtained the requisite majority in the Council.

I shall then compare the two lists and, if both electoral bodies have chosen the same persons, I shall pronounce them elected judges of the Court.

If, on the other hand, it is still necessary to fill one or both of the seats, the Assembly and the Council will immediately hold a fresh election.

I would remind you that any voting-paper bearing more than two names, or, if one of the two seats has been filled, any paper bearing more than a single name, will be regarded as invalid.

I will ask M. Politis, delegate of Greece, and M. Motta, delegate of Switzerland, to act as tellers.

(M. Politis and M. Motta took their places on the platform as tellers.)

(The votes of the delegations were taken in turn by secret ballot.)

The President :

Translation : The result of the ballot is as follows :

Number of States voting	54
Blank or spoiled voting-papers	1
Valid voting-papers	53
Absolute majority	27

The analysis of the voting is as follows :

Mr. Manley O. Hudson	48
M. Åke Hammarskjöld	38
M. Victor Bruns	9
M. Ladislav Gajzágó	2
M. Eduardo Suárez Aranzolo	2
M. Charles Duzmans	2
M. Münir Ertekin	1
M. J. M. Yepes	1
M. Walther Simons	1
M. J. Redlich	1

Mr. Hudson and M. Hammarskjöld having obtained an absolute majority at the first ballot, I declare them elected by the Assembly.

I have just received the following letter from the President of the Council :

"I have the honour to inform you that, in accordance with the Statute of the Permanent Court of International Justice, the Council has elected M. Hammarskjöld and Mr. Hudson.

(Signed) DE PORTO SEGURO."

The results of the elections held by the Assembly and the Council are therefore the same.

Consequently, the necessary conditions having been fulfilled, I declare Mr. Hudson and M. Hammarskjöld elected judges of the Permanent Court of International Justice.

I thank the tellers for their assistance.

I propose that the Assembly should suspend its meeting for fifteen minutes.

(The meeting was suspended at 7.10 p.m. and resumed at 7.25 p.m.)

ELECTION TO FILL THE VACANCY CAUSED BY THE RESIGNATION OF M. WANG CHUNG-HUI.

The President :

Translation : We will now proceed to the second election, to fill the vacancy caused by the resignation of M. Wang Chung-Hui. The list of eligible candidates has already been circulated to the Assembly.

The procedure to be followed is exactly the same as for the election which has already been held. Each voting-paper, however, must contain only one name.

I will ask M. Bastid, delegate of France, and M. Lange, delegate of Norway, to take their places on the platform as tellers.

(M. Bastid and M. Lange took their places on the platform as tellers.)

The President :

Translation : The vote will be taken by secret ballot.

(The votes of the delegations were taken in turn by secret ballot.)

The President :

Translation : The result of the ballot is as follows :

Number of States voting	53
Valid voting-papers	53
Absolute majority	27

The analysis of the voting is as follows :

Dr. Cheng Tien-Hsi	31
M. Münir Ertekin	18
M. Miguel Cruchaga Tocornal	2
M. Eduardo Suárez Aranzolo	1
Sir Tej Bahadur Sapru	1

Dr. Cheng Tien-Hsi having obtained the requisite majority of votes, I declare him elected by the Assembly.

I have just received the following letter from the President of the Council :

“ I have the honour to inform you that, in accordance with the Statute of the Permanent Court of International Justice, the Council has elected M. Münir Ertekin.

(Signed) DE PORTO SEGURO.”

The Assembly will note that the results of the elections that have taken place in the Council and Assembly respectively are not the same, the Assembly having elected Dr. Cheng Tien-Hsi and the Council having elected M. Ertekin.

Consequently, a further election will be held by the Assembly simultaneously with the Council.

I will ask the tellers to continue to assist us. The vote will be taken by secret ballot.

(The votes of the delegations were taken in turn by secret ballot.)

The President :

Translation : The result of the ballot is as follows :

Number of States voting	51
Blank or spoiled voting-papers	1
Valid voting-papers	50
Absolute majority	26

The analysis of the voting is as follows :

Dr. Cheng Tien-Hsi	30
M. Münir Ertekin	17
M. Miguel Cruchaga Tocornal	2
M. Eduardo Suárez Aranzolo	1

Dr. Cheng Tien-Hsi having obtained the requisite majority, I declare him elected by the Assembly.

I have now received the following letter from the President of the Council :

“ I have the honour to inform you that, in accordance with the Statute of the Permanent Court of International Justice, the Council has elected Dr. Cheng Tien-Hsi.

(Signed) DE PORTO SEGURO.”

The Assembly will note that the results of the elections held by the Assembly and by the Council respectively are now the same.

Consequently, the necessary conditions having been fulfilled, I declare Dr. Cheng Tien-Hsi elected a judge of the Permanent Court of International Justice.

Before we resume our work, I should like to greet once more the representatives of Brazil and Japan, who have taken their seats among us, and to thank the tellers for their kind assistance.

53. — REPORTS OF COMMITTEES SUBMITTED TO THE ASSEMBLY FOR APPROVAL IN ACCORDANCE WITH THE PROVISIONS OF RULE 14(a) OF THE RULES OF PROCEDURE.

The President :

Translation : The next item on the agenda is the examination of the reports submitted to the Assembly by the Committees, in accordance with the provisions of Rule 14(a) of the Rules of Procedure.

The reports grouped under this item of the agenda have been notified to me by the Chairmen of the various Committees concerned as those to which the simplified procedure in question is to apply.

Moreover, no delegation has informed me, since the decisions taken on the subject by the Committees, that it wishes a discussion to be opened on these reports. I therefore propose that the Assembly should, without further procedure, take note of the following reports and adopt the resolutions contained therein :

- I. Work of the Health Organisation.
Report of the Second Committee.
Resolutions. (Document A.61.1936.II.)
- II. Traffic in Women and Children.
Report of the Fifth Committee.
Resolutions. (Document A.62.1936.V.)
- III. Traffic in Opium and Other Dangerous Drugs.
Report of the Fifth Committee.
Resolutions. (Document A.63.1936.XI.)

The Assembly took note of the above reports, and adopted the resolutions accompanying them (Annex 5, page 130).

- IV. Nutrition.
Report of the Second Committee.
Resolutions. (Document A.59.1936.II.B.)

The President :

Translation : The Rapporteur of the Second Committee on Nutrition Questions, M. Queuille, delegate of France, has been instructed by that Committee, in submitting his report, to make certain comments in support of its conclusions.

I therefore invite M. Langenhove, Chairman, and M. Queuille, Rapporteur, of the Second Committee, to take their places on the platform.

(M. Langenhove and M. Queuille took their places on the platform.)

M. Queuille (France):

Translation: Most of the problems bearing upon the future of the nations and of mankind contain many complex and uncertain factors. Accordingly, those who have to solve those problems are tempted either to adduce "unknown" factors in order to put off a decision, or to take into account only the particular "data" that enable them to justify their former opinions, to allay their chief anxieties or to serve the interests that are more particularly placed in their charge. The results are systematic opposition and fruitless discussion, unless one is wise enough to be content with partial solutions which are inevitably provisional. Even such solutions, however, are still capable of effecting progress.

This kind of law applies to the nutrition problem too.

Do not scientists, as the outcome of their own special researches or their personal discoveries, sometimes give prominence to one element or another that is necessary for man's food? Moreover, they do not always seem to be in complete agreement; and can they ever claim to solve all the mysteries that lie concealed in "man, the unknown"?

Economists are wondering whether new nutrition habits will not have a dangerously disturbing effect on the marketing of certain commodities. With an eye particularly to under-consumption, which is found to exist in various regions and various social classes, they sometimes say that the essential step to be taken, if progress is to be made, is to provide these classes with foodstuffs in sufficient quantities.

Hence the nutrition problem may clearly raise questions associated with the reduction of unemployment, the development of the consumers' purchasing-power, social assistance, international solidarity, the transfer of foreign exchange, trade and improved methods of distributing products.

Accordingly, if its work was to be practical and useful, the Second Committee's duty was to limit its ambitions and to try, above all, to define what progress is now possible in order to secure improved nutritional hygiene.

The Committee's task was greatly facilitated through the work done by the League Health Organisation and the Committee of Experts, which was presided over with such authority and ability by Lord Astor. The Second Committee unreservedly approved this Committee's conclusions, and it asks the Assembly to adopt them. The texts submitted to you seem above criticism, and they cannot leave Governments indifferent.

From the scientific point of view, it is surely desirable to encourage everywhere research-workers who, by their discoveries, can reveal more clearly the physiological laws that govern the health of man. It is no longer questioned that the harmonious development of animal and even vegetable species is largely the outcome of the food they are given. Everywhere studies are being made of zootechnics and vegetable biology, with a view to determining the dietary conditions that are most favourable to these living beings. Breeders may congratulate themselves if they apply unhesitatingly the results obtained by these studies.

Should not man himself be given the benefit of similar treatment, so as to enable him to obtain, from judiciously selected nutritive substances, the factors making for strength, physical fitness and health?

On the initiative of the League's Health Organisation, a number of distinguished scientists met in London and determined the nature and quantity of the basic nutritive elements which ought normally to be given to human beings. They empha-

sised the serious consequences of certain lacunæ and certain states of nutritional disequilibrium. If we follow the line they have marked out, we shall be free from disease. It is therefore important that the demonstrations that have been made of the part played by certain foodstuffs should not remain unknown. Nor should it now be possible for a mother to make unwittingly such mistakes in the diet she gives her child as will cause rachitic or scorbutic affections.

The Governments should therefore be asked to promote scientific research and to carry out the very necessary work of making its results known to the public and putting them into practice.

The development of such special teaching, involving new practices in nutrition, will inevitably affect the social and economic policies of the different countries. It will, in fact, cause the Governments to try to provide for the populations of their countries food supplies that will be normal both in quantity and in quality.

This action must be taken, first of all, in regard to "vulnerable groups", particularly children, nursing or expectant mothers, and convalescents.

This action will help to promote the marketing of certain products which are of primary importance as protective foods, such as milk, and so will allay the anxiety felt by economists for the marketing of agricultural products.

New dietary habits and practices will involve a change in the demand for these commodities. But, in the interest of agriculture, would it not be desirable at once to endeavour — with a view to the measures of adaptation that will be necessary — to determine what the new needs to be met will be? The laws of science and progress cannot be defied for long.

Undeniably, knowledge of the part played by vitamins has led to an increase in the consumption of fruit and green vegetables. Undeniably, too, the opinion of physiologists on the food value of heavily milled wheat-flour has helped in some countries to reduce the consumption of bread. It is to the interest of agriculturists, flour-millers and the Governments of wheat-producing countries not to neglect this opinion of the scientists and doctors, and to return to the use of lightly milled flours the use of which is recommended.

It is clearly to the interest of agriculturists and Governments to arrange their productions so as to enable them to meet the demand for certain commodities the consumption of which will be increased with the spread of scientific ideas in the matter of nutritional hygiene.

In order to prepare the way for this development of agricultural production, the existing economic situation in each country must be studied, and investigations must be made among the various classes of the population. These studies and investigations, like the co-ordination of all efforts to improve nutrition, must be carried out under the direction of national organisations on which the various interests concerned will be represented.

Several countries have already set up National Nutrition Councils or Committees, and it is greatly to be hoped that their example will be followed elsewhere. At its very first session, in February 1936, the Mixed Committee made the creation of such bodies the subject of an express recommendation. These Committees, whose composition and methods must be in keeping with the administrative practice and traditions of each country, have an essentially national purpose.

Even so, they would, if set up in a large number of countries, make a great contribution to international co-operation. At a later stage, it would be necessary to co-ordinate their activities on the international plane, and to afford their responsible

chiefs an opportunity of comparing their several experiences in the pursuit of common ends.

The economic aspects of the nutrition problem should be more deeply gone into, since any change of direction in this study should contribute to the solution of agricultural problems and hence to the improvement of the world economic situation.

The Mixed Committee should be instructed to follow the work of these bodies, to collect the results they obtain and to co-ordinate their conclusions and embody them in a final report to be submitted to the next Assembly.

Accordingly, the draft recommendations submitted to you offer the Governments a programme of work which can be set in hand immediately, to be followed by preparations for more distant action by means of fresh enquiries on a national scale. The results of these enquiries will be collated and compared by your technical or special organisations.

By this action, by this programme that has been drawn up by the most highly qualified representatives of science in co-operation with economists, with the International Labour Office and with the International Institute of Agriculture, a great improvement should be effected in the life of mankind.

If the recommendations submitted to you are favourably received and acted upon in every country, it is not, I think, too much to say that the League of Nations will have rendered great service in combating disease, that enemy of mankind that is still harder to slay than war.

The President :

Translation : If there are no observations, I shall consider that the Assembly takes note of the Second Committee's report and adopts the resolutions accompanying it.

The Assembly took note of the report and adopted the resolutions accompanying it (Annex 5, page 132).

SIXTEENTH PLENARY MEETING

Saturday, October 10th, 1936, at 10 a.m.

CONTENTS.

54. COMMISSION OF ENQUIRY FOR EUROPEAN UNION.
Resolution proposed by the General Committee of the Assembly.

55. REPORTS OF COMMITTEES FOR THE PRESENTATION OF WHICH THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 14 (a) OF THE RULES OF PROCEDURE IS NOT APPLIED.

I. Composition of the Supervisory Commission.
Report of the Fourth Committee.
Resolution.

II. Constitution, Procedure and Practice of the Committees of the League of Nations.
Report of the Second Committee.
Resolutions.

III. Work of the Communications and Transit Organisation.
Report of the Second Committee.
Resolution.

56. REPORTS OF COMMITTEES SUBMITTED TO THE ASSEMBLY FOR APPROVAL IN ACCORDANCE WITH THE PROVISIONS OF RULE 14 (a) OF THE RULES OF PROCEDURE.

I. International Repression of Terrorism.
Report of the First Committee.
Resolution.

II. Rules of Procedure of the Assembly.
Report of the First Committee.
Resolutions.

III. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States.
Report of the First Committee.
Resolution.

IV. Reduction and Limitation of Armaments.
Report of the Third Committee.
Resolution.

V. Assistance to Indigent Foreigners.
Report of the Fifth Committee.
Resolution.

VI. Penal and Penitentiary Questions.
Report of the Fifth Committee.
Resolution.

VII. Child Welfare.
Report of the Fifth Committee.
Resolutions.

VIII. International Relief Union.

Report of the Fifth Committee.
Resolution.

IX. Mandates.

Report of the Sixth Committee.
Resolution.

X. Work of the Intellectual Co-operation Organisation.

Report of the Sixth Committee.
Resolutions.

57. APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS AND PROBLEMS CONNECTED THEREWITH.

Report of the Special Main Committee.
Resolution.

President : M. SAAVEDRA LAMAS.

54. — COMMISSION OF ENQUIRY FOR EUROPEAN UNION: RESOLUTION PROPOSED BY THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The Assembly will remember that, at its third meeting, on September 22nd, 1936,¹ it referred to its General Committee for preliminary consideration question No. 6 (a) on the agenda of the present session : Commission of Enquiry for European Union.

The General Committee of the Assembly, having considered the question, has decided to submit for the approval of the Assembly a resolution based on those adopted by the Assembly on the same subject at its previous sessions.

This resolution, drawn up by the General Committee, has been submitted to the delegations in document A.60.1936.VII. It reads as follows :

" The Assembly,

" Having consulted its General Committee on the procedure to be followed with regard to the question appearing on the agenda for the session as Item 6 (a) (Commission of Enquiry for European Union) :

¹ See page 39.

"Notes that circumstances have been such that the Commission has been unable to meet since the last session ;

"And decides, such being the case, to renew the mandate of the Commission of Enquiry for European Union for the coming year and to place the question on the agenda for the next session of the Assembly."

If there are no observations, I shall consider that the Assembly approves the resolution submitted to it by its General Committee regarding the renewal of the mandate of the Commission of Enquiry for European Union.

The resolution was adopted.

55. — REPORTS OF COMMITTEES FOR THE PRESENTATION OF WHICH THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 14 (a) OF THE RULES OF PROCEDURE IS NOT APPLIED.

The President :

Translation : The next item on the agenda is the examination of reports of Committees for the presentation of which the simplified procedure provided in Rule 14 (a) of the Rules of Procedure is not applied.

I. COMPOSITION OF THE SUPERVISORY COMMISSION : REPORT OF THE FOURTH COMMITTEE : RESOLUTION.

The President :

Translation : The first of these reports is that of the Fourth Committee on the composition of the Supervisory Commission.

(On the invitation of the President, M. Guani, Chairman of the Fourth Committee, and M. Harri Holma, Rapporteur, took their places on the platform.)

The President :

Translation : M. Harri Holma will address the Assembly.

M. Holma (Finland), Rapporteur :

Translation : I have the honour to submit to the Assembly the report adopted by the Fourth Committee and the accompanying resolution (document A.76.1936.X).

The President :

Translation : If no delegate wishes to speak, I shall consider the resolution proposed by the Fourth Committee as adopted.

The resolution was adopted (Annex 6, page 134).

The President :

Translation : The Assembly, having adopted the resolution of the Fourth Committee on the composition of the Supervisory Commission, the Fourth Committee will now proceed to elect the new member of the Supervisory Commission, and to appoint the three members of the Committee set up to consider what amendments it might be desirable to make in Article 1 of the Financial Regulations.

I will therefore ask the Fourth Committee to meet for this purpose at 11 a.m., and to draw up a report which will be placed on the agenda of this afternoon's meeting.

II. CONSTITUTION, PROCEDURE AND PRACTICE OF THE COMMITTEES OF THE LEAGUE OF NATIONS : REPORT OF THE SECOND COMMITTEE : RESOLUTIONS.

III. WORK OF THE COMMUNICATIONS AND TRANSIT ORGANISATION : REPORT OF THE SECOND COMMITTEE : RESOLUTION.

The President :

Translation : We have now to examine two other reports, to which the Second Committee requested that the simplified procedure provided by Article

14 (a) of the Rules of Procedure should be applied. These are the report of the Second Committee on the Committees of the League of Nations (document A.77.1936) and that of the Second Committee on the work of the Communications and Transit Organisation (document A.78.1936.VIII).

It has not been possible, however, to circulate the final text of these reports to the delegations, as the Rules of Procedure require, twenty-four hours before bringing them up in plenary session of the Assembly.

For this reason, I thought it better to consult the two Rapporteurs of the Second Committee and the Assembly itself before calling upon the latter to take a decision as to the adoption of these two reports.

M. de Vasconcellos, delegate of Portugal, will address the Assembly on the report of the Second Committee relating to the Committees of the League of Nations.

M. de Vasconcellos (Portugal) :

Translation : In the Second Committee, the Portuguese delegation made a reservation regarding the Health Organisation, and I should like that reservation to be included in the records of the Assembly. We are of opinion that the Organisation should only be called upon to act in agreement with the Office international d'Hygiène publique.

The President :

Translation : The Assembly will take note of this statement by the delegate of Portugal, which will be included in the records.

If the two Rapporteurs concerned do not wish to speak, and if no delegation has any observations to make, I shall consider that the Assembly wishes to approve, without further procedure, both of these reports and to adopt the accompanying resolutions.

The resolutions were adopted (Annex 6, pages 134 and 135).

56. — REPORTS OF COMMITTEES SUBMITTED TO THE ASSEMBLY FOR APPROVAL IN ACCORDANCE WITH THE PROVISIONS OF RULE 14 (a) OF THE RULES OF PROCEDURE.

The President :

Translation : The next item on the agenda is the examination of reports submitted to the Assembly by the Committees in accordance with the provisions of Rule 14 (a) of the Rules of Procedure.

The reports grouped under this item of the agenda were notified to the President of the Assembly by the Chairmen of the various Committees concerned as reports to which the simplified procedure in question is to be applied.

Moreover, since the decisions taken on this subject by the Committees, no delegation has informed the President that it wishes to open a discussion on these reports.

Consequently, in application of the provisions of the Rules of Procedure which I have just mentioned, I propose that the Assembly should, without further procedure, take note of the following reports and adopt the resolutions contained therein :

I. International Repression of Terrorism.

Report of the First Committee.

Resolution. (Document A.72.1936.V.)

II. Rules of Procedure of the Assembly.

Report of the First Committee.

Resolutions. (Document A.75.1936.V.)

III. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States.

Report of the First Committee.
Resolution. (Document A.74.1936.V.)

IV. Reduction and Limitation of Armaments.

Report of the Third Committee.
Resolution. (Document A.64.1936.IX.)

V. Assistance to Indigent Foreigners.

Report of the Fifth Committee.
Resolution. (Document A.68.1936.IV.)

VI. Penal and Penitentiary Questions.

Report of the Fifth Committee.
Resolution. (Document A.70.1936.V.)

VII. Child Welfare.

Report of the Fifth Committee.
Resolutions. (Document A.67.1936.IV.)

VIII. International Relief Union.

Report of the Fifth Committee.
Resolution.¹ (Document A.71.1936.
XII.)

IX. Mandates.

Report of the Sixth Committee.
Resolution. (Document A.69.1936.VI.)

X. Work of the Intellectual Co-operation Organisation.

Report of the Sixth Committee.
Resolutions. (Document A.66.1936.
XII.)

The Assembly took note of the above reports and adopted the resolutions accompanying them (Annex 6, pages 135 to 140).

57. — APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS AND PROBLEMS CONNECTED THEREWITH: REPORT OF THE SPECIAL MAIN COMMITTEE: RESOLUTION.

The President :

Translation : The next item on the agenda is the question of the application of the principles of the Covenant of the League of Nations and problems connected therewith.

The Assembly will note that certain other questions were entered under this heading on the agenda of the present session :

(a) Bringing the Covenant of the League of Nations into harmony with the Pact of Paris ;

(b) Treaty of Non-Aggression and Conciliation concluded at Rio de Janeiro ;

(c) Supply of Arms and War Material to Belligerents.

¹ *Note by the Secretariat.* — The fourth paragraph of the resolution, as reproduced in document A 71.1936. XII, should read as follows :

" Expresses the hope that the Executive Committee of the Union may, thanks to the authority that the Union has acquired, continue to exert its beneficent influence."

The Special Main Committee set up by the Assembly at its fifteenth meeting on October 8th, 1936,¹ has submitted a report (document A.83.1936.VII) on these different questions from the standpoint of the procedure to be followed with a view to their study.

The Chairman of the Special Main Committee has informed me that the Committee decided in favour of submitting its report to the Assembly in accordance with the simplified procedure provided in Rule 14 (a) of the Rules of Procedure.

Consequently, although it has not been possible to communicate the printed text of the report to delegations twenty-four hours before the meeting, I think I shall meet the Assembly's wishes if I grant the Special Main Committee's request.

I would remind the Assembly that the Hungarian delegation announced in the Special Main Committee² its decision to abstain from voting at the plenary meeting.

The Chairman of the Special Main Committee, will address the Assembly.

Mr. Bruce (Australia). — I desire to make an alteration in the text of the report. On page 2 there is set out a list of Members of the League, which, it is suggested, should be Members of the Committee to be constituted. That list includes Ecuador, but I have been advised that, owing to the departure of the representative of that country on a new mission, and to the necessary lapse of time before the arrival of his successor, it will not be possible for Ecuador to nominate a representative. As the Special Main Committee entrusted me with the task of making a recommendation regarding the States to be represented on the Committee, I propose the substitution of Colombia for Ecuador.

The President :

Translation : The Assembly takes note of the statement made by the Rapporteur.

M. García-Oldini, delegate of Chile, wishes to speak, in order to explain his vote.

M. García-Oldini (Chile) :

Translation : In view of the short time available and of the fact that it has been materially impossible for me to receive instructions from my Government, I shall abstain from voting.

The President :

Translation : The Assembly has heard the explanation which the Chilean delegate wished to give as to why his delegation will abstain from voting on the report of the Special Main Committee.

The Assembly also takes note of the fact that the delegate of Hungary will also abstain from voting.

If there are no other observations and if no delegation wishes to speak, I shall regard the report of the Special Main Committee, as amended by the Rapporteur, and the resolution accompanying it as adopted.

The resolution was adopted (Annex 6, page 141).

¹ See page 108.

² See *Official Journal*, Special Supplement No. 162, page 26.

SEVENTEENTH PLENARY MEETING

Saturday, October 10th, 1936, at 3.30 p.m.

CONTENTS

58. STATUS OF WOMEN: COMMUNICATION, DATED SEPTEMBER 30TH, 1936, FROM THE WOMEN'S CONSULTATIVE COMMITTEE ON NATIONALITY.

Letter from Certain Delegations requesting the inclusion of this item in the Agenda of the Next Ordinary Session of the Assembly.

59. ACCEPTANCE OF THEIR ELECTION BY THE NEW JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

Communication by the President.

60. REPORTS OF COMMITTEES FOR THE PRESENTATION OF WHICH THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 14 (a) OF THE RULES OF PROCEDURE IS NOT APPLIED.

I. Economic and Financial Questions.

Report of the Second Committee.
Resolutions.

II. International Assistance to Refugees.

Report of the Sixth Committee.
Resolutions.

III. Financial Questions.

General Report of the Fourth Committee.
Resolutions.

IV. Contributions in Arrear.

Report of the Fourth Committee.
Resolution.

V. Allocation of the Expenses of the League.

Report of the Fourth Committee.
Resolution.

VI. Composition of the Supervisory Commission.

Report of the Fourth Committee.

61. CLOSING SPEECH BY THE PRESIDENT.

President: M. SAAVEDRA LAMAS.

58. — STATUS OF WOMEN: COMMUNICATION, DATED SEPTEMBER 30TH, 1936, FROM THE WOMEN'S CONSULTATIVE COMMITTEE ON NATIONALITY: LETTER FROM CERTAIN DELEGATIONS REQUESTING THE INCLUSION OF THIS ITEM IN THE AGENDA OF THE NEXT ORDINARY SESSION OF THE ASSEMBLY.

The President:

Translation: I have received to-day a letter signed jointly by several delegations, which reads as follows:

"The following delegations have noted the communication regarding the status of women addressed to the Assembly by the Women's Consultative Committee on Nationality as reported in the *Assembly Journal* of October 1st. We consider that, in the present crisis in human affairs, it is important that the League of Nations should encourage the co-operation of all elements not now fully represented among us, and we therefore deem it wise for the League to consider the wishes of international groups of women as of all other groups.

"Since the General Committee of the Assembly has not found it possible to consider at this session the communication from the Women's Consultative Committee on Nationality, the following delegations beg to request that the subject of this communication, together with the whole question of the status of women, be included in the agenda of the next ordinary session of the Assembly."

The delegates who have signed this letter are the following:

F. ASLANI (Albania), A. COSTA DU RELS (Bolivia), N. MOMTCHLOFF (Bulgaria), V. K. WELLINGTON KOO (China), G. TURBAY (Colombia), G. DE BLANCK (Cuba), S. OSUSKÝ (Czechoslovakia), G. ZALDUMBIDE (Ecuador), R. HOLSTI (Finland), Constantin MAYARD (Haiti), A. KAMPE (Latvia), W. J. JORDAN (New Zealand), N. SADAK (Turkey), Alexandra KOLLONTAI (Union of Soviet Socialist Republics), I. SOUBBOTITCH (Yugoslavia).

This communication contains a request from certain States Members of the League to have a question placed on the agenda of the next ordinary session of the Assembly. The present Assembly is therefore not called upon to take any decision on the subject. The Secretary-General will take the necessary steps to give effect to this request.

59. — ACCEPTANCE OF THEIR ELECTION BY THE NEW JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE: COMMUNICATION BY THE PRESIDENT.

The President:

Translation: Immediately after the elections of the three judges to the Permanent Court, which took place on Thursday last,¹ the Secretary-General notified the three persons concerned of their election. I am happy to be able to inform the Assembly that the Secretary-General has received replies from the three judges — M. Cheng Tien-Hsi, M. Hammarskjöld and Professor Manley Hudson — to the effect that they accept their election.

60. — REPORTS OF COMMITTEES FOR THE PRESENTATION OF WHICH THE SIMPLIFIED PROCEDURE PROVIDED IN RULE 14 (a) OF THE RULES OF PROCEDURE IS NOT APPLIED.

The President:

Translation: The next item on the agenda is the examination of the reports of Committees for the presentation of which application of the simplified procedure has not been requested.

Consequently, for the examination of these reports, I shall follow the practice established by my predecessors and shall ask the Rapporteur and the Chairman of the Committee to come to the platform.

¹ See page 110.

I. ECONOMIC AND FINANCIAL QUESTIONS : REPORT OF THE SECOND COMMITTEE : RESOLUTIONS.

The President :

Translation : The first of these reports is that of the Second Committee on Economic and Financial Questions (document A.79.1936.II.B).

(On the invitation of the President, M. van Langenhove, Chairman of the Second Committee, and M. Spinasse, Rapporteur, took their places on the platform.)

The President :

Translation : M. Spinasse, Rapporteur, will address the Assembly.

M. Spinasse (France), Rapporteur :

Translation : In submitting to the Assembly the report adopted by its Second Committee, I should like on behalf of that Committee and, if I may, on behalf of the French delegation, to refer very briefly to the anxiety we are all feeling, and at the same time to affirm our ardent belief in better days to come and our determination to extend still further the new prospects now opened up for the future of the world.

For many countries, these last years will go down in history as years of misfortune. We shall remember only the ills that beset people of all ages without discrimination : young people anxious as to their future, old people everywhere cast out, workers standing with idle hands.

Yet, in a reflex of instinctive egoism, each nation retired within itself, in the belief that it could elude poverty and defend itself better than others against the contagion of poverty. Amid the disturbing political and social difficulties which arose from time to time, each nation endeavoured to apply particular remedies to the general misfortune, and not until the present session took place has any collective action been announced.

It is true that the policy of protectionism is as old as the world itself. It is a policy to which countries naturally resort. Since the war, however, and especially since the depression, they have devised new practices which have made the situation worse. And as such a policy enables certain artificial activities to continue, and as the routine habits of Government departments and the intellectual bankruptcy of the Governments themselves do not hinder its application, it has seemed convenient and beneficial.

It was used in the first place to protect undertakings, set up as an outcome of the war, which had difficulty in adjusting themselves to peace-time requirements, and also to enable new countries to acclimatise certain forms of agriculture and industry which had been artificially created.

Then, as the depression went on, and world prices fell, quotas were devised, to prevent internal prices from collapsing, and exchange control, to acquire the raw materials essential for the existence of countries which saw their former outlets gradually being closed.

This policy became general because its promoters did not at first realise its inevitable results. Fallacious arguments, such as the necessity of keeping the balance of trade steady, of preventing or remedying unemployment, of keeping up the price-level by Customs duties, all blinded people to the true immediate consequences — the disturbance of the balance of payments, the impossibility of paying international debts, monetary instability, the decline in national standards of living through the systematic development of high costs of production, and, in sum, the prolongation of a depression that threatened alike social order and peace.

Then, clearly realising the mistakes which had been made, the Governments of the United States of America, the United Kingdom and France took joint action to establish new monetary parities.

The co-existence in the world of different systems of currency, and the clash between them, must inevitably lead to disorder. The important thing now, if we do not wish to be drawn again into a process of alternating inflation of all currencies, is to ensure the stability of parities and to maintain the greatest possible degree of equilibrium in the international money market.

After that, we shall return naturally — the conditions for such a return being then realised — to the general convertibility of currencies, and the equation of the currency levels by gold, which is the very meaning of the gold standard.

It is the development of science, which is always outrunning social progress, that is the cause of the great instability of the world, and such measures would be useless if they were not counterbalanced in the economic sphere by the progressive and speedy disappearance of all the obstacles to international trade, such as exchange control and quantitative restrictions on imports ; and, too, if they did not enable order to be restored in economic relations, the national standards of life to be raised, and world prosperity to be increased.

This is the spirit, and almost the letter, of the joint declaration which has found such a wide response that several countries, by their specific adherence to it in various forms, have already added to the hopes it has aroused.

Was not Mr. Neville Chamberlain right when he said that its effect, on those who were waiting and hoping for a change, had been like the effect produced, when the first crack in the ice appears at the approach of spring, on the explorer whose ship had for months been imprisoned in the Polar seas?

Immediately after the adoption of the Currency Law, the French Government, by unilateral action, abolished a quarter of the existing quotas, reduced by 20% all licence fees, and by 15 to 20% the duties levied on goods not subject to quotas. Could it have shown more clearly its firm desire to co-operate loyally and its anxiety to accede to the views so often expressed by the technical organs of the League?

It will pursue this new policy, which it is determined to follow in order both to limit the rise of internal prices and to facilitate the free circulation of goods, with all countries that are ready, like itself, to pass boldly from intentions to acts.

It will be to the credit of the League that it has prepared and launched the powerful movement which is to carry us all to a more confident and freer activity in the future.

Freedom, like war and like peace, is indivisible. It remains one under a variety of aspects — political, economic, social. My country has always believed that every country, like every man, has the right to be master of its own existence and, whatever the risk, to mark out its own destiny for itself. To-day our faith stands stronger than ever, because it is in freedom that the world will return to reason.

The President :

Translation : If there are no further observations, I shall consider the resolutions proposed by the Second Committee as adopted.

The resolutions were adopted (Annex 7, page 141).

II. INTERNATIONAL ASSISTANCE TO REFUGEES : REPORT OF THE SIXTH COMMITTEE : RESOLUTIONS.

The President :

Translation : The next item on the agenda is the report on international assistance to refugees (document A.73.1936.XII).

The Sixth Committee has informed me that it had decided to submit this report to the Assembly in accordance with the procedure provided for in

Article 14 (a) of the Rules of Procedure. It was not, however, found possible to communicate this report in its final form to delegations within a period of twenty-four hours, as laid down in the Rules of Procedure.

If the Rapporteur of the Sixth Committee does not desire to speak in support of his report, I shall at once ask the Assembly to take a decision on it.

I note that one of the resolutions accompanying the report regarding the Presidency of the Nansen International Office for Refugees involves the appointment by the Assembly, under Article 6 of the Statute of the Nansen International Office for Refugees, of M. Michael Hansson as President of the Governing Body of the Office until December 31st, 1938.

The Assembly will remember that the question of appointing the President of the Governing Body of the Nansen International Office for Refugees constituted Item 6 (b) of the agenda of the present session.

If there are no observations, I shall regard the resolutions proposed by the Sixth Committee as adopted, that adoption involving, *inter alia*, the appointment of M. Michael Hansson as President of the Governing Body of the Nansen International Office for Refugees for the period indicated.

The resolutions were adopted (Annex 7, page 142).

III. FINANCIAL QUESTIONS: GENERAL REPORT OF THE FOURTH COMMITTEE: RESOLUTIONS.

The President:

Translation: The next item on the agenda is the report of the Fourth Committee on financial questions, including the budget of the League of Nations for the financial year 1937 (document A.80.1936.X).

(On the invitation of the President, M. Guani, Chairman of the Fourth Committee, and M. Holma, Rapporteur, took their places on the platform.)

The President:

Translation: The Rapporteur will address the Assembly.

M. Holma (Finland), Rapporteur, submitted his report (document A.80.1936.X).

The President:

Translation: If there are no observations, I shall consider the resolutions proposed by the Fourth Committee as adopted; this decision involves the approval by the Assembly of the budget of the League of Nations for the next financial year.

The resolutions were adopted (Annex 7, page 144).

IV. CONTRIBUTIONS IN ARREAR: REPORT OF THE FOURTH COMMITTEE: RESOLUTION.

The President:

Translation: The next item on the agenda is the report of the Fourth Committee on contributions in arrear (document A.81.1936.X).

(On the invitation of the President, Sir Frederick Phillips, Rapporteur, took his place on the platform.)

Sir Frederick Phillips (United Kingdom), Rapporteur. — I have the honour, on behalf of the Fourth Committee, to submit for the approval of the Assembly a report presented by the Committee on Contributions in Arrear and adopted by the Fourth Committee.

During the past year, settlements have been effected, subject to the approval of the Assembly, in five cases. Fifty-two out of fifty-eight Member States are now in good standing with the League as regards the payment of their contributions, as compared with thirty-five States two years ago.

As the work of the Committee will, in future, be more concerned with questions affecting the payment of current contributions, it is proposed, if the Assembly approves, to change its title from that of Committee on Contributions in Arrear to that of Special Committee on Contributions.

I have the honour to move the resolution contained in the document before you.

The President:

Translation: If there are no observations, I shall consider the resolution proposed by the Fourth Committee as adopted.

The resolution was adopted (Annex 7, page 145).

V. ALLOCATION OF THE EXPENSES OF THE LEAGUE: REPORT OF THE FOURTH COMMITTEE: RESOLUTION.

The President:

Translation: The next item on the agenda is the report of the Fourth Committee on the allocation of expenses (document A.82.1936.X).

Sir Frederick Phillips (United Kingdom), Rapporteur. — I have the honour, on behalf of the Fourth Committee, to submit to the Assembly, for its approval, the report on the Allocation of Expenses dated October 9th, 1936.

The scale, which has been revised in many particulars, has been approved by the Fourth Committee after full discussion, and the Fourth Committee desires to pay a tribute to the spirit of goodwill displayed by many States adversely affected by the recommendations.

I have the honour to move the adoption of the resolution proposed by the Fourth Committee.

The President:

Translation: If there are no observations, I shall consider the resolution proposed by the Fourth Committee as adopted.

The resolution was adopted (Annex 7, page 145).

VI. COMPOSITION OF THE SUPERVISORY COMMISSION: REPORT OF THE FOURTH COMMITTEE.

The President:

Translation: The next item on the agenda is the report on the composition of the Supervisory Commission (document A.85.1936).

(On the invitation of the President, M. Holma, Rapporteur, took his place on the platform.)

The President:

Translation: M. Holma, Rapporteur, will address the Assembly.

M. Holma (Finland), Rapporteur, read his report (document A.85.1936).

The President:

Translation: The Assembly will take note, in particular, of the appointments which form the subject of this report, and which the Assembly is asked by the Fourth Committee to ratify.

If there are no observations, I shall consider the proposals made by the Fourth Committee concerning the composition of the Supervisory Commission as approved by the Assembly, which ratifies the appointments in question.

The proposals of the Fourth Committee were adopted (See Annex 6, page 134).

61. — CLOSING SPEECH BY THE PRESIDENT.

The President:

Translation: Each year, when it resumes its work, the Assembly examines the world situation. All signs of progress and all setbacks are revealed in the reports of the League's technical services.

It thus becomes possible to diagnose the prospects of a stable peace or to perceive the clouds which are gathering on the international horizon.

The seventeenth Assembly met in an atmosphere of uncertainty and anxiety. Tumultuous currents of change are agitating the political and social order. A prolonged struggle is going on between violent tendencies of innovation and the resistance of tradition. There is a crisis in the sphere of law, and it threatens to transform the structure of all our institutions. Conflicting ideologies are sweeping over civilised communities in the form of national upheavals of unprecedented magnitude. In view of these signs of the times, it may well be asked whether our civilisations are not on the verge of a final break-up, and whether we are not living at one of those moments of history which may adversely affect the destinies of the human race for many generations to come.

Such is the account given us by one of our research organisations in its earnest desire to assist in a constructive effort.

In opening your debates, I said that the great needs of the present time continue to be conciliation and mutual understanding, but that we must not be disheartened either by the diversity of our problems or by their unvarying complexity. I added that the Covenant must be improved, not only according to forms of law, but by restoring its moral influence and by giving it the force required to carry out its resolutions within the limits of prudence and a sense of responsibility.

The time has come for this Assembly to close its discussions and, in speaking once more before you, it is my duty to summarise the results. We have agreed, after hearing a full statement of all the proposals for reform which might strengthen our institution and increase collective security, that no changes can be sanctioned without careful study.

The opinions which I expressed at the outset have been confirmed in the course of our discussions: there are to be no amendments or interpretations going beyond the limits of procedure. All the judgments expressed have shown that the main preoccupation is that of universality. The importance of supplementary agreements and regional conventions has been recognised. The Committee appointed to consider the question of the application of the principles of the Covenant will give us the final formula with all the precision and fullness we desire.

The legitimacy of our aspirations for co-ordinating the Pact of Paris with the Covenant of the League of Nations and with the pact of non-aggression and conciliation of which we took the initiative has been recognised. The American Declaration of August 3rd, 1932, was endorsed at the last meeting of the Assembly in July¹ and was finally incorporated in European international public law by the Assembly which had been called together at our request to deal with a difficult situation and safeguard our principles. These principles have been maintained in the constitution of the present Assembly, and I shall always have pleasure in recalling that while I had the honour of presiding over its discussions we preserved those principles intact.

We shall continue our efforts to secure universal acceptance of what was originally an Argentine doctrine. We desire to ensure by conventional means the predominance of right over might in every part of the world. It may be said that, in view of the realities of the moment, such an attitude is Utopian. It may be greeted with sarcasm. Let us accept this sarcasm but let us recognise that certain tasks must be begun from the end and that this is how all great achievements

have been won. By persistence in the pursuit of an ideal, that ideal can be attained and converted into a reality.

In opening this Assembly's proceedings, I spoke to you of the interdependence of the political, economic and social factors, and I mentioned as an essential condition of securing a stable peace the removal of monetary anarchy and instability and of the multiple obstacles which stood in the way of the development of trade.

I must draw attention to the aggravation of a disquieting symptom — namely, the increase in armaments. The difficulties which stand in the way of restoring the international economic order, the economic depression which persists and the permanent barriers which have been set up intensify egoism and increase a latent state of war. Economic autarchy and nationalism going beyond all reasonable bounds maintain the evil and penetrate and dominate the minds of men.

When countries are thrown back on themselves, their distrust is accentuated and their suspicion is increased when faced with the great uncertainties of the future. This is the cause of the policy of intense rearmament, which absorbs capital and energy in unproductive undertakings, and the only result of which is to create factors and instruments intended for purely hostile purposes.

Rearmament brings with it the necessity of obtaining raw materials at all costs and, in certain cases, leads to a policy of forced exportation, which throws the international market into confusion. This creates the illusion that a new economic activity has been fostered, whereas, in reality, this activity is purely artificial. The spirit of insecurity rules, the contagion of armaments spreads to every State, and an enormous burden caused by the development of armies, air forces and fleets is placed on the shoulders of the nations.

Such is the situation from which all countries are suffering.

The exhortations which I addressed to you in speaking of the interdependence between the social, economic and political factors and in mentioning the monetary situation reflected the feelings of a whole continent.

This was clearly shown by the Pan-American Conference, which met at Montevideo in 1933 and which carefully considered this problem. It reached definite conclusions of which it is my duty to remind you, because they are a promise and a guarantee that you can count on our most sincere co-operation in the work you have decided to undertake.

The resolution adopted by the twenty-one republics of America lays down the lines of a policy the purpose of which is to remove the obstacles standing in the way of international trade, and all the nations of the world were invited to support this policy.

It fell to me to preside over the committee in which these declarations were made. I therefore cannot refrain from calling to mind the eminent statesman who represented the great nation of North America in that committee, a man who has dedicated his life to unceasing propaganda in favour of economic liberalism. In order to facilitate his efforts, I proposed that a continental mandate should be given to request the competent organs of the London World Economic Conference to co-operate in carrying this initiative into effect. You are all aware of the result of that Conference and of the story of the three painful years which followed its failure.

You will therefore understand the joy with which we hailed the recent step. I am sure that all the republics of America are prepared to repeat once again what they said in 1933, and that the next Pan-American Conference, which is to meet at Buenos Aires, will send you words of encouragement and offers of concrete co-operation. You

¹ See *Official Journal*, Special Supplement No. 151, page 65.

have accepted the plan of economic policy which our continental conference proposed to you. We need not revert to the causes of the earlier failure, nor need we insist on the absolute inadequacy of purely monetary measures which are not accompanied by the economic measures essential to produce an effective revival of trade between all States. You have shown that you understood this and have declared that you are determined to proceed to a real extirpation of the causes.

France's attitude gives cause for fresh optimism. Her adoption of immediate measures tending to restore and encourage trade is proof of the sincerity by which she is inspired and stresses the leading part she is playing in the orientation of a new policy which may prove to be an historical event. We believe, as the representative of another great State — the United Kingdom — has also said, that you realise that your effort cannot be confined to a great theatrical gesture announcing to the world a new era of prosperity. We understand that a somewhat slow rhythm may be demanded in view of the prudent policy characterising the decisions of some countries which must co-operate in the revival.

Nevertheless, my best reason for optimism and hope does not lie in a coercion affecting the course of events.

The supreme guarantee that the work which has been begun will be continued consists in a true vision of the reality which surrounds us. It is the accumulated experience of the past which forms the substance of science and guides the penetrating studies of our Economic Committee, whose conclusions have won the day. The new initiative which aims at the restoration of international trade pre-supposes consultation between States and a concerted will on their part, and necessitates co-operation, which can be achieved only when a profound conviction exists. What we need is to persuade ourselves that we are making, perhaps, the last effort to restore equilibrium before we are carried away by a current, which is already hurrying us on to the rocks of destruction.

In the course of our deliberations, I have heard distinguished statesmen speak of the temptations of strength, of the fascination of violence and of the conflicts of doctrines which are capable of dividing Europe into two hostile camps, as in the wars of religion. I have heard others offer the noble advice that we should show a mutual tolerance, so as to prevent problems which are already so complicated from being further envenomed by a conflict between different conceptions of the forms of government. If I may be allowed to quote a profound remark of von Ihering's, institutions are, in my opinion, nothing more than "the outer integuments of social and economic conditions". In order to cure extremism, to prevent explosions of violence in the different factions, to restore order in our universe and to ensure social, international and political peace, we must probe its fundamental causes.

Among these, you may be sure that we shall find economic reasons and their social consequences. There are ferments of anxiety which can only be removed by continuing on the course which has been initiated at the present Assembly, restoring the equilibrium which has been lost, reviving trade, stimulating production, creating a better social level and a higher standard of life. Here, we come to the essential root cause of our troubles — poverty, insecurity, immobilisation of activities anxious to find an outlet, men condemned to soul-destroying idleness.

It is from this that arises a powerful impulse whose true name is subversion. It is the spirit first of dissent, then of protest and later of rebellion,

which comes to the surface under different labels — demagogy, anarchy, dictatorships, scepticism of democracy, extremism in all its forms.

No profound conception seems to be in the minds of men, as when "Capital" projected itself upon the modern economic structure, and there are no apostles burning with ideas like those who, in former days, aroused the enthusiasm of the population on the banks of the Rhine, giving a great impulse to the development of Socialism. Only a mediocre literature attempts to disseminate the ideas of the old masters. The masses make no attempt to discern the meaning of a doctrine. In certain cases, they allow themselves to be carried away by the crudest instincts.

Let us improve economic conditions and the standard of life, let us raise the social level of mankind, let us set at rest their anxieties, let us give them opportunities of work, let us resume the exchange of goods and stimulate world trade. Let us respect the topographical differences based on the wisdom of nature and on the unequal distribution of production and wealth determining the different stages of economic evolution through which the various peoples are passing. Let us not place heavy artificial obstacles in the way of the free play of all these forces, which are the mainspring of international trade. Let us recognise the interdependence of peoples and the essential unity which governs the inventiveness and ingenuity of man, and the incessant development of the applied sciences, in flagrant contradiction with the attempt to separate them into selfish and hostile regions.

Only in this way will it be possible to set up a current which will unite the waters of these hidden streams. This current will gradually flow from the economic to the social sphere and from this into the political sphere, and will finally sweep over the whole of international life, restoring to the world peace and harmony and the equilibrium which it has lost, bringing back welfare and progress.

But if we wish to examine all the causes and influences which disturb peace, we shall have to prolong this analysis. We must endeavour to remove the obstacles which stand in the way of the universal interchange of products. We cannot leave those barriers which obstruct the movements of men between the different continents in their legitimate desire for progress.

The problem of migration has already come up several times in urgent form before your various organisations. It is closely bound up with the colonial question and with that of raw materials. If we desire to create a new international organisation which will restore equilibrium and ensure the stability we have lost, we may be sure that we cannot obtain it without a new economic organisation in which the demographic factor plays an essential part.

The great war has left many questions unanswered, including that of the countries which contain seething populations in continual conflict with the principle of territorial integrity and the impermeability of frontiers, thus maintaining a perpetual ferment of unrest and uncertainty. This question can be answered by America. The call which goes up from its vast areas and its fertile lands to all the dwellers upon earth has been forgotten. It offers special facilities, owing to its affinities with the European continent — geographical and climatic, racial and cultural — on the basis of its development through the centuries. The prospects which it offers of obtaining with rapidity and certainty the ends which are desired are great, without presenting the disquieting relation which exists between the economic and demographic problem and that of military conquest and protectorates, which arouse the uneasiness of other countries.

The need for expansion of certain great modern States is an undeniable fact, but its satisfaction depends on the transformation of the old concept of a nationalist colonising policy into a serene and purely juridical conception of pacific settlement and colonisation regardless of nationalism.

No study has yet been made, in the light of experience, of the enormous profit which accrues to the mother country in the form of a strengthening of its own economy, the decongestion of its population, the restoration of energy, and the increase in the reciprocal balance of payments and commerce. No sufficient analysis has been made of the close link which exists between emigration and other problems like that of unemployment, when costly doles or the artificial creation of opportunities of work are replaced by other opportunities which are spontaneously offered by a different economic environment. When dealing with raw materials, it has perhaps been forgotten that, before making them travel, men must be allowed to travel, without disturbing the structures which differentiate countries according to the stage of social evolution they have reached, apart from any idea of internationalisation.

I am profoundly convinced that the day cannot be far off when we shall recognise that the mere necessities of armed peace and the immobilisation of men which it implies will not be able to restrict the natural movement of demographic currents which, in their age-long march across the earth and in their historic displacements, have often saved civilisations by restoring their equilibrium. We are living in times of strange paradox — on the one hand, the pressure of population, and, on the other, the fertile soil and the propitious environment which awaits them. It would be sufficient to remember that the soil and the man who tills it are the central factors of economic evolution.

A study of determining causes soothes the mind. It convinces us that antagonisms, economic rivalries, international and political disputes, present and future problems distract the nations as if under the impulse of a biological law, but they reveal the existence of a powerful movement in which the forces of progress in their upward march are seeking out a new path. They never proceed in a straight line, but they advance in irregular curves beset with obstacles and difficulties.

The effects of all this make themselves felt in the superstructure of political regimes and forms of government. At previous meetings, a statesman representing the cultural traditions of a great people reminded us of the duty of mutual respect and of the necessity of taking into account the correlation which each State establishes between the forms which it adopts and the people's will.

It is in this spirit that we contemplate in certain young nations that picture of great agitation which we are witnessing to-day. From the first hour of our independent life, we were a republic and a democracy. Amidst the storms which rage around us, we are continuing, and will continue, to serve our hard apprenticeship. We have, over other older peoples which have only recently transformed their institutions, the advantage of a longer experience. This has strengthened our faith and will keep us to our steadfast course. The sight of this great Assembly further strengthens our determination.

We represent a microcosm of all the nations of the globe. Each one has its own individuality, its autonomy and its own internal will. But when we meet together to debate common interests, when we organise ourselves on an absolutely equal basis, when we pay tribute to the necessity of expressing our desires in our vote, when we bow to the will of the majority, what else do we do than

try once more the old system of representation in its essential permanent conditions and foundations? What else do we do than prove that, in spite of any defects, the representative system is the best which the wit of man has so far devised for the government of communities?

The rule of unanimity that governs our discussions is notably exemplified in the gratitude we all feel towards our Secretariat. I am sure I am voicing the opinion of all the delegations in expressing our warmest and sincerest thanks to the Secretary-General, whose activity and devotion have been so admirable throughout the session. He has been the adviser of all of us, ever ready to help us with his judgment and experience. We ask him to transmit to all his colleagues on the Secretariat the expression of our lively appreciation. I for my part have been greatly impressed by the efficiency of the Secretariat and the value of the assistance we have unfailingly received from all ranks of the administration. Personally, I desire to pay a special tribute to all the officials attached to the President; their assistance has been as invaluable to me as it has been agreeable.

The delegation of the United Kingdom of Great Britain and Northern Ireland has asked to speak. Mr. MacDonald, delegate of the United Kingdom, will address the Assembly.

Mr. MacDonald (United Kingdom). — To me falls the happy task of expressing, on behalf of the whole Assembly, our thanks to our President. His reputation as a wise and successful statesman preceded him to Europe, and therefore we heard with the greatest possible pleasure the news that he himself was coming to Geneva to be our colleague in the work of this Assembly.

He is the first Foreign Secretary of a South-American State who has, during his period of office, made the journey to Geneva. It was therefore fitting that we should elect him as our President, not only on account of his own distinction, but also because of the loyal support which his country has given to the League of Nations throughout the whole of its history.

During these last three weeks, our President has worked early and late; he has not spared himself; hour after hour, day after day he has sat on his high throne presiding with patience, with dignity and with skill over our discussions. Behind the scenes, his influence has always been conciliatory and progressive. He has played a unique part in enabling this Assembly to get through its heavy programme in a comparatively short period of time. A few moments ago, he added as an epilogue to his and our labours here a speech of remarkable eloquence and force, on which I should like to take this opportunity of congratulating him on behalf of the whole Assembly.

To him we owe our deep thanks; to him we tender those thanks sincerely, and we hope that the rest of his visit to Europe may be as successful as has been his visit to Geneva. In the future, we shall watch, with all the greater sympathy because of our pleasant personal contact with him here, his efforts as a statesman unflinchingly devoted to the supreme call of peace.

The President :

Translation : I am deeply touched by this proof of sympathy and the words just spoken by the delegate of the United Kingdom. I can assure you all that the tribute paid to my country has moved me greatly. I shall always remember this Assembly and the honour I have had of presiding over it.

I declare the seventeenth ordinary session of the Assembly of the League of Nations closed.

ANNEX 1.

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AGENDA OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY AND SUPPLEMENTARY LIST OF ITEMS

COMMUNICATED TO THE ASSEMBLY IN VIRTUE OF RULE 4
OF THE RULES OF PROCEDURE

I. ELECTION OF OFFICERS, APPOINTMENT OF COMMITTEES AND ADOPTION OF AGENDA.

- (a) Appointment of a Credentials¹ Committee.
- (b) Election of the President of the Assembly.
- (c) Adoption of the Agenda.
- (d) Appointment of the Main Committees of the Assembly.
- (e) Appointment of an Agenda Committee.
- (f) Election of Vice-Presidents of the Assembly.

The questions are usually divided between the main Committees of the Assembly in the following manner:

<i>First Committee:</i>	<i>Legal questions.</i>
<i>Second Committee:</i>	<i>Questions connected with the work of the technical organisations.</i>
<i>Third Committee:</i>	<i>Questions connected with the limitation and reduction of armaments.²</i>
<i>Fourth Committee:</i>	<i>Administrative and budgetary questions.</i>
<i>Fifth Committee:</i>	<i>Social questions.</i>
<i>Sixth Committee:</i>	<i>Political questions.</i>

A.6.1936. 2. REPORT ON THE WORK OF THE LEAGUE SINCE THE LAST SESSION OF THE ASSEMBLY.

A.6(a).1936.

A.6(a).1936
(Annex).

Each year the Secretary-General prepares a general report on the work of the League since the last session of the Assembly. This report is distributed in two parts, one in July, the other at the opening of the session.

The report forms the basis of the general discussion with which the session usually opens, and during which the various delegations have an opportunity of expressing their views on the work of the League.

The Assembly from time to time refers to the appropriate Committee chapters of these reports dealing with questions which do not appear separately on the agenda.

For information, the chapters included in the report are indicated as follows:

1. *Political Questions.*
2. *Reduction and Limitation of Armaments.*
3. *Protection of Minorities.*
4. *Mandates.*
5. *Slavery.*
6. *Economic and Financial Questions.*
7. *Communications and Transit.*
8. *Health Questions.*
9. *Technical Co-operation between the League of Nations and China.*
10. *Social Questions.*
11. *Traffic in Opium and Other Dangerous Drugs.*
12. *International Assistance to Refugees.*
13. *Intellectual Co-operation.*
14. *International Bureaux.*

¹ See appendix.

² This Committee was not set up in 1935.

15. *Budgetary and Administrative Questions.*
16. *Legal and Constitutional Questions.*
17. *Present Situation with regard to International Engagements registered with the Secretariat of the League of Nations.*

A.15.1936. 3. ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

The Assembly decided, on September 15th, 1926 (seventh session), to elect each year three non-permanent Members of the Council for a period of three years from the date of their election.

The Assembly further decided, on October 2nd, 1933 (fourteenth session), upon the provisional creation of one new non-permanent seat for three years.

The mandates which expire in 1936 are those of the Argentine Republic, Australia, Denmark and Portugal.

4. PERMANENT COURT OF INTERNATIONAL JUSTICE.

- (a) Participation of States not members of the League in the election of members of the Court.

In accordance with Article 4, paragraph 3, of the Revised Statute of the Permanent Court, the Assembly is called upon, on the proposal of the Council and in the absence of a special agreement, to lay down the conditions under which a State, which has accepted the Statute of the Court but is not a member of the League, may participate in electing the members of the Court.

The Report of a Committee of Jurists (document C.293.M.178.1936.V) has been distributed to the Members of the League and the examination of the question is included in the agenda of the next (September) session of the Council.

- (b) Election to vacancies among the judges of the Permanent Court of International Justice.

The Assembly and the Council will be called upon to elect three members of the Court to fill the vacancies created by the death of M. W. Schücking (German) and the resignations of Mr. F. B. Kellogg (American) and M. Wang Chung-Hui (Chinese).

Under the revised Statute of the Court, it rests with the Council at its next session to fix the date of election of a successor to the late Baron Rolin-Jaequemyns, (Belgian).

Items inserted by or arising out of Decisions of the Assembly.

5. RULES OF PROCEDURE OF THE ASSEMBLY.

- (a) Maintenance of the rule relating to the convocation of the Finance (Fourth) Committee of the Assembly.

On October 11th, 1933 (fourteenth session), the Assembly established this rule experimentally for the year 1934; on September 24th, 1935 (sixteenth session), it decided to maintain the rule provisionally for the year 1936.

- (b) Proposed amendments regarding the composition of the General Committee, the insertion of a provision regarding the Agenda Committee and the creation of a Nominations Committee.

Discussion of these proposals, particulars of which will be found in the report of the First Committee of the Assembly (document A.69.1935.V), was adjourned by the Assembly on September 28th, 1935 (sixteenth session), to its session of 1936.

6. COMPOSITION OF BODIES TO WHICH APPOINTMENTS ARE MADE BY THE ASSEMBLY.

- (a) Commission of Enquiry for European Union.

On September 27th, 1935 (sixteenth session), the Assembly decided to renew for twelve months the term of office of the Commission of Enquiry for European Union.

- (b) Appointment of the President of the Governing Body of the Nansen International Office for Refugees.

On January 24th, 1936 (ninetieth session), the Council appointed M. M. Hansson (Norwegian) to act for the time being as President of the Governing Body of

the Nansen International Office for Refugees. In accordance with Article 6 of the Statutes of the Office, the Assembly is called upon to proceed to the definitive appointment of the President.

(c) Supervisory Commission.

The Assembly will be called upon to appoint, on the proposal of the Fourth Committee, two members of the Supervisory Commission for the period January 1st, 1937, to December 31st, 1939.

The members whose term of office expires at the end of 1936 are M. S. Osuský (Czechoslovak) and M. J. Réveillaud (French).

(d) Administrative Board of the Staff Pensions Fund.

The Assembly will be called upon to appoint, on the proposal of the Fourth Committee, three members and three substitute members of the Administrative Board of the Staff Pensions Fund for the period January 1st, 1937, to December 31st, 1939.

The members and substitute members whose term of office expires at the end of 1936 are: Members: M. W. Rappard (Swiss), M. A. Hoel (Norwegian) and Mr. F. T. Cremins (Irish); Substitute members: M. C. Parra-Pérez (Venezuelan), M. J. Modzelewski (Polish) and M. C. van Rappard (Netherlands).

7. COMMITTEES OF THE LEAGUE OF NATIONS.

On September 26th, 1935 (sixteenth session), the Assembly requested the Council to take the necessary measures for the execution of certain of its decisions concerning the constitution, procedure and practice of Committees of the League of Nations. Any decisions of the Council requiring action by the Assembly will be submitted to the latter.

8. QUESTION OF PROHIBITING, UNDER THE PROVISIONS OF THE COVENANT, THE SUPPLY OF ARMS AND WAR MATERIAL TO BELLIGERENTS.

On September 27th, 1934 (fifteenth session), the Assembly requested the Council to appoint a committee to study, from the standpoint of pure law and, in particular, from that of interpretation of the Covenant, the question of prohibiting, under the provisions of the Covenant, the supply of arms and war material to belligerents, and to present its conclusions to the Council and to the Assembly.

The Committee not having met before the Assembly's session of 1935, the Assembly, on September 11th, 1935 (sixteenth session), adjourned consideration of this question to the present year.

9. AMENDMENT OF THE COVENANT OF THE LEAGUE OF NATIONS IN ORDER TO BRING IT INTO HARMONY WITH THE PACT OF PARIS: EXAMINATION OF THE TREATY OF NON-AGGRESSION AND CONCILIATION CONCLUDED AT RIO DE JANEIRO ON OCTOBER 10TH, 1933.

On September 25th, 1931 (twelfth session), the Assembly, taking note of a report of the First Committee on the subject of the amendment of the Covenant of the League in order to bring it into harmony with the Pact of Paris, decided to create a committee consisting of representatives of all the Members of the League, for the purpose of seeking unanimous agreement on the bases indicated in that report and of drawing up a final text for submission to the Assembly.

By decisions of the Council and of the Assembly, the Treaty of Non-Aggression and Conciliation concluded at Rio de Janeiro on October 10th, 1933, has also been referred to the Committee.

The Committee not having met before the Assembly's session of 1935, the Assembly, on September 11th, 1935 (sixteenth session), adjourned consideration of this question to the present year.

A.9.1936.V. 10. COMPOSITION OF THE COUNCIL.

A.16.1936.V.

The Assembly, on October 2nd, 1933 (fourteenth session), adopted the following resolution:

" The Assembly . . .

" Approves the recommendation of the Committee for the provisional creation of one new non-permanent seat on the Council, and accordingly declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1933 and ending with

the election of the said non-permanent Members in the year 1936, the number of non-permanent seats on the Council should be provisionally increased from nine to ten, on the understanding that, towards the end of that period, the question of the number of the Members of the Council will be reconsidered and that all the Members of the League will remain entirely free to propose any final solution of this question which they consider desirable."

The Council, on September 26th, 1935 (eighty-ninth session), appointed a Committee to undertake the study indicated in the above resolution and, in connection therewith, to examine certain proposals put forward by the Chinese Government regarding the representation of Asia on the Council. The Committee's report is before the Assembly. On May 13th, 1936 (ninety-second session), the Council decided to adjourn action on the report until the Assembly should have expressed its views.

II. REFUGEES.

(a) Report of the Nansen International Office for Refugees.

The Nansen International Office for Refugees is placed under the direction of the League of Nations in conformity with Article 24 of the Covenant, and submits an annual report to the Assembly on its activities.

(b) Results of the work of the Committee on International Assistance to Refugees.

(i) Report of the Committee on International Assistance to Refugees.

On September 28th, 1935 (sixteenth session), the Assembly requested the Council to appoint a committee for the study of international assistance to refugees. This Committee submitted its report to the Council, which, on January 24th, 1936 (ninetieth session), decided to refer it to the Assembly, particularly those proposals contemplating measures of a permanent character.

(ii) Report of the Acting President of the Governing Body of the Nansen International Office for Refugees.

In adopting the report of the Committee on International Assistance to Refugees, the Council approved the Committee's proposal that the Acting President of the Governing Body of the Office present a special report.

(iii) Report of the High Commissioner of the League of Nations for Refugees, Jewish and Other, coming from Germany.

The High Commissioner of the League for Refugees, Jewish and other, coming from Germany, appointed by the Council on February 14th, 1936, should, in accordance with the report of the Committee on International Assistance to Refugees, approved by the Council, submit a special report to the Assembly.

A.12.1936.II.B. 12. NUTRITION.

A.12(a).1936.II.B.

A.12(b).1936.II.B.

A.12(c).1936.II.B.

On September 27th, 1935 (sixteenth session), the Assembly adopted the following resolution:

"The Assembly,

"Having considered the subject of nutrition in relation to public health and the effects of improved nutrition on the consumption of agricultural products:

"Urges Governments to examine the practical means of securing better nutrition and requests the Council:

"(1) To invite the Health Organisation of the League of Nations to continue and extend its work on nutrition in relation to public health;

"(2) To instruct the technical organisations of the League of Nations, in consultation with the International Labour Office and the International Institute of Agriculture, to collect, summarise and publish information on the measures taken in all countries for securing improved nutrition; and,

"(3) To appoint a committee, including agricultural, economic and health experts, instructed to submit a general report on the whole question, in its health and economic aspects, to the next Assembly, after taking into consideration, inter alia, the progress of the work carried out in accordance with paragraphs (1) and (2) above."

The Committee mentioned in paragraph (3) of the resolution was appointed by decision of the Council of September 28th, 1935 (eighty-ninth session), and its report is before the Assembly.

Item proposed by the Council.

A.7.1936.V. 13. INTERNATIONAL REPRESSION OF TERRORISM.

On January 23rd, 1936 (ninetieth session), the Council decided to place on the Assembly's agenda the report of the Committee which it had set up to study this question, together with two draft Conventions drawn up by the Committee and the observations which it had invited the Governments to make on these drafts. The draft Conventions and the Council's report have been circulated in document A.7.1936. The observations from Governments will be communicated to the Assembly in a further document.

Budget of the League and Financial and Administrative Questions.

A.3.1936.X. 14. AUDITED ACCOUNTS FOR THE SEVENTEENTH FINANCIAL PERIOD (1935) AND AUDITOR'S REPORT THEREON.

A.3(a).1936.X.

A.3(b).1936.X.

A.3(c).1936.X.

In accordance with Article 38 of the Financial Regulations, "the Assembly shall finally pass the expenditure and income accounts".

A.4.1936.X. 15. BUDGET OF THE LEAGUE OF NATIONS FOR THE NINETEENTH FINANCIAL PERIOD (1937).

A.4(a).1936.X.

A.4(b).1936.X.

A.4(c).1936.X.

In accordance with Chapter IV of the Financial Regulations, the budget of the League (including the budgets of the Secretariat and special organisations of the League, the International Labour Organisation and the Permanent Court of International Justice) is annually submitted to the Assembly.

A.5.1936.X. 16. REPORT OF THE SUPERVISORY COMMISSION.

In accordance with Article 16 of the Financial Regulations, "the Commission shall annually examine the budget and prepare a report thereon".

Under other provisions of the Regulations, the report of the Commission must also deal with the accounts and with such other relevant questions as might arise in consequence of decisions of the competent organs of the League. Thus, the Commission will this year report to the Assembly, inter alia, on various amendments to the Financial Regulations.

17. CONTRIBUTIONS IN ARREARS.

The Assembly, on September 28th, 1935 (sixteenth session), invited "the Special Committee as at present constituted to continue its tasks and to present a report to the Assembly at its seventeenth session".

A.10.1936.X. 18. ALLOCATION OF EXPENSES.

The Assembly, on September 28th, 1935 (sixteenth session), decided that the Committee on the Allocation of Expenses should place before the Assembly at its next session a revised scale.

A.11.1936.X. 19. REPORT OF THE ADMINISTRATIVE BOARD OF THE STAFF PENSIONS FUND.

A.11(a).1936.X.

A.13.1936.X.

It is provided in Article XX of the Administrative Rules of the Staff Pensions Regulations which were adopted by the Assembly that the Board shall submit a report to the Assembly; a further valuation of the Fund will also be submitted to the Assembly.

Technical Work of the League.¹

20. ECONOMIC AND FINANCIAL WORK
21. COMMUNICATIONS AND TRANSIT.
22. HEALTH WORK.
23. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.
24. SOCIAL WORK.
25. INTELLECTUAL CO-OPERATION.

SUPPLEMENTARY LIST OF ITEMS.

Item inserted by Decision of the Assembly.

26. APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS.

On July 4th, 1936 (sixteenth session), the Assembly recommended that the Council:

" (a) Should invite the Governments of the Members of the League to send to the Secretary-General, so far as possible before September 1st, 1936, any proposals they may wish to make in order to improve, in the spirit or within the limits laid down above,² the application of the principles of the Covenant;

" (b) Should instruct the Secretary-General to make a first examination and classification of these proposals;

" (c) Should report to the Assembly at its next meeting on the state of the question."

On July 4th, 1936 (ninety-second session), the Council decided to give effect to the above recommendation.

Item proposed by a Member of the League.

27. CONVENTION ON NATIONALITY CONCLUDED ON DECEMBER 26TH, 1933, AT THE SEVENTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

By a letter of August 3rd, 1936, the Chilean Government asked that the above-mentioned Convention may be placed on the supplementary agenda for consideration, so that the Assembly may, if it thinks fit, recommend non-signatory States to accede to it.

Appendix.

RULES OF PROCEDURE OF THE ASSEMBLY.

Rule 5.

1. Each Member shall communicate to the Secretary-General, if possible one week 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. The full powers of the representatives shall be delivered to the Secretary-General, if possible one week before the date fixed for the opening of the session. They shall be issued either by the Head of the State or by the Minister for Foreign Affairs.³

3. A Committee of nine members for the examination of the full powers shall be elected by the Assembly on the proposal of the President. 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.

¹ Though this is not required by the Rules of Procedure of the Assembly, separate items relating to the technical work of the League are, in accordance with custom, included in the agenda.

² See Part I of the recommendation adopted by the Assembly on July 4th, 1936.

³ It is obvious that, in the case of countries which do not possess a Minister for Foreign Affairs, the full powers may be issued by an authority possessing similar or equivalent powers.

ANNEX 2.

A.58.1936.VII.

REPORT OF THE CREDENTIALS COMMITTEE
SUBMITTED TO THE ASSEMBLY ON SEPTEMBER 23RD, 1936.

LETTER, DATED OCTOBER 2ND, 1936, FROM THE DELEGATION OF PANAMA
TO THE SECRETARY-GENERAL.

[*Translation from the Spanish.*]

Geneva, October 2nd, 1936.

In view of the observations I have received from various persons, within the League and outside it, I have thought it desirable to state the reasons for which the delegation of Panama "abstained" from taking part in the vote on the resolution submitted by the Credentials Committee at the Assembly's plenary meeting on September 23rd last, this being the resolution in virtue of which the Ethiopian delegates were admitted.¹

In reaching the conclusion that the Ethiopian delegation should be admitted to the Assembly, the Credentials Committee examined the question whether Ethiopia still existed or not as a sovereign State with the necessary integrity to retain her rights as an active Member of the League. Obviously, however, the Credentials Committee is not the proper body to study or consider so grave a question.

The Italo-Ethiopian dispute, in so far as it concerns the League of Nations, still subsists and will continue to do so until the Assembly decides to solve it one way or the other. The delegation of Panama will not refuse to give careful attention to this problem whenever the Assembly may wish to approach it with a view to finding a final solution.

To have taken part in the voting, whether affirmatively or negatively, would have involved, in this delegation's opinion, and in view of the terms of the said resolution, the acceptance of the Credentials Committee's competence to consider whether a State Member had or had not lost its rights as such in the League. Hence this delegation's "abstention" when the vote took place.

Please communicate the above to all the delegations.

(Signed) Galileo SOLIS.

ANNEX 3.

RESOLUTION ADOPTED BY THE ASSEMBLY AT ITS
TWELFTH MEETING, THURSDAY, OCTOBER 1st, 1936, AT 10 A.M.

COMPOSITION OF THE COUNCIL: PROVISIONAL CREATION OF TWO NEW
NON-PERMANENT SEATS.

The Assembly,

Having considered the report of the Committee appointed to study the composition of the Council (document A.9.1936.V):

Approves the recommendation of the Committee for the provisional creation of two new non-permanent seats on the Council and, accordingly, declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936, and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council should be provisionally increased to eleven;

And considering that, in the opinion of the Committee appointed to study the composition of the Council, with which the Assembly agrees, "it would be undesirable that a definitive solution of the problems connected with the composition of the Council should be postponed longer than is necessary":

Recommends that, so soon as circumstances permit, the Council will appoint and convene a small committee of experts to draw up proposals on the subject.

The Assembly instructs the Secretary-General to bring this resolution to the attention of the Council.

¹ See page 41.

ANNEX 4.

RESOLUTION ADOPTED BY THE ASSEMBLY AT ITS
FOURTEENTH MEETING, SATURDAY, OCTOBER 3RD, 1936,
AT 10.30 A.M.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

- (i) *Method of Election to the Three Seats vacated by M. Walther Schücking, Mr. Frank B. Kellogg and M. Wang Chung-Hui.*
- (ii) *Participation in the Election of the Judges of a State which is not a Member of the League but is a Party to the Statute of the Court.*

I.

The Assembly, in agreement with the proposal of the Council, decides as follows :

The two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates nominated for those seats shall alone be eligible, and there shall be a separate election to fill the seat vacated by M. Wang, at which only the candidates nominated for that seat shall be eligible.

II.

The Assembly,

Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice ;

Having regard to the proposal of the Council :

Decides that :

(1) If a State which is not a Member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly ;

(2) At any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not Members of the League but are parties to the Statute of the Court, if they notify their desire to do so to the Secretary-General, shall, as a provisional measure and without prejudging any question of principle, also be admitted to vote in the Council ;

(3) The Secretary-General is instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not Members of the League of Nations to participate in the elections.

ANNEX 5.

RESOLUTIONS ADOPTED BY THE ASSEMBLY AT ITS
FIFTEENTH MEETING, THURSDAY, OCTOBER 8TH, 1936, AT 5 P.M.

I. WORK OF THE HEALTH ORGANISATION.

I.

The Assembly,

Recognising the value of the Health Organisation's studies in the field of urban and rural housing :

Considers it would be advisable to extend the scope of these studies so that the various aspects of the problem may be studied as a whole ;

Requests the Council to invite the Economic, Financial and Health Committees and the International Labour Office to establish a suitable collaboration with a view to submitting to the next ordinary Assembly a general report on the question. This report would take into account the documentation already in the Health Organisation's possession and might contain proposals in regard to further studies.

II.

The Assembly,

Having examined the proposal submitted by the delegations of the Argentine, Bolivia, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Mexico, the Netherlands, Panama, Peru, Spain, Uruguay and Venezuela to the effect that a Conference on Rural Hygiene should be summoned for American countries :

Considers that, in view of the universal character of the technical activities of the League of Nations, it would be advisable to give effect to this proposal ; and

Requests the Council to examine, with the assistance of the competent technical organisations and of the International Labour Office, the possibility of giving effect to the proposal at a date which would allow of the Conference being adequately prepared.

III.

The Assembly,

Noting that the work of the Health Organisation is designed to assist in raising the standard of health of the urban and rural populations in the various continents and to contribute to the solution of important problems of the moment in the fields of public health and social welfare :

Approves the work of the Health Organisation ;

Approves the conclusions of the Rapporteur ;

And refers the suggestions contained in his report (document A.61.1936.III) to the Health Committee for consideration.

II. TRAFFIC IN WOMEN AND CHILDREN.

I.

The Assembly,

Having taken cognisance of the present position regarding the Conference of Central Authorities in the East to be convoked in conformity with previous decisions of the Council and the Assembly of the League of Nations ;

Noting that the Conference will be held in February 1937, and that, on the invitation of the Netherlands Government, which the Assembly records with appreciation, it will take place at Bandoeng, Java ;

Noting further that the following Governments have agreed to participate in the Conference : the United Kingdom (Governments of Hong-Kong and Malaya), China, France, India, Japan, the Netherlands, Portugal, Siam and the United States of America (the last-named being represented by an observer) ;

Considering the importance to be attached to the following questions, forming the agenda of the Conference : closer collaboration between the central authorities in the East ; migration so far as it affects traffic in women and children ; closer collaboration between the authorities and private organisations ; the employment of women officials by authorities responsible for the welfare of women and children in the East ; the abolition of licensed or tolerated brothels in the East ; and the position of women refugees of Russian origin in that part of the world who have become, or are in danger of becoming, prostitutes :

Approves the proposed agenda, which it considers practical and in conformity with the matters raised in the report of the Commission of Enquiry into Traffic in Women and Children in the East ;

Expresses the hope that the important task of the Conference will be brought to a successful issue and that practical measures for combating traffic in women and children may result from its discussions ;

And sends to the Conference a message of greeting and of good wishes for a successful conclusion to its work.

II.

The Assembly takes note of the report submitted by the Fifth Committee and adopts its conclusions (document A.62.1936.IV).

III. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

I.

The Assembly,

Noting the decision, adopted by the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs at its twenty-first session (May 18th-June 5th, 1936), and approved by the Council on September 19th, 1936, to continue the studies and the collection of documentary material relating to the control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the purpose of drawing up a convention for the limitation of this raw material ;

Considering that the limitation of raw materials constitutes a decisive step in the campaign of the League of Nations against the abuse of narcotic drugs and a logical and necessary crowning of its efforts :

Recommends that all Governments shall furnish the Advisory Committee with every possible assistance in its preparatory work and particularly in the collection of the necessary information ;

Invites the Governments of the producing countries to communicate, before January 31st, 1937, the information requested in the questionnaire addressed to them by the Advisory Committee ;

Notes the decision of the Advisory Committee, as recorded in its report to the Council (document C.278.M.168.1936.XI), to examine at its next session the question of the creation of a Preparatory Committee for the purpose of establishing the principles which might serve as a basis for a convention ;

Expresses the hope that the Advisory Committee will consider the possibility of holding preliminary conferences as soon as practicable: one conference to be attended by representatives of the countries producing raw opium, which export this product to drug-manufacturing countries, and by representatives of these manufacturing countries ; the other to be attended by representatives of the countries producing raw opium, which export this product to countries which have established a monopoly in respect of opium for smoking, together with the representatives of the monopoly countries ;

Recommends that a general conference should meet as soon as practicable after these preliminary conferences ;

Recommends that the preparatory work of the Advisory Committee and of the Secretariat shall be proceeded with as quickly as possible and should not be hampered by budgetary considerations.

II.

The Assembly,

Noting with keen satisfaction the conclusion of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs ;

Considering that the universal application of the Convention is a necessary condition of its efficacy :

Recommends all Governments to take as soon as possible all such steps as may be necessary for the ratification of this Convention in order that it may promptly have its full effect.

III.

The Assembly notes the report submitted by the Fifth Committee and adopts its conclusions (document A.63.1936.XI).

IV. NUTRITION.

I.

The Assembly :

Having considered the preliminary report of the Mixed Committee on Nutrition (document A.12.1936.II.B) :

Takes note of the suggestions contained therein ;

And decides, in support of the current efforts to provide the peoples with an adequate supply of necessary foodstuffs, especially protective foods, to recommend the Governments :

(1) To encourage and support, in every possible way, the scientific study of nutrition problems with a view to ascertaining the optimum nutrition for each country, due consideration being given to differences of national economic structure, climate and available sources of supply ;

(2) To take all appropriate measures to ensure that the latest information about nutrition is included in the teaching of medical students, and that medical practitioners, medical officers of health, district nurses, etc., have such information constantly brought to their notice ;

(3) To conduct a vigorous policy of education on popular nutrition for the instruction of the general public in this subject ;

(4) To support the Health Organisation of the League of Nations, not only in the work of its technical committees, but also in its endeavours in the field of public health and preventive medicine, to promote the application of modern nutritional science for the benefit of the different age and occupational groups of the population ;

(5) To facilitate and promote international co-operation in education and propaganda and in the exchange of information, and, in particular, to encourage all appropriate international organisations to lend their help ;

(6) To consider what steps should be taken, whether at the public charge or otherwise, to meet the nutritional needs of the lower-income sections of the community, and, in particular, the means by which they might ensure that an adequate supply of food, especially safe milk, should be made available for expectant and nursing mothers, infants, children and adolescents ;

(7) To consider what further steps might be taken to meet the nutritional needs of adults, unemployed or otherwise, in distress ;

(8) With a view to giving the fullest possible effect to national propaganda and educational efforts for the improvement of popular nutrition :

To take all possible steps to make food supplies, and especially protective foods, available at prices within the reach, so far as possible, of all classes of the community, while, at the same time, safeguarding the interests of producers ;

To take steps to improve and cheapen the marketing and distribution of foodstuffs in both industrial and rural districts, and with these objects in view,

To encourage collaboration between co-operative and other forms of producers' and consumers' organisations ;

(9) With a view to assuring purity of food, and in the interest of public health, to promote, so far as possible, the international standardisation of the technical analysis and control of foodstuffs, and of the control of preparations sold primarily for their vitamin content, on the basis of the work being conducted on the standardisation of biological products ;

(10) To set up standards of reference and specifications for grading foods of all kinds according to quality ;

(11) To consider whether any modification of their general economic and commercial policy is desirable in order to ensure adequate supplies of foodstuffs, and, in particular, to assist the evolution of agricultural production in order to satisfy the requirements of sound nutrition ;

(12) In order, *inter alia*, to ascertain how far existing national dietaries fall short of the new standards of nutrition, to collect information on food consumption by families of different occupational groups at different income levels, as well as on the distribution of the population by family income ;

(13) To consider to what extent and by what means their national statistics of the supply and consumption of individual foods might be improved ;

(14) To assist the International Institute of Agriculture in collecting information regarding the supply, national consumption and prices of foodstuffs ;

(15) To co-ordinate the work done by different authorities which affects the nutrition of the people and, in the absence of a central authority, to set up a special body for this purpose, in order to secure unity of policy and direction.

* * *

Furthermore, the Assembly recommends the Governments concerned to give their full support to the Health Organisation in its enquiries into the widespread malnutrition which exists in the tropics and certain Far-Eastern countries.

II.

The Assembly,

In view of the provisional nature of the report submitted by the Mixed Committee on the Problem of Nutrition :

Decides to reappoint that Committee for one year, so that it can pursue its enquiries and, in particular, examine thoroughly the economic aspects of the problem of nutrition, and instructs it to submit a final report to the next Assembly, it being understood that the Committee, in so doing, will continue to co-operate with the International Labour Organisation, the International Institute of Agriculture in Rome and any other international bodies interested in the question.

III.

The Assembly,

Noting that National Nutrition Committees have been set up in various countries ;

Realising that it might be desirable to co-ordinate the activities of these committees internationally and to give their leaders an opportunity of comparing experiences :

Suggests that the Council, after consultation of the Chairman of the Mixed Committee on the Problem of Nutrition, should arrange, if occasion offers, for exchanges of views among the representatives of these Committees on the problems with which they are all concerned.

ANNEX 6.

RESOLUTIONS ADOPTED BY THE ASSEMBLY AT ITS
SIXTEENTH MEETING, SATURDAY, OCTOBER 10TH, 1936, AT 10 A.M.

I. COMPOSITION OF THE SUPERVISORY COMMISSION.

Whereas, in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936 — M. Osuský and M. Réveillaud — are not re-eligible;

Whereas, in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole;

Whereas, by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested "to deal with all future financial questions which may arise in connection with the new buildings";

Whereas the new buildings are not expected to be completed until 1937;

Whereas it is eminently desirable that, subject to the addition of a new member, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly;

Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task, while maintaining the principle of its renewal at regular intervals:

The Assembly decides:

(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations:

(2) To maintain the existing membership of the Commission until the end of the financial year 1937, while adding a further member to be appointed at the present session;

(3) To appoint a committee of three members to consider what amendments it might be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session.

* * *

On October 10th, 1936 (afternoon), the Assembly, in accordance with the terms of the above resolution, approved the following appointments proposed by the Fourth Committee:

Member of the Supervisory Commission:

M. Boris STEIN (Union of Soviet Socialist Republics).

Members of the Committee entrusted with the duty of considering what amendments it might be desirable to make in Article 1 of the Financial Regulations:

M. Harri HOLMA (Finland),

Mr. W. S. MORRISON (United Kingdom),

Professor W. RAPPARD (Switzerland).

II. CONSTITUTION, PROCEDURE AND PRACTICE OF THE COMMITTEES OF THE
LEAGUE OF NATIONS.

I.

The Assembly approves the new statutes of the Health Organisation approved by the Council at its meeting on September 26th, 1936.

II.

Whereas the Council noted, in the report of September 26th, 1936, concerning the framing of new statutes for the Communications and Transit Organisation, that the situation referred to in the Special Committee's report¹ makes it impossible to follow in every respect the guiding principles contained in the Assembly resolution of September 28th, 1935;

¹ See *Official Journal*, June 1936, page 732.

Being desirous, however, that the new statutes of the Organisation should, as far as possible, be based on the guiding principles mentioned above :

The Assembly agrees with the suggestion contained in the report adopted by the Council on September 26th, 1936.

It therefore requests the Council to convene a further meeting of the Special Committee, which should be asked to undertake a general re-examination of the statutes of the Organisation for Communications and Transit and to submit its proposals to the Council through the agency of the Rapporteur to the Council.

It empowers the Council to draw up and approve on its behalf the new statutes of the Organisation after examining the preliminary draft prepared by the Committee.

III. WORK OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

The Assembly :

Notes the work done by the Organisation for Communications and Transit during the year 1935/36 ;

Greatly appreciates the results achieved in the various spheres of activity of that Organisation and approves its work ;

Adopts the Second Committee's conclusions and refers to the Organisation for Communications and Transit for examination the suggestions contained in the Rapporteur's report (document A.78.1936.VIII).

IV. INTERNATIONAL REPRESSION OF TERRORISM.

The Assembly,

Having taken cognisance of the second report of the Committee for the International Repression of Terrorism and of the two draft Conventions annexed thereto (document A.7.1936.V) ;

Recognising the utility for the consolidation of peace of the conclusion of a convention for the prevention and punishment of terrorism ;

Considering, however, that the replies of the Governments regarding the draft drawn up by the Committee (documents A.24.1936.V and A.24(a).1936.V) and the discussions in the First Committee have shown that certain Governments feel doubts which it is desirable to remove :

Expresses the view that the contemplated convention, founding itself upon the principle that it is the duty of every State to abstain from any intervention in the political life of a foreign State, should have as its principal objects :

(1) To prohibit any form of preparation or execution of terrorist outrages upon the life or liberty of persons taking part in the work of foreign public authorities and services ;

(2) To ensure the effective prevention of such outrages and, in particular, to establish collaboration to facilitate early discovery of preparations for such outrages ;

(3) To ensure punishment of outrages of a terrorist character in the strict sense of the word which have an international character either in virtue of the place in which preparations for them were made or the place in which they were carried out, or in virtue of the nationality of those participating in them or their victims ;

Notes that certain Governments have disputed the advisability of creating an international criminal court, but that the trial of persons guilty of such outrages by such a court is felt by other Governments to constitute an alternative which, in certain cases, would be preferable to extradition or to prosecution, and that on this ground the second convention has been regarded by the latter Governments as valuable, even if it is not capable of securing general acceptance ;

Recommends that the Committee revise its conclusions regarding its two drafts in the light of the observations to be found in the Governments' replies or formulated in the course of the debates, in order that the Council may convene a diplomatic conference in 1937.

V. RULES OF PROCEDURE OF THE ASSEMBLY.

I.

The Assembly decides that the rule relating to the convening of the Finance (Fourth) Committee, established as an experiment by the Assembly's resolution of October 11th, 1933, shall be maintained for the session of 1937—namely :

“ The President of the Council, after consulting the Chairman of the Supervisory Commission, may convene the Finance Committee for a date preceding by not more than one week the first meeting of the ordinary session of the Assembly. The Committee shall be composed of the representatives accredited for the purpose by the Members of the League. It shall appoint its Chairman, who shall thereby become a member of the General Committee of the Assembly under the terms of Rule 7 of the Rules of Procedure. The establishment of the Committee shall be reported to the Assembly at the first plenary meeting of the Assembly.”

II.

The Assembly decides to amend its Rules of Procedure as follows :

(1) Paragraph 3 of Rule 5 is amended to read as follows :

" 3. A Committee of nine members for the examination of the full powers shall be elected by the Assembly on the proposal of the President. The Committee shall appoint its own Chairman and Vice-Chairman. It shall report without delay."

(2) Paragraph 1 of Rule 7 is amended to read as follows :

" 1. The General Committee of the Assembly shall consist of the President of the Assembly, eight Vice-Presidents and the Chairmen of the main Committees of the Assembly, the Agenda Committee and the Committee for the examination of the full powers.

" The Assembly may decide to add to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members."

Paragraphs 2, 3 and 4 remain unchanged.

(3) A new rule, numbered 7 (a), is inserted, reading as follows :

" 1. An Agenda Committee shall be set up at the beginning of each session. It shall consist of seven members, who shall be appointed by the Assembly on the nomination of the President.

" 2. The Committee shall elect its own Chairman and Vice-Chairman.

" 3. The Committee shall consider applications for the inclusion of new questions in the agenda of the Assembly, and shall report to the Assembly thereon.

" 4. Proposals for the mere reference to one of the main Committees of portions of the Report on the Work of the League shall be decided upon by the Assembly without previous reference to the Agenda Committee."

III.

The Assembly adopts as an experiment the following procedure which, unless otherwise decided in the interval, shall have effect down to the termination of the ordinary session of 1939 :

" Rule 7 (b).

" 1. At the commencement of each session, the Assembly shall appoint a committee of eleven members whose duty shall be to nominate candidates for functions which carry with them a seat on the General Committee.

" 2. The provisional President of the Assembly shall submit proposals to it regarding the composition of this Committee.

" 3. The Members of the Assembly and the Committees shall retain the right to vote for persons other than those proposed by the above-mentioned Committee."

VI. CONVENTION ON NATIONALITY, SIGNED ON DECEMBER 26TH, 1933, AT THE SEVENTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The Assembly,

Having examined the item of its agenda which relates to the Convention on Nationality signed on December 26th, 1933, at the Conference of American States at Montevideo ;
Being conscious of the importance for many States of the question of naturalisation in the relations of States with one another :

Calls the attention of the Members of the League of Nations to the fact that the Convention of Montevideo is open to accession by all States.

VII. REDUCTION AND LIMITATION OF ARMAMENTS.

The Assembly,

Firmly convinced of the need of pursuing and accelerating the efforts made to bring about the reduction and limitation of armaments provided for in Article 8 of the Covenant :

Welcomes the action initiated by the French Government with a view to the early convocation at the most opportune date of the Bureau of the Conference for the Reduction and Limitation of Armaments, and

Requests the Council to communicate to the Bureau and to the Governments of the countries represented on the Conference the present report (document A.64.1936.IX) and the Minutes of the Third Committee's discussions.

VIII. ASSISTANCE TO INDIGENT FOREIGNERS.

The Assembly,

Noting the work of the Committee of Experts on assistance to indigent foreigners and the execution of maintenance obligations abroad, at its second session in January 1936 (document C.94.M.37.1936.IV) :

Thanks the Committee for its efforts to improve the position of indigent foreigners by framing a second draft multilateral Convention on the basis of the observations of Governments ;

Asks the Governments to send the Secretary-General, in conformity with his Circular Letter 118.1936.IV, dated July 13th, 1936, their observations on this second draft Convention by January 1st, 1937 ;

Requests the Council to take cognisance of these observations, and in the light thereof to decide whether or not it will be desirable to convene the Committee of Experts to study and report on the observations communicated by Governments and to take any other or further action which may seem appropriate.

IX. PENAL AND PENITENTIARY QUESTIONS.

The Assembly,

Having taken note of the Secretary-General's report on penal and penitentiary questions (document A.25.1936.IV) :

Thanks the Governments for the reports that they have sent to the League this year (see document A.25.1936.IV), and requests them to continue to inform the League annually of any reforms that have been effected in their penal and prison systems ;

Thanks the international technical organisations for their annual information on their work, and for their valuable co-operation in promoting the study of penal and penitentiary questions on international lines ;

Instructs the Secretary-General to have recourse to the good offices of the International Penal and Penitentiary Commission, asking it to institute, if necessary with the assistance of the League Secretariat, an enquiry :

(a) Into the number of prisoners over 18 years of age (separate figures being given for men and women) in the different countries at the nearest possible date to December 31st, 1936. By prisoners is meant persons deprived of their liberty (excluding those detained on account of mental or physical unfitness), whether

- (1) On remand or awaiting trial,
- (2) Under judicial sentence, or
- (3) Detained and not included in the above categories ;

Where possible, the figures should show the numbers of prisoners of each of these three categories ;

(b) Into the measures taken in different countries during recent years with the object of reducing the number of prisoners.

X. CHILD WELFARE.

I.

The Assembly,

Thanks the Advisory Commission for the Protection and Welfare of Children and Young People for the efforts it has made to improve the lot of children and young people ;

Suggests that, in view to better co-operation between the Advisory Committee on Social Questions¹ and other organisations dealing with different aspects of social questions, liaison should be established with other Commissions and Committees when questions likely to concern the Advisory Committee are being discussed.

II.

The Assembly,

Attaches particular importance to the decision of the Advisory Committee on Social Questions to draw up at its next session a "scheme of study"—that is to say, a programme of work ;

And is of opinion that one of the first points in its work should be a study of the more important solutions that have been found for the problem of the general organisation of child welfare in various countries.

III.

The Assembly,

Approves the interest displayed and the efforts made by the Advisory Committee on Social Questions in regard to the social aspect of the problem of nutrition,² and,

Considering that the study of the welfare of children living in urban communities and in rural districts is in many respects connected with the problem of nutrition :

¹ By the Council's decision of September 26th, 1936, providing for the re-organisation of the "Advisory Commission for the Protection and Welfare of Children and Young People", this in future is to be known as the "Advisory Committee on Social Questions."

² See page 132.

Is of opinion that the Advisory Committee should deal in greater detail with the social aspects of this question in co-operation with the Mixed Committee on the Problem of Nutrition, particularly from the point of view of child welfare;

Recommends the Advisory Committee to consider the utility of pursuing the study of these two questions, which supplement one another.

XI. INTERNATIONAL RELIEF UNION.

The Assembly,

Having taken note of the report on the activities of the Executive Committee of the International Relief Union from January 1st to December 31st, 1935 (document A.26.1936.XII):

Expresses its gratification at the useful work done by that organisation with a view to improving its means of action;

Emphasises the value of the agreements concluded or contemplated with private organisations, as a method of increasing the efficacy of those means;

Expresses the hope that the Executive Committee of the Union may, thanks to the authority that the Union has acquired, continue to exert its beneficent influence;

And trusts that Governments will consider the possibility of intensifying the action of the International Relief Union by securing the appropriate co-operation.

XII. MANDATES.

The Assembly,

Having noted the activity of the mandatory Powers, the Permanent Mandates Commission and the Council concerning the application of the principles laid down in Article 22 of the Covenant and in the texts of the mandates:

(a) Renews to them the expression of confidence voted by previous sessions of the Assembly, and pays a tribute to the results they have achieved thanks to a close and frank co-operation which it is essential to maintain;

(b) Expresses its profound regret at the disturbances which have been going on in Palestine since April 1936, hopes that order will be promptly restored, and has full confidence in the impartiality of the enquiry instituted by the mandatory Power;

(c) Expresses its appreciation of the efforts of the mandatory Power with a view to bringing forth the emancipation of Syria and Lebanon, has full confidence in its action to that effect, and hopes that the questions connected with the problem of emancipation will be equitably settled.

XIII. WORK OF THE INTELLECTUAL CO-OPERATION ORGANISATION.

1. *General Resolution.*

The Assembly is glad to note that the activities of the Intellectual Co-operation Organisation have been maintained and extended during the year 1935/36, despite circumstances which have often been very difficult, and that the programme carried out during the year, as well as that planned for 1936/37, is inspired by the constant desire to achieve work useful to the League of Nations, the States which belong to it, and intellectual workers themselves.

It approves the various reports which have been submitted to it, and particularly that of the International Committee on Intellectual Co-operation (document C.328.M.205.1936.XII) on the work of its eighteenth session, and that of the Governing Body of the International Institute of Intellectual Co-operation (document C.318.M.199.1936.XII), and thanks the Committee and the Governing Body for their systematic and persistent efforts.

The Assembly associates itself with the thanks offered by the International Committee on Intellectual Co-operation and the Council of the League of Nations to the Argentine, Hungarian and Spanish authorities and institutions for the generous assistance afforded by them to the work of intellectual co-operation on the occasion of the Buenos Aires and Budapest "Conversations" and of the ninth Permanent International Studies Conference held at Madrid.

In general, the Assembly warmly thanks the States which pay contributions to the International Institute of Intellectual Co-operation, thus giving a token of interest and confidence in its work, and affording the Institute moral encouragement and indispensable material assistance.

2. *Permanent Committee on Arts and Letters.*

The Assembly, noting the development of the "Conversations" organised by the Permanent Committee on Arts and Letters or under its auspices, and the interest evinced in these "Conversations" by a growing number of Governments, approves in its turn the proposal adopted by the Council on September 25th, 1936, to increase the number of members of that Committee from fourteen to eighteen, and inserts a supplementary credit of 5,050 Swiss francs for this purpose in the budget for the next financial period.

3. *Exact and Natural Sciences.*

The Assembly approves the programme of work prepared by the Committee of Scientific Experts, which met at Geneva on July 9th and 10th, 1936, hopes that it will be promptly carried into effect, decides to set up for this purpose the Permanent Scientific Committee requested by the experts, and, accordingly, decides that a supplementary credit of 10,000 Swiss francs be entered in the budget for the next financial year.

4. *Education.*

The Assembly, having noted the recommendation adopted on July 9th, 1936, by the Advisory Committee on League of Nations Teaching with regard to the proposal of the Swedish Broadcasting Corporation, recommended by the Ministries for Foreign Affairs of Denmark, Finland, Norway and Sweden, with a view, in particular, to the establishment of regular co-operation between the competent sections of the Secretariat on the one hand and the wireless broadcasting companies and adult education associations on the other, expresses the hope that the proposal will be carried into effect as soon and as widely as possible.

5. *Declaration on the Teaching of History.*

The Assembly hopes that the numerous States who have already approved the principles of the *Declaration on the Teaching of History*, adopted by the Assembly of the League of Nations at its sixteenth session, and since communicated to Governments by the Council of the League of Nations, will sign that document.

6. *Unemployment among Intellectual Workers.*

The Assembly,

Having taken cognisance of the plan prepared by the International Committee on Intellectual Co-operation to combat unemployment among intellectual workers :

Considers that the Committee's action in this sphere, conducted as arranged with the co-operation of the International Labour Office, may be of the greatest value to States ;

Approves the measures proposed and requests the Governments to facilitate their application to the best of their ability.

7. *Broadcasting and Peace.*

The Assembly expresses its satisfaction at the recent conclusion, under the auspices of the League of Nations, of an International Convention concerning the Use of Broadcasting in the Cause of Peace.

It is happy to note that this agreement was signed immediately on its conclusion by twenty States ;

And hopes that the number of acceding Governments will increase as rapidly as possible, thus ensuring the maximum effectiveness to the Convention.

8. *Fine Arts.*

The Assembly :

Asks the Secretary-General to transmit to the Governments the recommendations of the International Museums Office regarding International Art Exhibitions ;

Expresses the hope, in this connection, that the competent national administrations will be guided in practice by the principles laid down in these recommendations.

9. *Ethnographical and Historical Collection on the Origins of American Civilisation.*

The Assembly,

Approving the resolution adopted by the International Committee on Intellectual Co-operation at its eighteenth session, regarding the plan for an ethnographical and historical collection on the origins of American civilisation ;

Having also taken cognisance of the revised plan submitted by Ambassador Levillier, which it approves subject to its acceptance by the International Committee on Intellectual Co-operation ;

Having further been informed that the Governments of Ecuador, Mexico, Peru and Venezuela have offered to afford material support to the plan, that the Argentine Government offers to contribute a sum of 25,000 Argentine pesos per annum for the establishment of the collection, according to a plan and conditions of execution approved by it, and that the Faculty of Philosophy of Buenos Aires University has agreed to take charge of the Spanish edition :

Warmly thanks them for these generous contributions, and asks the Intellectual Co-operation Organisation and its Executive Committee to examine, as soon as possible, the plan and the conditions in which it is to be executed. A special session of the Executive Committee, assisted by experts, should be held for this purpose, the costs to be defrayed out of the credits at the disposal of the Secretariat of the Intellectual Co-operation Organisation for the current financial period.

The works are to be published in French and Spanish, under the supervision of the International Institute of Intellectual Co-operation in the case of the French edition, and of the Faculty of Philosophy of Buenos Aires University in the case of the Spanish edition.

The costs of the collection, which will serve as an intellectual link between America and the Old World, should be covered by the contributions already promised and by other contributions of Governments or institutions.

The Assembly urgently appeals to the Governments and institutions concerned to place the necessary funds at the disposal of the International Institute of Intellectual Co-operation.

10. *Intellectual Rights.*

The Assembly :

Notes that the International Institute of Intellectual Co-operation and the International Institute for the Unification of Private Law have fully carried out the task entrusted to them by the sixteenth Assembly as regards the bringing into line of the Berne and Havana Conventions on Authors' Rights ;

Hopes that the texts prepared, in co-operation with Senator Antuña, President of the Inter-American Commission on Authors' Rights, will be approved both in Europe and America, and that the next revision of the Berne Convention will provide an occasion for the conclusion of a universal convention on authors' rights.

11. *Intellectual Co-operation Month at the 1937 Universal Exhibition.*

The Assembly,

Having been informed of the decisions taken by the International Committee on Intellectual Co-operation concerning the organisation of various manifestations of intellectual co-operation in July 1937, at Paris, in connection with the Universal Exhibition of Art and Technique in Modern Life :

Warmly thanks the French Government and the General Commissioner of the Exhibition for their generous assistance ;

Expresses the opinion that the proposed meetings are likely not only to make intellectual co-operation more widely known, but to give important results ;

And, willingly acceding to the Council's wish, recommends these manifestations to the favourable attention of Governments, particularly the second General Conference of National Committees on Intellectual Co-operation, which should be attended by as large as possible a number of the representatives of these Committees.

12. *International Educational Cinematographic Institute.*

The Assembly approves the resolution of the International Committee on Intellectual Co-operation concerning the International Educational Cinematographic Institute's work. It once more emphasises the importance of the rôle assigned to that Institute by the Convention on the international circulation of films of an educational character, and expresses the hope that Governments would make full use of this Convention in encouraging exchanges of educational films likely to contribute to mutual comprehension between peoples.

13. *The League of Nations and Modern Means of spreading Information utilised in the Cause of Peace.*

The Assembly,

Emphasising once more the desirability of developing international co-operation and mutual understanding between nations ;

Having regard to the rapid contemporary development of the technical means of disseminating information ;

And considering that this development increases the possibilities of furthering the mutual exchange between nations of information relating to their respective institutions and cultures :

(1) Is of opinion that this question might well be the subject of discussion at the next ordinary session of the Assembly ;

(2) To this end, invites the International Committee on Intellectual Co-operation to draw up, after such consultations as they may deem appropriate, detailed suggestions to form the basis of the Assembly's discussions ;

(3) And further invites the Secretary-General to report on the above-mentioned technical means of spreading information at the disposal of the competent sections of the Secretariat in order that the Assembly may consider at its next ordinary session whether such means are adequate or whether their further development is desirable.

**XIV. APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS
AND PROBLEMS CONNECTED THEREWITH.**

The Assembly,

Recalling its recommendation of July 4th, 1936, and its resolution adopted on October 8th, 1936 :

Adopts the foregoing report (document A.83.1936.VII) ; and

Decides to set up the committee proposed in this report to study all the proposals which have been, or may be, made by Governments regarding the application of the principles of the Covenant and the problems connected therewith.

On the basis of this study, the committee will prepare a report, as soon as possible, indicating the definite provisions the adoption of which it recommends with a view to giving practical effect to the above-mentioned recommendation of July 4th, 1936.

This report shall be submitted to the Governments of the States Members of the League of Nations to serve as a basis for the decisions to be taken in this matter.

The committee shall be authorised to propose a special session of the Assembly, should it consider it advisable to do so.

ANNEX 7.

**RESOLUTIONS ADOPTED BY THE ASSEMBLY AT ITS
SEVENTEENTH MEETING, SATURDAY, OCTOBER 10TH, 1936,
AT 3.30 P.M.**

I. ECONOMIC AND FINANCIAL QUESTIONS.

I.

The Assembly,

Noting with satisfaction the joint declaration issued by the Governments of France, the United States of America and the United Kingdom on September 26th, 1936, and the adhesions thereto immediately given by several States ;

Recognising that this declaration harmonises with the recommendations made by the Economic Committee of the League of Nations in its recent Report on the Present Phase of International Economic Relations (document C.378.M.249.1936.II.B) ;

Considering that a concordant policy designed to re-establish a durable equilibrium between the economies of the various countries, to lay more solid foundations for the stability of economic relations and to promote international trade would effectively contribute to the consolidation of peace, the restoration of international order, the growth of world prosperity and the improvement of the standard of living of peoples :

Affirms the general desire of the States Members of the League to pursue the realisation of these objects and invites all States, whether Members of the League or not, to co-operate fully to that end ;

Urgently recommends all States, as an essential condition of final success, to organise without any delay determined and continuous action to ensure the application of the policy indicated above, to reduce excessive obstacles to international trade and communications, and in particular to relax and, as soon as possible, to abolish the present systems of quotas and exchange controls.

II.

The Assembly,

Considering that the time has now arrived when discussion of and enquiry into the question of equal commercial access for all nations to certain raw materials might usefully be undertaken with the collaboration of the principal States, whether Members or non-members of the League, having a special interest in the matter :

Decides to request the Council, when it thinks fit, to appoint a Committee composed, in suitable proportions, of members of the Economic and Financial Committees of the League of Nations together with other qualified persons, irrespective of nationality, to undertake the study of this question and report thereupon ;

Recognises that the choice of the raw materials to be considered should be at the discretion of the body thus appointed ;

Believes that the participation in the work of the Committee of nationals of the non-member as well as Member States specially interested would be desirable ;

Suggests that the Council should give attention to this consideration in reaching its decision ;

And instructs the Secretary-General to communicate the present resolution to the Governments of non-member States.

III.

The Assembly,

Considering that efforts to reduce the obstacles to the international circulation of capital must not have the effect of increasing fiscal fraud ;

Being of opinion that double taxation is both one of the causes of fiscal fraud and at the same time a serious obstacle to the development of international economic and financial relations ;

And holding that only concerted action based on specific agreements for international co-operation can ensure the accurate assessment and equitable allocation of taxes :

Requests the Fiscal Committee to pursue vigorously its work for the avoidance of double taxation as far as possible, and also its work on the subject of international fiscal assistance, in order to promote practical arrangements calculated as far as possible to put down fiscal fraud.

IV.

Whereas the development of international intercourse must necessarily be hampered unless it takes place simultaneously in every sphere—that is to say, not merely in the international trade in goods, but also in the circulation of capital and the movement of men ;
And whereas migration is at present at a standstill ;

The Assembly :

Notes with satisfaction that the Migration Commission, set up in the International Labour Organisation, has been convened for November to consider certain aspects of this serious question ;

Expresses its confidence that this Commission and the International Labour Office will frame practical suggestions capable of being immediately put into effect and thus contributing to the settlement of the economic and social difficulties already mentioned ;

Requests the Council to follow the work of the said Conference and to remain in touch in this connection with the International Labour Organisation, so that the appropriate organs of the League of Nations may, should occasion arise, contribute to that work ;

And decides to place the question of emigration on the agenda of its next ordinary session.

II. INTERNATIONAL ASSISTANCE TO REFUGEES.

I.

The Assembly,

Having examined, in the light of verbal explanations, the reports of the Acting President of the Governing Body of the Nansen International Office (document A.27.1936.XII) and of the High Commissioner for Refugees coming from Germany (document A.19.1936.XII) ;

Having taken into account the recommendations of the Committee for International Assistance to Refugees :

Thanks the Committee for its valuable report (document C.2.M.2.1936.XII), and Judge Hansson and Sir Neill Malcolm for the work which they have done during their term of office.

II.

The Assembly,

Having weighed the many elements in the refugee problem ;

Having noted that, in pursuance of previous decisions of the Assembly and in conformity with the recommendations of the High Commissioner for Refugees coming from Germany, the organisations created by the League of Nations on behalf of refugees will terminate at the end of 1938 ;

Having taken account at the same time of the continuing difficulties of this problem and of the importance of ensuring as soon as possible a uniform regime of legal protection for the refugees :

Recommends the Governments concerned to adopt the Convention of October 28th, 1933, relating to the international status of refugees (document C.650(1).M.311(1).1933) and the Provisional Arrangement of July 4th, 1936, concerning the status of refugees coming from Germany (document C.362.M.237.1936.XII) ;

Recommends also that Governments concerned should participate in the negotiation of a Convention for the protection of the refugees from Germany ;
Considers, further, that the Assembly should, at the latest at its ordinary session in 1938, determine the general principles which, after that year, should govern the attitude of the League towards the refugee problem as a whole.

III.

The Assembly :

Is happy to note that Governments have in certain cases been able to extend to refugees in their territories more liberal treatment than is provided for in the relevant international agreements, and having heard, with appreciation, the declaration made by the French delegation regarding recent measures adopted by the French Government in respect of refugees (legal status, joint committees, labour permits) ;

Expresses the hope that all Governments will adopt as liberal an attitude as possible towards refugees in their territories ;

Notes, on the other hand, that serious difficulties have been created by the practice adopted in certain countries of withdrawing protection from their nationals abroad ; and

Expresses the earnest hope that this practice may be discontinued.

IV.

The Assembly takes the following decisions in respect of the Nansen International Office and the High Commission for Refugees coming from Germany :

Nansen International Office.

The Assembly :

Has taken note of the previous decision of the Assembly that the Nansen Office should be liquidated within a specified time and according to fixed budgetary rules, and, in execution of this decision :

(1) Decides to appoint, until December 31st, 1938, a President of the Governing Body of the Nansen Office entrusted with the following duties :

(a) To carry on the administration of the Office, in accordance with the existing statute, until it has been liquidated, and to organise the activities of the Office during the period of liquidation, with the help of the technical services of the League of Nations ;

(b) To draw up at an early date and, if possible, to submit to the Council at its session in May 1937 a detailed scheme for the liquidation of the Nansen Office ; in any event, the report should be in the hands of Governments before July 31st, 1937, in order that the scheme may be considered at the next ordinary session of the Assembly ;

(c) To make recommendations, in time for consideration by the Assembly at its ordinary session in 1938, on the best method of allocating the tasks undertaken by the Office up to the date of its liquidation in the light of the situation existing at that time ;

(2) Notes the recommendations of the Acting President in regard to the settlement of different categories of refugees, especially those relating to the transfer of Armenian refugees to Erivan and to the position of the Armenian refugees settled in Syria ;

Approves, while accepting the reservations made by the Fourth Committee, an additional grant of 200,000 Swiss francs to the Nansen International Office for the purpose of facilitating the transfer and settlement in South America of Saar refugees residing in France ;

(3) Recommends that the following proposals of the Acting President should be brought to the notice of Governments for careful consideration :

(a) The encouragement, so far as circumstances permit, of the naturalisation and absorption of refugees in countries in which they have been resident for many years ;

(b) The issue of surcharged postage-stamps to assist the Nansen Office in its work ;

(c) The general application of the principles of the Franco-Belgian Agreement of June 30th, 1928.

Refugees coming from Germany (Jewish and Other).

The Assembly decides that a High Commissioner shall be appointed until December 31st, 1938, for the purpose of liquidating, so far as possible, the problem of refugees coming from Germany, and that the High Commissioner's duties shall include, in particular, the following :

(1) As regards the improvement of the legal status of refugees : to approach Governments in order to obtain their accession to the Provisional Arrangement of July 4th, 1936, and to prepare an intergovernmental Conference for the adoption of an international convention on the status of these refugees ;

(2) As regards questions of emigration and final settlement: to encourage initiative on the part of private organisations; to support such initiative by negotiations with the Governments of the countries of refuge; and, if necessary, to have definite plans for colonisation and emigration studied on the spot, in agreement with the Government concerned;

(3) To maintain contact with the various private organisations, in particular through the Liaison Committee of an international character which has already been set up;

(4) To submit an interim report to the Assembly at its next ordinary session, and, at its session of 1938, to present a report on the situation of the refugees at that moment and on the progress made towards the final solution of the problem, and definite proposals in regard to the future.

The Assembly decides to grant, for the administrative expenses of the High Commissioner for the year 1937, a sum of 82,500 Swiss francs.

V.

The Assembly,

Having taken note of the report of the Governing Body of the Nansen International Office for the year ending June 29th, 1936:

Expresses appreciation at the satisfactory results of the general application of the Nansen stamp system in France, and hopes that a similar practice will be adopted in all countries;

Again urges Governments not to expel refugees until they have obtained entrance visas for another country;

Requests the Governments of the immigration countries to continue to co-operate with the Office by informing it of the possibilities of settlement in their territories; and

Recommends Governments to consider the advantage of capitalising their expenditure on refugees and of placing such funds at the disposal of the Office for the settlement of refugees.

VI.

The Assembly,

In order to give effect to the provisions of resolution IV above:

(1) In accordance with Article 6 of the Statute of the Nansen International Office for Refugees, appoints Judge Hansson as President of the Governing Body of the Office until December 31st, 1938, and grants him a credit of 5,000 Swiss francs for representation allowance for the year 1937;

(2) Requests the Council to appoint, in the course of its present session, a High Commissioner for the Refugees coming from Germany (Jewish and other), until December 31st, 1938.

III. FINANCIAL QUESTIONS.

1. The Assembly, under Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the seventeenth financial period ended December 31st, 1935.

2. The Assembly,

Under Article 17 of the Regulations for the Financial Administration of the League of Nations:

Passes for the nineteenth financial period ending December 31st, 1937, the budget of expenditure of the League of Nations amounting to 29,184,128 Swiss francs, and the net budget of income amounting to 21,284,823 gold francs;

And decides that the aforesaid budget shall be published in the *Official Journal*.

3. Subject to the proposals and amendments included in the present report, the Assembly adopts the conclusions of the various reports of the Supervisory Commission submitted for its consideration.

4. The Assembly:

Takes note of the reports of the Administrative Board of the Staff Pensions Fund for the year 1936 (documents A.11.1936.X and A.11(a).1936.X) and the report of the Consulting Actuary on the Third Valuation of the Fund (document A.13.1936);

Decides that, for the present, the Fund shall continue to be valued annually by the Consulting Actuary;

Requests the Administrative Board to examine and report upon the effects of Article 19 of the Staff Pensions Regulations;

Requests the Supervisory Commission to examine with a delegation of the Administrative Board the changes which might be made in the Fund's system of management, in order to take account of the views expressed in this report;

Adopts the accounts of the Fund as submitted by the Auditor; and

Decides, having regard to Article 7, paragraph (a), of the Staff Pensions Regulations, that the contribution of the League to the Staff Pensions Fund shall, for 1937, be 9% of the pensionable emoluments of the members of the Fund.

5. The Assembly appoints to the Administrative Board of the Staff Pensions Fund, for the period ending December 31st, 1939 :

As regular members :

Professor W. RAPPARD (Switzerland);
Mr. Francis T. CREMINS (Irish Free State);
Professor Harold CREAMER (Sweden).

As substitute members :

M. Jan DE MODZELEWSKI (Poland);
M. C. PARRA-PÉREZ (Venezuela);
M. C. VAN RAPPARD (Netherlands).

6. The Assembly adopts the present report of the Fourth Committee (document A.80.1936.X).

IV. CONTRIBUTIONS IN ARREAR.

The Assembly,

Adopts the report of the Special Committee on Contributions in Arrear contained in document A.29.1936.X with the following amendment :

The last line of paragraph No. 9, "Cancellation of Arrangements in Case of Default", (page 3 of the report) to read: "The Committee recommends, therefore, that the cancellation clause should become operative as from January 1st, 1937";

Considering that, whilst the position as regards arrears of contributions has greatly improved, it is nevertheless necessary to maintain a vigilant attitude not only with regard to arrears but to the collection of current contributions;

Decides to appoint a Special Committee on Contributions, consisting of the following members, to deal with all matters that may arise in connection with the collection of contributions and to report to the Assembly at its eighteenth ordinary session :

Count CARTON DE WIART (Belgium);
Sir Frederick PHILLIPS (United Kingdom);
M. C. J. HAMBRO (Norway);
M. Štefan OSUSKÝ (Czechoslovakia);
M. A. GUANI (Uruguay).

V. ALLOCATION OF THE EXPENSES OF THE LEAGUE.

The Assembly approves for the years 1937, 1938 and 1939 the scale for the allocation of the expenses of the League annexed to the present resolution.

Scale of Allocation of League Expenses for 1937, 1938 and 1939.

States (French alphabetical order)	Units	States (French alphabetical order)	Units
		<i>Brought forward</i>	518
Afghanistan	1	Iraq	3
Union of South Africa	16	Iran	5
Albania	1	Irish Free State	10
Argentina	23	Italy	60
Australia	23	Latvia	3
Austria	10	Liberia	1
Belgium	19	Lithuania	4
Bolivia	2	Luxemburg	1
United Kingdom	108	Mexico	13
Bulgaria	4	Nicaragua	1
Canada	35	Norway	9
Chile	8	New Zealand	8
China	42	Panama	1
Colombia	5	Paraguay	1
Cuba	5	Netherlands	24
Denmark	12	Peru	5
Dominican Republic	1	Poland	32
Ecuador	1	Portugal	8
Spain	40	Roumania	19
Estonia	3	Salvador	1
Ethiopia	2	Siam	6
Finland	10	Sweden	19
France	80	Switzerland	17
Greece	7	Czechoslovakia	25
Guatemala	1	Turkey	10
Haiti	1	Union of Soviet Socialist Republics	94
Honduras	1	Uruguay	4
Hungary	8	Venezuela	4
India	49	Yugoslavia	17
	<hr/>		
<i>Carried forward</i>	518	TOTAL	923

ANALYTICAL CONTENTS TABLE

ABBREVIATIONS

Ass.	=	Assembly
Cttee.	=	Committee
Del.	=	Delegation
Govts.	=	Governments
Resol.	=	Resolution
Sec.-Gen.	=	Secretary-General
Suppl.	=	Supplementary

	Page		Page
Allocation of Expenses of League		Assembly of League (continued)	
Report of 4th Cttee. and resol.		17th Session (continued)	
Rapporteur's statement and resol.	118	Programme of work, provisional	37
Resolution of Ass. (Oct. 10, 1936)	145	Resolutions adopted by Ass.	
Armaments, Reduction and Limitation		Oct. 1, 1936	129
Reference to 3rd Cttee. of disarmament		Oct. 3, 1936	130
part of report on work of League,		Oct. 8, 1936	130-3
1935/36		Oct. 10, 1936	134-41, 141-5
Adoption of draft resol. of dels. of		Vice-Presidents	
Denmark, Finland, Netherlands,		Election	42
Norway and Sweden	102	List	31
Report of 3rd Cttee. noted and resol.		18th Session	
adopted by Ass.	116	Agenda: proposal <i>re</i> inclusion of a	
Resolution of Ass. (Oct. 10, 1936)	136	question in	116
Arms and War Material, Question of Supply		Assyrians of Iraq: Settlement	
to Belligerents		Council resolution (Sept. 25, 1936) and	
<i>See</i> Belligerents, etc.		reference to 4th Cttee.	81
Assembly of League		Belligerents, Question of Prohibiting Supply	
Rules of Procedure		of Arms and War Material to	
Report of 1st Cttee. noted and resols.		Appointment of Special Main Cttee.: resol.	
adopted by Ass.	114	of General Cttee., President's proposal	
Resolutions of Ass. (Oct. 10, 1936)	135-6	and adoption	108-9
17th Session		Committee of Jurists: communication of	
Agenda		Chairman and action taken	81-2
Agenda Cttee.		Report of Special Main Cttee. and resol.	
Appointment	38-9	Discussion and adoption of resol. and	
Chairman, appointment as member		amended report	115
of General Cttee.	31, 39	Resolution of Ass. (Oct. 10, 1936)	141
Distribution of items among Cttees.		Child Welfare	
Examination and adoption	38	Report of 5th Cttee. noted and resols.	
List of items and suppl. items as		adopted by Ass.	115
circulated to Govts. and Appendix		Resolutions of Ass. (Oct. 10, 1936)	137-8
List of items as adopted by Ass.		Committees of Assembly	
(Sept. 22, 1936)	9-10	Agenda and distribution of items among	39
Annexes to Minutes: list	7	Chairmen: election and list	31, 40, 42
Close of session	118-21	Constitution	38
Committees, <i>see</i> Committees of Ass.		Credentials Committee, <i>see</i> Assembly: 17th	
Convocation: letter from Sec.-Gen. to		Session: Credentials of delegates	
all League Members (May 7, 1936)	8	General Cttee.	
Credentials of delegates and Cttee. on		Chairmen of Agenda Cttee. and Cre-	
Verification		dentials Cttee.: appointment as	
Chairman of Cttee., appointment as		members	31, 39
member of General Cttee.	31, 39	Composition	31, 43
Convocation of Credentials Cttee. for		Programme of work, provisional	37
special purpose	107	Reports and resols., procedure <i>re</i> adoption	
Election of Credentials Cttee.	34-5	Reports examined in accordance with	
Ethiopian del.: question of validity		new procedure.	111-13, 114, 114-15
of credentials		Reports not examined in accordance	
Discussion and examination of		with new procedure	114, 116-18
report of Credentials Cttee.	36, 40-2	Special Main Cttee.: creation	
Letter from del. of Panama to		Resolution of General Cttee., Presi-	
Sec.-Gen. (Oct. 2, 1936)	129	dent's proposal and adoption	108-9
Voting and results	41	Third Cttee.	
Reports: examination	35-6, 40-2, 109-10	Constitution	
Delegates and delegations		Adjournment of question: General	
Credentials, <i>see above</i>		Cttee.'s proposal and adoption	43
List	11-30		
Opening of Ass. and opening speech of			
President of Council	33, 33-4		
President	31		
Election	36		
Presidential address	36-7		
Speech at close of session	118-21		
Tribute to work and acknowledgment	121		

	Page		Page
Committees of Assembly (continued)		Delegates and Delegations	
Third Cttee. (continued)		<i>See under Assembly: 17th Session</i>	
Constitution (continued)		Economic and Financial Questions	
Proposal of dels. of Denmark, Finland, Netherlands, Norway, Sweden		Report of 2nd Cttee. and resols.	
Proposal of General Cttee.: discussion and adoption	91	Rapporteur's statement and adoption of resols.	117
Reference to General Cttee.	66	Resolutions of Ass. (Oct. 10, 1936)	141-2
Reference of question to General Cttee.	38	European Union, Commission of Enquiry for Renewal of mandate: resol. of General Cttee.	113-14
Committees of League: Constitution, Procedure and Practice		Finances of League	
Report of 2nd Cttee. and resols.		Allocation of expenses, <i>see that title</i>	
Discussion and adoption of resols.	114	Contributions in arrear, <i>see that title</i>	
Resolutions of Ass. (Oct. 10, 1936)	134-5	General report of 4th Cttee. and resols.	
Contributions of States in Arrear		Adoption of resols.	118
Report of 4th Cttee. and resol.		Resolutions of Ass. (Oct. 10, 1936)	144-5
Rapporteur's statement and adoption of resol.	118	Financial Questions	
Resolution of Ass. (Oct. 10, 1936)	145	<i>See Economic and financial questions</i>	
Council of League: Non-permanent Members		Health Organisation, Work of	
China, request for re-eligibility (Oct. 2, 1936) and result of voting	107-8	Report of 2nd Cttee. noted and resols. adopted by Ass.	111
Composition: provisional creation of two new seats		Resolutions of Ass. (Oct. 8, 1936)	130-1
Report of 1st Cttee. and resol.		Indigent Foreigners, Assistance to	
Discussion and adoption	91-2	Report of 5th Cttee. noted and resols. adopted by Ass.	115
Resolution of Ass. (Oct. 1, 1936)	129	Resolution of Ass. (Oct. 10, 1936)	137
Resolution of Council (Oct. 2, 1936) and adoption by Ass.	106	Intellectual Co-operation Organisation	
Three Members: election		Report of 6th Cttee. noted and resols. adopted by Ass.	115
Procedure: communications by President and proposals of General Cttee.	39-40, 44, 56-7	Resolutions of Ass. (Oct. 10, 1936)	138-40
Voting and election of Bolivia, New Zealand and Sweden	57	League of Nations, Work of	
Two new Members: election		Report on work, 1935/36, <i>see that title</i>	
Creation of new seats, <i>see above</i> Composition, etc.		Mandates	
Procedure <i>re</i> election.	44, 106, 108	Reference of certain documents to 6th Cttee.: Norwegian proposal and adoption	42, 44
Voting and election of China and Latvia	108	Report of 6th Cttee. noted and resols. adopted by Ass.	115
Court of International Justice, Permanent		Resolution of Ass. (Oct. 10, 1936)	138
Judges, election of		Nationality, Convention on (1933)	
Election to three vacant seats		Report of 1st Cttee. noted and resols. adopted by Ass.	115
Acceptance of election by judges	116	Resolution of Ass. (Oct. 10, 1936)	136
Procedure	106, 110, 111	Non-Aggression and Conciliation, Treaty of	
Voting and results	110, 111	<i>See Treaty of Non-aggression, etc.</i>	
Method of election		Nutrition	
Reference of question to 1st Cttee.	50-1	Report of 2nd Cttee. and resols.	
Report of 1st Cttee. and adoption of resols.	105-6	Comments of rapporteur	111-12
Resolution of Ass. (Oct. 3, 1936)	130	Noting of report and adoption of resols.	113
Participation of judges of States not Members of League but parties to Statute of Court		Resolutions of Ass. (Oct. 8, 1936)	132-3
Credentials Cttee.: convocation	107	Opium and Other Dangerous Drugs, Traffic in	
Report of 1st Cttee. and adoption of resols.	105-6	Report of 5th Cttee. noted and resols. adopted by Ass.	111
Resolution of Ass. (Oct. 3, 1936)	130	Resolutions of Ass. (Oct. 8, 1936)	131-2
Covenant of League		Penal and Penitentiary Questions	
Amendment to bring into harmony with Paris Pact		Report of 5th Cttee. noted and resols. adopted by Ass.	115
Appointment of Special Main Cttee.: resol. of General Cttee., President's proposal and adoption	108-9	Resolution of Ass. (Oct. 10, 1936)	137
Communication from General Cttee.	43-4	President of Assembly	
Report of Special Main Cttee. and resol.		<i>See under Assembly: 17th Session</i>	
Discussion and adoption of resol. and amended report	115	Refugees, International Assistance to	
Resolution of Ass. (Oct. 10, 1936)	141	Report of 6th Cttee. and resols.	
Application of principles, etc.		Communication by President and adoption of resols.	117-18
Appointment of Special Main Cttee.: resol. of General Cttee., President's proposal and adoption	108-9	Resolutions of Ass. (Oct. 10, 1936)	142-4
Communication from General Cttee.	43-4		
Report of Special Main Cttee. and resol.			
Discussion and adoption of resol. and amended report	115		
Resolution of Ass. (Oct. 10, 1936)	141		
Credentials of Delegates			
<i>See under Assembly: 17th Session</i>			

	Page		Page
Relief Union, International		Status of Women	
Reference to 5th Cttee.: draft resol. of Venezuelan delegation and adoption	50, 56	Communication from Women's Consultative Cttee. on Nationality (Sept. 30, 1936)	
Report of 5th Cttee. noted and resol. adopted by Ass.	115	Inclusion of item in agenda of next Ass. session : proposal of certain dels.	116
Resolution of Ass. (Oct. 10, 1936)	138		
Report on Work of League in 1935/36		Supervisory Commission	
Discussion, 44-50, 51-6, 57-66, 67-73, 74-81, 82-90, 92-7, 97-102, 102-5		Composition and appointments	
Speeches by delegates of following countries		Report of 4th Cttee. and resol.	
Argentine Republic (Cantilo ; Levillier)	86-7, 95-7	Discussion and adoption of resol. and proposals	114, 118
Australia (Bruce)	74-7	Resolution of Ass. (Oct. 10, 1936)	134
Austria (Schmidt)	70-1		
Bolivia (Costa du Rels)	97	Terrorism, International Repression of	
Canada (Mackenzie King)	67-70	Report of 1st Cttee. noted and resol. adopted by Ass.	114
Chile (García-Oldini)	97-8	Resolution of Ass. (Oct. 10, 1936)	135
China (Koo)	71-3		
Colombia (Lozano y Lozano)	92-3	Titulesco, Nicolas	
Cuba (de Blanck)	101-2	Illness and message of sympathy from Ass.	37
Czechoslovakia (Krofta)	80-1		
Denmark (Munch)	64-6	Traffic in Opium, etc.	
Dominican Republic (Henriquez Urefia)	94-5	See Opium and other dangerous drugs, traffic in	
Ecuador (Zaldumbide)	104-5		
Ethiopia (Taezaz)	82-3	Traffic in Women and Children	
France (Delbos)	51-2	Report of 5th Cttee. noted and resol. adopted by Ass.	111
Haiti (Mayard)	87-90	Resolutions of Ass. (Oct. 8, 1936)	131
Hungary (Tanczos)	57-61		
India (Aga Khan)	77-8	Transit and Communications Organisation	
Mexico (Baassols)	100-1	Report of 2nd Cttee. and resol.	
New Zealand (Jordan)	78-80	President's statement and adoption of resol.	114
Norway (Koht)	52-4	Resolution of Ass. (Oct. 10, 1936)	135
Panama (Solís)	54-6		
Peru (Tudela)	105	Treaty of Non-Aggression and Conciliation, Rio de Janeiro (1933)	
Portugal (Monteiro; de Vasconcellos)	83-6, 93	Appointment of Special Main Cttee. : resol. of General Cttee., President's proposal and adoption	108-9
Spain (Alvarez del Vayo; Ossorio y Gallardo)	47-50, 103-4	Communication from General Cttee.	43-4
Sweden (Undén)	74	Report of Special Main Cttee. and resol.	
Turkey (Kaya)	98-9	Discussion and adoption of resol. and amended report	115
U.S.S.R. (Litvinoff)	61-4	Resolution of Ass. (Oct. 10, 1936)	141
United Kingdom (Eden)	44-7		
Venezuela (Parra-Pérez)	99-100	Vice-Presidents	
		See under Assembly : 17th Session	
Reports of Committees			
See under Committees of Ass.			
Resolutions of Assembly			
See under Assembly : 17th Session and the subjects required			
Rules of Procedure			
See under Assembly			

LEAGUE OF NATIONS

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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

FIRST COMMITTEE

Constitutional and Legal Questions

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	
AGENDA	9
FIRST MEETING, September 23rd, 1936, at 10 a.m. :	
1. Election of the Vice-Chairman	10
2. Publicity of Meetings	10
3. Adoption of the Agenda	10
SECOND MEETING, September 24th, 1936, at 10.15 a.m. :	
4. Composition of the Council : General Discussion	10
5. Composition of the Council : Examination and Adoption of a Draft Resolution for submission to the Assembly	16
6. Composition of the Council : Appointment of the Rapporteur to the Assembly.	17
7. Composition of the Council : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	17
THIRD MEETING, September 28th, 1936, at 10.30 a.m. :	
8. Composition of the Council : Examination and Adoption of the Draft Report of the First Committee to the Assembly	18
9. Permanent Court of International Justice : Method of Election to the Three Vacant Seats: Proposals by the Council concerning the Election of Members of the Court : General Discussion	22
FOURTH MEETING, September 30th, 1936, at 3.15 p.m. :	
10. Permanent Court of International Justice : Method of Election to the Three Vacant Seats : Proposals by the Council regarding the Election of Members of the Court : General Discussion (<i>continuation</i>)	24
11. Permanent Court of International Justice: Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court : Proposals by the Council concerning the Election of Members of the Court : General Discussion	25
12. Permanent Court of International Justice : (a) Method of Election to the Three Vacant Seats : (b) Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court : Appointment of the Rapporteur to the Assembly	28
13. Permanent Court of International Justice : (a) Method of Election to the Three Vacant Seats : (b) Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	28
14. International Repression of Terrorism : General Discussion : Draft Convention for the Prevention and Punishment of Terrorism	28
FIFTH MEETING, October 1st, 1936, at 3.30 p.m. :	
15. Permanent Court of International Justice : Examination and Adoption of the Draft Report of the First Committee to the Assembly : I. Method of Election to the Three Vacant Seats	34
II. Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court	34
16. International Repression of Terrorism : General Discussion (<i>continuation</i>) : Draft Convention for the Prevention and Punishment of Terrorism (<i>continuation</i>).	34
SIXTH MEETING, October 3rd, 1936, at 3.30 p.m. :	
17. International Repression of Terrorism : General Discussion (<i>continuation</i>) : Draft Convention for the Prevention and Punishment of Terrorism (<i>continuation</i>).	38

SEVENTH MEETING, October 5th, 1936, at 10.15 a.m. :

	Page
18. International Repression of Terrorism : General Discussion (<i>continuation</i>) :	
Draft Convention for the Prevention and Punishment of Terrorism (<i>continuation</i>)	47
Draft Convention for the Creation of an International Criminal Court	49
19. International Repression of Terrorism : Examination of the Draft Resolution submitted by M. Pella and M. Rolin	52
20. International Repression of Terrorism : Communication by the Chairman of the First Committee to the Chairman of the Supervisory Commission	56
21. International Repression of Terrorism: Appointment of the Rapporteur to the Assembly	56

EIGHTH MEETING, October 6th, 1936, at 10.15 a.m. :

22. International Repression of Terrorism : Examination and Adoption of the Draft Resolution submitted by M. Pella and M. Rolin (<i>continuation</i>)	56
---	----

NINTH MEETING, October 7th, 1936, at 10.15 a.m. :

23. Rules of Procedure of the Assembly : Proposed Amendments regarding the Composition of the General Committee of the Assembly, the Insertion of a Provision regarding the Agenda Committee and the Creation of a Nominations Committee . .	62
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TENTH MEETING, October 8th, 1936, at 10.15 a.m. :

24. Rules of Procedure of the Assembly : Proposed Amendments regarding the Composition of the General Committee of the Assembly, the Insertion of a Provision regarding the Agenda Committee and the Creation of a Nominations Committee : Examination of the Texts prepared by the Bureau	68
25. Rules of Procedure of the Assembly : Maintenance of the Rule relating to the Convocation of the Finance (Fourth) Committee of the Assembly before the Opening of the Session	71
26. Rules of Procedure of the Assembly : Appointment of the Rapporteur to the Assembly .	71
27. Rules of Procedure of the Assembly : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	71
28. Rules of Procedure of the Assembly : Examination and Adoption of the Draft Report of the First Committee to the Assembly	71
29. International Repression of Terrorism : Examination and Adoption of the Draft Report of the First Committee to the Assembly	72
30. International Repression of Terrorism : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	72
31. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Examination and Adoption of a Draft Resolution proposed by the Chilean Delegation	72
32. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Appointment of the Rapporteur to the Assembly : Delegation to the Rapporteur and the Bureau of the Preparation of the Report to the Assembly	72
33. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	72
34. Close of the Session	72

LIST OF ANNEXES.

	Page
1. Composition of the Council :	
Report of the Committee appointed to study the Composition of the Council	73
2. Composition of the Council :	
Report submitted by the First Committee to the Assembly	75
Resolution adopted by the Assembly on October 1st, 1936	76
3. Permanent Court of International Justice :	
Proposals of the Council concerning the Election of Members of the Court	76
Second Report from the Committee of Jurists to the Council	78
4. Permanent Court of International Justice :	
I. Method of Election to the Three Vacant Seats.	
II. Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court :	
Report submitted by the First Committee to the Assembly	80
Resolutions adopted by the Assembly on October 3rd, 1936	80, 81
5. Rules of Procedure of the Assembly :	
Proposed Amendments adjourned by the Assembly in 1935 for Discussion at the Ordinary Session in 1936	81
6. Rules of Procedure of the Assembly :	
Report submitted by the First Committee to the Assembly	84
Resolutions adopted by the Assembly on October 10th, 1936	83
7. International Repression of Terrorism :	
Report submitted by the First Committee to the Assembly	84
Resolution adopted by the Assembly on October 10th, 1936	85
8. Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States :	
Report submitted by the First Committee to the Assembly	86
Resolution adopted by the Assembly on October 10th, 1936	86

LIST OF MEMBERS OF THE FIRST COMMITTEE.

Chairman : M. J. LIMBURG (Netherlands).

Vice-Chairman : His Excellency M. Angel OSSORIO Y GALLARDO (Spain).

- Afghanistan* : A. QAYUM Khan.
- Union of South Africa* : Mr. C. T. TE WATER.
Mr. H. T. ANDREWS (substitute).
- Albania* : His Excellency Dr. Fuad ASLANI.
M. Thomas LUARASSI (substitute).
- Argentine Republic* : His Excellency M. José Maria CANTILO.
His Excellency Dr. Enrique RUIZ GUIÑAZÚ.
His Excellency M. LEVILLIER.
Dr. Carlos ECHAGUE (substitute).
- Australia* : The Right Honourable S. M. BRUCE, C.H., M.C.
Mr. F. K. OFFICER (substitute).
- Austria* : Dr. Markus LEITMAIER.
Mme. Fanny STARHEMBERG (substitute).
- Belgium* : Count CARTON DE WIART.
M. Henri ROLIN.
M. Maurice BOURQUIN (substitute).
M. J. COUCKE (substitute).
- Bolivia* : His Excellency M. Adolfo COSTA DU RELS.
M. Alfonso QUEREJAZÚ (substitute).
- United Kingdom of Great Britain and Northern Ireland* : Sir William MALKIN, K.C.M.G., C.B., K.C.
Viscount CRANBORNE, M.P. (substitute).
- Bulgaria* : His Excellency M. Constantin BATOLOFF.
Dr. Milu MILEFF (substitute).
- Canada* : The Right Honourable W. L. Mackenzie KING, M.P.
Mr. O. D. SKELTON (substitute).
- Chile* : His Excellency M. Manuel RIVAS VICUÑA.
M. Enrique J. GAJARDO V. (substitute).
- China* : His Excellency Dr. V. K. Wellington KOO.
M. SIE Tong-Fa (substitute).
M. K. S. WEIGH (substitute).
- Colombia* : His Excellency Dr. Carlos LOZANO Y LOZANO.
Dr. J. M. YEPES (substitute).
- Cuba* : His Excellency M. Guillermo DE BLANCK Y MENOCAL.
His Excellency Dr. Aurelio FERNÁNDEZ CONCHESO (substitute).
- Czechoslovakia* : His Excellency M. Štefan OSUSKÝ.
His Excellency M. Ferdinand VEVERKA (substitute).
M. Arnóšt HEIDRICH (substitute).
- Denmark* : M. Erik DE SCAVENIUS.
M. Jesper SIMONSEN (substitute).
- Dominican Republic* : His Excellency Dr. Max HENRIQUEZ UREÑA.
- Ecuador* : —
- Estonia* : Dr. N. KAASIK.
M. August SCHMIDT (substitute).
- Ethiopia* : —
- Finland* : His Excellency Dr. Rudolf HOLSTI.
Dr. Ensio HIITONEN (substitute).

- France :* His Excellency M. J. PAUL-BONCOUR.
M. PLANCHE.
M. BASDEVANT (substitute).
M. René CASSIN (substitute).
- Greece :* His Excellency M. Nicolas POLITIS.
M. Demètre CAPSALIS (substitute).
- Guatemala :* —
- Haiti :* His Excellency M. Constantin MAYARD.
His Excellency M. A. F. FRANGULIS (substitute).
M. Alfred ADDOR (substitute).
- Honduras :* —
- Hungary :* M. Béla DE SZENT-ISTVÁNY.
M. Paul SEBESTYÉN (substitute).
M. László BARTÓK (substitute).
- India :* Mr. Charu Chandra BISWAS, C.I.E.
Sir Denys BRAY, K.C.S.I., K.C.I.E., C.B.E. (substitute).
- Iran :* His Excellency Anochiravan SEPAHBODI.
His Excellency Mostafa ADLE.
His Excellency M. RAIS.
M. GHARIB (substitute).
M. ENTEZAM (substitute).
- Iraq :* His Excellency NOURI Pasha.
Sabih NAJIB (substitute).
- Irish Free State :* Dr. Michael RYNNE.
Mr. Francis T. CREMINS (substitute).
- Italy :* —
- Latvia :* His Excellency M. Jules FELDMANS.
M. Andréjs KAMPE (substitute).
M. Karlis KALNINŠ (substitute).
- Liberia :* His Excellency Baron Othon DE BOGAERDE.
M. Fenton MORAN (substitute).
- Lithuania :* His Excellency M. Petras KLIMAS.
His Excellency M. Juozas URBŠYS (substitute).
Mme. S. ČIURLIONIS (substitute).
- Luxemburg :* M. Albert WEHRER.
- United States of Mexico :* His Excellency M. Primo VILLA MICHEL.
M. Manuel TELLO (substitute).
- Netherlands :* M. J. LIMBURG.
M. W. M. VAN LANSCHOT (substitute).
- New Zealand :* The Honourable Sir James PARR, G.C.M.G.
Mr. C. A. BERENDSEN, C.M.G., LL.M. (substitute).
- Nicaragua :* —
- Norway :* Dr. Halvdan KOHT.
M. HAMBRO.
Dr. Christian L. LANGE.
Dr. Frede CASTBERG (substitute).
M. R. B. SKYLSTAD (substitute).
- Panama :* His Excellency M. Galileo SOLÍS.
- Paraguay :* —
- Peru :* M. Pedro UGARTECHE.
- Poland :* M. Władysław KULSKI.
- Portugal :* His Excellency Professor Dr. José CAEIRO DA MATTA.
- Roumania :* His Excellency M. V. V. PELLA.
His Excellency M. Constantin ANTONIADE.
His Excellency M. Alexandre CRETZIANO (substitute).
- Salvador :* —
- Siam :* His Excellency Phya RAJAWANGSAN.
Luang BHADRAVADI (substitute).

- Spain :* His Excellency M. Angel OSSORIO Y GALLARDO.
His Excellency M. Antonio FABRA RIBAS (substitute).
- Sweden :* M. B. Östen UNDÉN.
M. K. I. WESTMAN (substitute).
Mlle. Kerstin HESSELGREN (substitute).
- Switzerland :* M. Camille GORGÉ.
M. Ludwig SCHNELLER (substitute).
- Turkey :* His Excellency Dr. Tevfik RÜSTÜ ARAS.
His Excellency M. Sükrü KAYA.
His Excellency M. Necmeddin SADAĞ (substitute).
M. Bedi ARBEL (substitute).
- Union of Soviet Socialist Republics :* M. Maxime LITVINOFF.
M. Vladimir POTEKINE (substitute).
M. Georges LACHKEVITCH (substitute).
- Uruguay :* His Excellency Dr. Alberto GUANI.
- Venezuela :* His Excellency M. C. PARRA-PÉREZ.
M. Luís LORETO (substitute).
- Yugoslavia :* Dr. Ivan SOUBBOTITCH.
Dr. Stoyan GAVRILOVITCH (substitute).
Dr. Slavko STOYKOVITCH (substitute).
-

FIRST COMMITTEE OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY.

(CONSTITUTIONAL AND LEGAL QUESTIONS.)

AGENDA.

1. COMPOSITION OF THE COUNCIL.
 2. PERMANENT COURT OF INTERNATIONAL JUSTICE :
Method of Election to the Three Vacant Seats.
Participation in the Election of the Judges of a State which is not a Member of the League, but is a Party to the Statute of the Court.
 3. INTERNATIONAL REPRESSION OF TERRORISM.
 4. RULES OF PROCEDURE OF THE ASSEMBLY.
 5. CONVENTION ON NATIONALITY SIGNED ON DECEMBER 26TH, 1933, AT THE SEVENTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.
-

FIRST MEETING.

Held on Wednesday, September 23rd, 1936, at 10 a.m.

Chairman: M. LIMBURG (Netherlands).

1. Election of the Vice-Chairman.

The Committee unanimously elected M. OSSORIO Y GALLARDO (Spain) Vice-Chairman.

2. Publicity of Meetings.

The Committee decided that, in principle, its meetings should be held in public.

3. Adoption of the Agenda.

The Committee adopted its agenda, and decided to examine the questions in the following order :

(a) *Composition of the Council.*

Report of the Committee set up to study this question.
Report adopted by the Council on May 13th, 1936.

(b) *Permanent Court of International Justice.*

Participation of States not Members of the League in the election of members of the Court.

(c) *International Repression of Terrorism.*

Report of the Committee set up to study this question.
Report adopted by the Council on January 23rd, 1936.
Government observations.

(d) *Rules of Procedure of the Assembly.*

- (i) Maintenance of the rule relating to the convocation of the Finance (Fourth) Committee of the Assembly.
- (ii) Proposed amendments regarding the composition of the General Committee, the insertion of a provision regarding the Agenda Committee and the creation of a Nominations Committee.

(e) *Convention on Nationality concluded on December 26th, 1933, at the Seventh International Conference of American States.*

Proposal by the Chilian Government that the Assembly should, if it thinks fit, recommend non-signatory States to accede to this Convention.

The CHAIRMAN pointed out that the question of the Permanent Court of International Justice, which had been placed first on the agenda on account of its urgency, could not be discussed until the Committee had received a proposal from the Council.

SECOND MEETING.

Held on Thursday, September 24th, 1936, at 10.15 a.m.

Chairman: M. LIMBURG (Netherlands).

4. Composition of the Council : General Discussion.

The CHAIRMAN reminded the Committee that the question of the composition of the Council had already been studied by a Special Committee appointed under the Council resolution of September 26th, 1935,¹ the report of which (document A.9.1936.V; (Ser. L.o.N. P. 1936.V.3)² had been distributed to the members of the Committee at the same time as the extract from the Minutes of the meeting of May 13th, 1936,³ at which the Council had examined that same report (document A.16.1936.V).

¹ See *Official Journal*, November 1935, page 1200.

² See Annex 1, page 73.

³ See *Official Journal*, June 1936, page 547.

He referred the members of the Committee to the Council resolution of September 26th, 1936, and read paragraph 8 of document A.9.1936.V (Ser. L.o.N. P. 1936.V.3),¹ in which the Committee's proposals were summarised :

" The proposal made by the Committee, which, as already stated, is one aiming at a purely provisional solution and is subject to the observation made in paragraph 6, is that, for a limited period commencing with the elections of 1936, the number of non-permanent seats (which would otherwise once more fall to nine) shall be raised to eleven by appropriate resolutions of the Council and the Assembly acting under Article 4, paragraph 2, of the Covenant. Of the two seats which would thus be created, the Committee considers that one might provide representation for a group comprising the non-grouped European States, and that the Assembly might consider the other as attributed to Asia. The Committee were very favourably impressed by the application of China for representation on the Council at an early date and were unanimous in thinking that means should be found for acceding to this application and for doing so in 1936. It is clear that, in order to do so, the Assembly must declare China re-eligible, since she only ceased to be a Member of the Council in 1934."

The Chairman then opened the general discussion concerning the composition of the Council.

M. Wellington Koo (China) had not expected the Committee to deal with this subject so soon ; nevertheless, he was glad to have the opportunity of explaining his Government's views on the matter. He would be brief, because the arguments in favour of the Chinese Government's request had already been clearly set out in the report and had been thoroughly discussed by the Committee of the Council.

The Chinese Government held that one of the fundamental principles of the League was its universal character. In the first years of the League, the Chinese delegation had done its utmost to implement that principle as far as possible in regard to the composition of the Council and the representation on it of those Member States which had not permanent seats. He himself had played some part, as representative of his Government in the early years of the League, in urging, in particular, the principle of geographical distribution of seats. That principle had received general endorsement, as had also the principle of rotation, and recommendations to that effect had been unanimously approved by the Assembly after a thorough study by a special Committee.²

The application of those principles had ensured smooth operation in the representation of States Members on the Council, and it had only become necessary to increase the number of non-permanent seats so as to take into account the increase in the number of Members of the League and to ensure that the representation of Members other than those having permanent seats should be adequate. The underlying idea had then been, and still was, that each part of the world should be adequately represented, not only in order to conserve the principle of universality, but also to bring to the League useful contributions from all parts of the world. That was the basis upon which the representation of non-permanent Members reposed.

Nevertheless, after nearly fifteen years of satisfactory working, Asia had, in 1934, found itself no longer represented on the Council, although all the other continents and groups of nations had their representatives thereon. That absence of Asia had been felt to be a misfortune, for, without Asiatic co-operation, the League's ideals seemed destined to progress more slowly. In 1934, China had asked to be represented on the Council, no other Asiatic Member having sought election, but the claim had not been favourably received. China desired not so much to obtain her own presence in the Council as to ensure the contribution of Asia to the common work of the maintenance and promotion of peace.

The letter of application addressed to the President of the Council by the Chinese Minister in London on May 21st, 1935,³ stressed the principle of universality. It was furthermore urged that the Member States in Asia had always been among the most warm and loyal supporters of the League and its ideals. In all crises, the Asiatic States had supported League decisions and had upheld the principles of the Covenant.

In the present disturbed state of the world, the League, and particularly the Council, needed information from all parts of the world, especially as regarded problems upon the solution of which peace depended. Nowadays, whatever occurred in one part of the world was bound to affect the other parts. Everyone knew the effects in Europe of the events in the Far East of 1904-1905 and that the events of 1914-1918 in Europe had affected the prosperity and welfare, and even the destiny, of some of the peoples of Asia. China's presence on the Council was desirable, not only from the point of view of Asia, but also from the point of view of the whole League, not only in the interests of peace, but also for the advancement of humanitarian and technical problems. Through an arrangement for technical collaboration, China had been able to co-operate with the League to their mutual advantage, and had thereby established a valuable precedent.

¹ See Annex 1, page 73.

² See document A.48.1926.VII (see also *Official Journal*, October 1926, page 1357).

³ See *Official Journal*, November 1935, page 1349 (see also document A.9.1936.V (Ser. L.o.N. P. 1936.V.3), page 3).

For all these reasons, M. Wellington Koo felt that China's claim for representation on the Council was justified. He hoped that the Committee would show its sympathetic appreciation of China's position and its understanding of the report by taking a favourable decision.

Dr. LEITMAIER (Austria) said that, until 1933, the situation had been characterised by the fact that a considerable number of States Members of the League had been practically excluded from all possibility of being elected to the Council. That state of affairs had been deplored by the Rapporteurs to the Council, and he hoped that all members of the Committee would admit the need for making a change.

It had been impossible, in 1933,¹ to reach a final solution. Provisional rules had been drawn up. It was now proposed that that provisional solution should be prolonged. Those rules did not give satisfaction to the Austrian Government, for reasons of principle which he need not explain at present, and for reasons of equity, because, although those rules conferred upon Austria equality at law, they did not give her equality in practice. Consequently, the Austrian Government reserved the right to state its views when the time came to discuss a final solution.

Nevertheless, he thought that the provisional solution adopted was a first step in the right direction. A second step was about to be taken. He trusted that it would be a sufficiently energetic one.

Dr. Leitmaier hoped that the Committee would accept the proposals of the majority of the Special Committee and would fix the term of office of the new Members at three years rather than one. Obviously, there could be no question of acquired rights; but, since, on two occasions, a decision had been taken in favour of three years, there was every reason to hope that that period would be fixed definitely.

M. GAJARDO (Chile) said that the Chilean Government very strongly supported the Chinese delegate's arguments in favour of the representation of China on the Council.

The Chilean Government also accepted the conclusions of the majority of the Committee appointed to study the composition of the Council.

M. GORGÉ (Switzerland) recalled that the Swiss Federal Council was not and never had been in favour of too large a Council. In order to avoid a dangerous dispersal of responsibilities, it would have preferred it to remain as small a body as possible. Doubtless the Council possessed, juridically, the same prerogatives as the Assembly, but it had nevertheless a different part to play, so that it did not seem advisable to enlarge it so that it became a small Assembly.

On the other hand, it seemed indispensable that a solution should be found which would allow all States which so desired to have the possibility to become Members of the Council in rotation. The composition of the Council should rest on democratic principles, and, in view of the principle of equality of States, from which the League ought not to depart, it was inadmissible that certain countries should be excluded from the Council for ever.

Having used the word "democratic", M. Gorgé wished, in order to avoid a misunderstanding, to explain that the Swiss Federal Government had no objection—quite the contrary—to the great Powers having permanent seats on the Council. It had always insisted that that was necessary, in particular in the message concerning the accession of Switzerland to the League, because it was impossible to disregard certain definite facts. On the other hand, the Swiss Government was opposed to any idea of ostracism. Every State should have access to a body like the Council. The Swiss Government could express that opinion the more freely because it had never been a Member of the Council and did not, for the present at least, intend to become a candidate, for reasons based on its century-old policy of neutrality.

If it were impossible to find, within the framework of a small Council—which it would prefer—a solution to overcome the inequalities of the present system, the Swiss Government would, on grounds of logic, definitely pronounce in favour of increasing the number of the members of that body. If the choice lay between a Council from which all countries not belonging to certain groups would be perpetually excluded and a more numerous Council on which all States Members would be called upon to sit in succession, in accordance with the principle of the equality of States, it would prefer the latter solution.

Fortunately, there was no question at the moment of reaching a final solution, since the time was not propitious. As, therefore, the solution was provisional and the object of the Special Committee's report was obviously to eliminate the inequalities—not to say the injustices—just mentioned, the Swiss delegation accepted the conclusions of the report.

M. ADLE (Iran) recalled that his Government had already made a proposal concerning the representation on the Council which, in its opinion, ought to be accorded to Asiatic States. That proposal, which was supported by several Governments—in particular, those of Turkey and Iraq—was to the effect that, taking into account the geographical and ethnographical situation of Asia, the States of that continent were entitled to two seats at least, one to be attributed to the States of Eastern Asia and the other to the States of Western Asia, including Afghanistan, Iraq, Iran and Turkey.

The delegation of Iran thanked the Committee appointed to study the composition of the Council for having recognised, in proposing to create a new seat for the Asiatic continent, that that continent was entitled to more than one seat on the Council. It endorsed the report of

¹ See *Official Journal*, Special Supplement No. 116, pages 6 and 25.

the aforesaid Committee regarding the attribution of a seat to China. On the other hand, it noted the fact that the other seat, at present occupied by Turkey, would be reserved for the States of Western Asia.

M. LANGE (Norway) entirely agreed with M. Gorgé's general observations. The Norwegian delegation wondered whether, from the point of view of the general interest of the League, it was not desirable that the Council should remain a small body, for which reason it would be a really different body from the Assembly. It recognised the reality of the danger to which M. Gorgé had referred—that the Council might tend to become a sort of second Assembly. In principle, therefore, the Norwegian delegation would be inclined to vote against any increase in the size of the Council. It also believed that, within the limits of the present number of non-permanent Members of the Council, the various interests, the various political systems, or, as they had been called, the various groups, might obtain adequate representation. The system of groups had developed, and M. Lange felt bound to draw the attention of his colleagues to the danger of allowing that system to crystallise and thus become, so to speak, immutable. A certain group, for instance, had for long been represented on the Council by three Members. That group had now become so small that it was a paradox that it should have maintained as many representatives as formerly. If that fact were taken into account at the next elections, China, which, M. Lange admitted, had a right to sit on the Council and (what was more important) the co-operation of which would be very valuable, might obtain a seat on the Council without increasing the number of members of that body.

The Norwegian delegation realised that the Committee would probably vote in favour of increasing the number of seats, and it was evident that a unanimous report from a Committee as representative as that set up by the Council would be of great weight. The Norwegian delegation would therefore be able to vote for the creation of a single additional seat, but asked that that seat should be created for a period of three years so that a Member of the Council might exercise a useful influence. A period of one year was insufficient, for it amounted, in fact, to little more than a time of preparation.

Luang BHADRAVADI (Siam) said that his delegation shared the Chinese delegation's views and supported that delegation's request.

M. SADAK (Turkey) supported the statement of the delegate of Iran.

QAYUM Khan (Afghanistan) also supported the Iranian delegate's statement.

M. RUIZ GUIÑAZÚ (Argentine Republic) wished first to draw the Committee's attention to the general principles which, in his Government's opinion, should constantly govern the participation of States in the Council of the League. In that connection, he referred to the traditional view of his country concerning the legal equality of all sovereign States, a principle which should lead to the progressive democratisation of the Council. Consequently, the Argentine delegation agreed with the general conclusions of the report. It would therefore vote for the increase in the number of non-permanent seats, while expressing the hope that, in applying the system of rotation, the principle of the universality of the League of Nations should be taken into account, if present necessities so required.

Subject to those reservations, the Argentine delegation would support any proposal calculated to solve equitably the present difficulties mentioned by certain States.

M. KLIMAS (Lithuania) endorsed the conclusions of the report, particularly those which concerned the number of seats and the period for which the additional seat should be created.

General NOURY-AL-SAID (Iraq) supported the declarations of the delegate of Iran.

M. ROLIN (Belgium) did not wish to oppose what seemed to be the general desire of the Committee to accept the Special Committee's proposals; but his vote, like M. Gorgé's, would be a vote of resigned acquiescence. He felt that the solution proposed was unsatisfactory. He could say this freely because Belgium had not sat on the Council for about ten years. She had not lost prestige by that fact, nor had her interests been in any way injured. He thought, therefore, that he was entitled to say to those who showed alarm and thought their chances of a seat on the Council too slight that they were perhaps labouring under an illusion regarding the importance to a country of such representation. It was even possible that, in the course of recent events, certain Members of the League had felt some satisfaction at not having been obliged to take part in the Council's decisions.

Personally, M. Rolin thought the presence of small States in the Council was an extremely heavy charge which those States were bound to accept as a mandate of confidence, as a necessity, without underestimating the responsibilities they thus bore towards the other Members of the League. Doubtless, small States had not the right to refuse when asked to help, but was it worth while pushing and struggling to obtain a seat on the Council? Year after year, the number of Members of the Council had been increased precisely with a view to that democratisation to which the Argentine delegate had referred. In M. Rolin's view, the result was the opposite from what had been expected; the Council afforded fewer guarantees from the democratic standpoint. Since the small States had been represented on the Council in greater numbers, their influence had decreased proportionately. It was natural that, when a delicate question came up before too numerous a Council, that body should entrust its examination to small sub-committees consisting practically of representatives of the great Powers, who met behind closed doors and then presented their colleagues with ready-made decisions. That was certainly not a system which ought to be perpetuated.

M. Rolin would therefore ask those who desired a Council working with all possible guarantees to seek for some solution other than the final creation of an additional seat. He also asked those who at present, either as groups or individuals, had obtained semi-permanent seats which were, in fact, becoming permanent, or those who had a more or less privileged position, to consider whether it was not possible to safeguard, by other means, the very real interests they had had in view when claiming a seat on the Council.

It was evident that some account must be taken of the question of prestige. It would not be right that certain countries should be practically excluded from representation on the Council, that groups should be formed which practically prepared elections that the Assembly had only to ratify, so that States belonging to none of those groups did not even share in the choice of candidates.

Moreover, it was of political importance that, when a country was directly or indirectly concerned in a question, it could be sure that the Council as composed was really competent and included members capable of representing the special points of view which it might desire to stress. That was an essential point and, in that connection, M. Rolin wondered whether a solution might not be found in the more liberal application of the rule of the Covenant to the effect that, when a question concerned a Member of the League, that Member should be invited to take part in the Council's discussions. The guarantees thus afforded to States would be much more substantial than any that could be provided by a constant increase in the number of Members of the Council. The principle should be firmly established that, when States were involved in political questions and were not Members of the Council, they should be called upon to participate in its work. Such would be the case, for example, in the event of a conflict, as regards the countries neighbouring on the parties to the dispute, though they could, of course, decline the invitation. M. Rolin felt that the solution lay in a wide and generous application of Article 5 of the Covenant.

There would then remain only questions of competence in connection with the general organisation and administration of the League's affairs, the technical organisations, etc. It was clear that, in that respect, the composition of the Council was a far less difficult question to settle. By the method he proposed, it would be quite easy to obtain an adequate continental and regional representation with a smaller Council than at present. South America had three Members on the Council out of eleven. The proportion would remain the same and the prestige of Latin America would not suffer if it had two Members in a Council of seven.

The Committee appointed to study the composition of the Council had stated, in its report, that it would be regrettable to adjourn a final solution for longer than was absolutely necessary. If the Committee accepted the provisional solution, M. Rolin hoped that, in a resolution, it would request the Council to appoint, as soon as circumstances allowed, a small committee of experts who would explore the possibilities of reaching a constructive solution of the problem.

The CHAIRMAN read the following draft resolution submitted by M. Rolin :

" The Assembly,

" Agreeing with the view expressed by the Committee appointed to study the composition of the Council that it would be undesirable that a definite solution of the problems connected with the composition of the Council should be postponed longer than is necessary ;

" Expresses the hope that the Council will, as soon as circumstances permit, convene a committee of experts to make proposals on this subject."

M. PARRA-PÉREZ (Venezuela) said that the Venezuelan delegation approved the conclusions of the report and agreed generally with the view expressed by the delegate of the Argentine Republic.

Like M. Lange, he thought that a term of office of one year would be inadequate, and he supported the suggestion that new Members of the Council should be elected for three years.

M. PAUL-BONCOUR (France) agreed with M. Rolin's observations and, in particular, with the suggestion that Article 5 of the Covenant should be given a wide interpretation, which would make it possible to avoid the legitimate motives that caused increasing competition at every election of the Council, and would satisfy the legitimate aspirations of countries that were not represented to be able to participate in discussions which affected them directly.

He also thought that something final should be decided, and, for that purpose, that a committee should be appointed on different lines from any committee hitherto created. That committee would consist of a small number of persons who had devoted particular attention to the question. But, with regard to the immediate decision to be taken, the very fact that the Committee unanimously desired to obtain some final result showed that it felt that, for the present, only a provisional solution was possible. The obstacles to a final solution that had existed in 1933 had become even greater. The time when grave problems had led to the discussion of the whole working of the Council and of the League itself was not the time to prepare for a final settlement.

M. Paul-Boncour therefore agreed with the conclusions of the report to the effect that a provisional solution should be adopted for three years. A term of office of one year would create a situation contrary to that desired by the Committee.

Finally, M. Paul-Boncour accepted the proposed allocation of the seats to be created.

M. DE BLANCK (Cuba) said that his Government approved the report which provided a solution—if only a temporary one—suitable to the circumstances.

It would be well to study M. Rolin's suggestion, though there was one danger to be avoided—the development of what might be called an excessive desire on the part of Governments to participate in the examination of questions that came within the Council's jurisdiction.

Turning to what had been said as to the representation on the Council of group of fourteen States that had three seats, M. de Blanck did not think that the argument drawn from that particular case was conclusive, for there existed, for example, another group of four States that held one seat continuously.

In conclusion, M. de Blanck accepted the proposed distribution of seats.

M. WESTMAN (Sweden) said that Sweden had been represented on the Special Committee and had made certain suggestions to that body. They were based on the principle that all the Members of the League should be adequately represented, but that provision should be made, as far as possible, to meet the requirements of each State, within the existing framework of the Council.

In particular, the Swedish Government had emphasised that it would be illusory to argue that increased representation of the small Powers would increase their influence ; proof of that contention was perhaps now being furnished in the Council.

M. Westman suggested that the groups should be enlarged rather than the Council. There had been no response to the appeal in that sense which he had made before the Special Committee, but there was perhaps some reason for hope in the fact that the report stated that the other groups represented on the Committee had not seen their way to make an offer similar to that made by the " ex-neutral " group, which had declared its readiness to admit Finland to its ranks.

While reserving his point of view as regarded the principle, M. Westman accepted the conclusions of the majority of the Special Committee, but agreed with M. Rolin that those conclusions constituted a provisional solution only and should not prejudice any future action.

M. POTEKINE (Union of Soviet Socialist Republics) said that his Government had already expressed its approval of the proposal to grant, for three years, a seat on the Council to an Asiatic State. He fully agreed with the views of the delegates of China and Iran, which had been supported by those of Turkey, Iraq and Afghanistan. The States of Asia Minor would be glad if the seat at present held by Turkey were kept in future for the Near-Eastern States. M. Potemkine felt it would also be fair to grant a seat on the Council to States which did not belong to any group. As there were many such States, the seat in question could be granted for three years, on condition that some form of rotation were established during that period.

M. DE SZENT-ISTVÁNY (Hungary) recalled that the Hungarian Government had already given its opinion on the question in a communication to the Secretariat. It considered that, both on grounds of principle and in the interests of the League, it was essential to reach a final solution as quickly as possible. The States not represented on the Council should all have equal chances of obtaining a seat. For that reason, the Hungarian delegation supported the draft resolution submitted by M. Rolin.

M. KULSKI (Poland) said that his Government's view had been stated by its representative on the Special Committee, who had accepted the report without reservation. Poland's attitude had not changed since then. It might be summarised as follows :

The Polish Government was fully alive to the need for adequate representation of the Asiatic continent on the Council and welcomed the contemplated creation of a new seat for Far-Eastern countries—a seat which would this year be reserved for China. The Polish Government was also favourable to the request of the four Near-Eastern countries for the seat at present occupied by Turkey. There was no question as to the value of the presence on the Council of States which were not members of any group ; their co-operation would be most useful.

Lastly, the Polish Government held that the tenure of the two proposed seats should be for three years. He reserved the right later to express his view on the Belgian proposal.

M. FELDMANS (Latvia) stated that, as his country had been represented on the Special Committee, he would confine himself to saying that the Latvian Government approved China's request. It felt that the claim of the Near-Eastern States was fully justified. The representation of those States, with their different interests and civilisation, was clearly of value.

With reference to the extension of the Portuguese term of office, he would point out that Latvia was one of the countries belonging to no special group which had had, since 1922, neither possibility nor hope of a seat on the Council. The position of his Government was therefore clear.

It was only too often argued that the Council encountered difficulties because of its large membership. That view was open to question. Ten years ago, when the Council had been smaller, the questions before it had also been narrower in scope. It was only natural that the Council should now be meeting with greater difficulties. He would add that the small countries had never raised difficulties in the Council.

M. ROLIN (Belgium) intervened to point out that when Belgium had been a Member of the Council it had raised difficulties, as was undoubtedly the duty of small countries.

M. FELDMANS (Latvia), continuing, observed that all depended on the sense in which one understood the word " difficulties ". A very large Council was undoubtedly a disadvantage, but was that disadvantage graver than the disadvantage of a situation in which eight European

countries were never represented on the Council and had no hope of being so represented ? There was no question of an inordinate increase of the Council—a step which might change its very nature ; the suggestion was to add one seat for the benefit of the countries in question. For that reason the Latvian Government, counting on the Committee's sense of equity, would vote in favour of creating such a seat.

As to the length of the term of office, to limit it in this particular case to one or two years would amount to an unacceptable discrimination against the non-grouped States. The Latvian delegation therefore supported the conclusions of the report, and, in particular, those of the majority of the Special Committee.

M. TELLO (Mexico) said that the Mexican delegation considered that the general question of the definitive composition of the Council should be studied in the near future, when it would give its views on the problem as a whole ; meanwhile, his delegation was in favour of the creation of a new seat for China and of a seat for the non-grouped States. It was also in favour of the three-year period.

M. ASLANI (Albania) said that the Austrian, Swiss and other delegations had very clearly explained how necessary it was that, in accordance with the spirit of equality of the League, each Member should in turn have the possibility of occupying a seat on the Council, should it desire to accept that responsibility. The Albanian delegation considered that it would not be advantageous to increase the membership of the Council inordinately, but it associated itself with the view, expressed by the Latvian delegation, that non-permanent Members should be elected for a term of three years and hoped that it would be possible to take a definite decision in that sense shortly.

Mr. TE WATER (Union of South Africa) said that the report of the Committee appointed to study the question of the composition of the Council showed that, at the present time, particularly in view of proposals for a revision of the Covenant, it was not possible to make recommendations for any final solution of the problem. The South African Government agreed with the majority proposal that two non-permanent seats should be created for three years, and it strongly supported the claim of China. The South African Government also felt it was desirable to accept the proposal that, if before the expiration of the three-year period a scheme for reorganisation were to be proposed, the existence of the provisional seats should not be regarded as an obstacle to its adoption. In that connection, he thought that the committee which M. Rolin had suggested might make a considerable contribution towards the final solution of the problem.

M. SOUBBOTITCH (Yugoslavia) said that the Yugoslav Government accepted the Committee's report and thought that two new seats on the Council should be created provisionally. In the present state of affairs he did not consider that a definitive solution was indicated. As regards the distribution of the seats, the practice evolved in the course of sixteen years should, he thought, be followed in the case of the existing seats and extended to the last seat, that of Turkey, which should be converted into a seat for Near-Eastern States.

The CHAIRMAN declared the general discussion closed. The proposal before the First Committee was that, " for a limited period commencing with the elections of 1936, the number of non-permanent seats (which would otherwise once more fall to nine) shall be raised to eleven ".

M. LANGE (Norway) said that his country was not in favour of an increase of two seats and asked that the question should be put to the vote.

The CHAIRMAN, noting that no other delegation was opposed to the increase, declared the principle of the creation of two new non-permanent seats on the Council approved.

He put to the vote the proposal of the majority of the Special Committee to create the seats in question for three years.

This proposal was adopted unanimously.

5. Composition of the Council : Examination and Adoption of a Draft Resolution for submission to the Assembly.

The CHAIRMAN proposed that the resolution to be submitted by the Committee to the Assembly, based on the text of the resolution adopted in 1933, should be worded as follows :

" The Assembly,

" Having considered the report of the Committee appointed to study the composition of the Council :

" Approves the recommendation of the Committee for the provisional creation of two new non-permanent seats on the Council and, accordingly, declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936, and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council should be provisionally increased to eleven."

He also proposed to substitute M. Rolin's text for the last part of the 1933 resolution reading as follows :

" On the understanding that, towards the end of that period, the question of the number of the Members of the Council will be reconsidered and that all the Members of the League will remain entirely free to propose any final solution of this question which they consider desirable."

M. CASSIN (France) said that the French delegation, although it was in favour of the adoption of the proposed text, wished to point out that the Committee's report contained the following sentence :¹

" It being understood that, if a scheme for the reorganisation of the Council should be desired before that period ended, the existence of these seats should in no way be regarded as an obstacle to the adoption of such a scheme."

While not pressing for the inclusion of that sentence in the text proposed by M. Rolin, the French delegation, in voting in favour of the proposal, would regard it as understood.

The CHAIRMAN did not consider it necessary to include the sentence in question in the resolution, as the Assembly and the Council would of course retain their sovereign powers.

M. WESTMAN (Sweden) observed that the idea expressed in the report of the Special Committee was regarded by the Swedish delegation as essential.

The CHAIRMAN noted that the Committee was unanimous on that point.

M. POLITIS (Greece) observed that the Committee's report stated² that " one [of the seats thus created] might provide representation for a group comprising the non-grouped European States, and that the Assembly might consider the other as attributed to Asia ". As he was particularly in sympathy with China's request, he would like this point to be mentioned either in the resolution or in the report to the Assembly.

The Committee decided that the point should be mentioned in the report to the Assembly.

M. HIITONEN (Finland), supported by M. POLITIS (Greece), asked that it should be specified that the committee proposed by M. Rolin was to be a *small* committee of experts.

M. WESTMAN (Sweden) approved that suggestion, provided the committee was not to consist exclusively of representatives of the great Powers.

The Committee adopted the text proposed by M. Rolin, together with the amendment submitted by M. Hiitonen.

The resolution proposed by the Chairman, duly completed by M. Rolin's text, was adopted in the following form :

" The Assembly,

" Having considered the report of the Committee appointed to study the composition of the Council :

" Approves the recommendation of the Committee for the provisional creation of two new non-permanent seats on the Council and, accordingly, declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936, and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council should be provisionally increased to eleven ;

" And considering that, in the opinion of the Committee, with which the Assembly agrees, ' it would be undesirable that a definitive solution of the problems connected with the composition of the Council should be postponed longer than is necessary ' :

" Recommends that, so soon as circumstances permit, the Council will convene a small committee of experts to draw up proposals on the subject.

" The Assembly instructs the Secretary-General to bring this resolution to the attention of the Council."

6. Composition of the Council : Appointment of the Rapporteur to the Assembly.

The Committee appointed M. ROLIN (Belgium) Rapporteur to the Assembly for the question of the composition of the Council.

7. Composition of the Council : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.

The Committee decided that a discussion of the report at a plenary meeting of the Assembly would not be necessary.

¹ Document A.9.1936.V (Ser. L.o.N. P. 1936.V.3), paragraph 9 (see Annex 1, page 74).

² *Ibid.*, paragraph 8 (see Annex 1, page 74).

THIRD MEETING.

Held on Monday, September 28th, 1936, at 10.30 a.m.

Chairman : M. LIMBURG (Netherlands).

8. **Composition of the Council : Examination and Adoption of the Draft Report of the First Committee to the Assembly.**

The CHAIRMAN opened the discussion on the draft report and resolution submitted by M. Rolin on the question of the composition of the Council.¹

Paragraphs 1 to 4 of the Draft Report.

The CHAIRMAN opened the discussion on the first four paragraphs of the draft report, reading as follows :

" 1. By a resolution of September 26th, 1935, the Council set up a Committee to report to the Council and to the Assembly upon two questions—namely :

" (a) The question of the number of the Members of the Council, having regard to the position of States which do not belong to any group ;

" (b) The question of the representation of the Far East.

" 2. The Committee reported in favour of the maintenance of the seat provisionally created in 1933, for the purpose of affording representation to States which do not belong to any group, and in favour of the creation of an additional seat to ensure representation of the Far East.

" 3. The First Committee accepted this proposal in a spirit of resignation. The claim of China regarding the representation of the Far East was, it is true, generally approved and, as in previous years, several delegations laid stress on the importance which they attached to adequate representation of the group to which they belonged ; a large number of delegates of South America, the Little Entente, the so-called group of ex-neutrals, the group of the Near-Eastern States and the group of the non-grouped States spoke in this sense, whereas the delegate of Sweden recalled to mind that, with a view to facilitating the settlement of the question, the ' ex-neutrals ' had invited Finland to come to an understanding with them regarding the filling of one seat.

" 4. At the same time, however, the opinion was forcibly expressed that such an increase in the number of elected Members of the Council made its working more difficult and had, in fact, already had the consequence of reducing the influence which the elected Members could hope to exercise upon the Council's deliberations."

M. POLITIS (Greece), referring to paragraph 3, asked that the Committee's attitude with regard to the Chinese request might be made clearer, by substituting for the words " was, it is true, generally approved ", the words " was very favourably received ".

The amendment proposed by M. Politis was adopted.

M. ENTEZAM (Iran) thought the draft report, excellent though it was, did not quite faithfully reflect the whole of the discussion which had taken place at the previous meeting.

At that meeting, two proposals had been submitted : that of the Special Committee and M. Rolin's proposal. The latter had been quite clearly explained in the draft report. In the former, however, three points had been dealt with : (1) the request by China, (2) the proposal to prolong for three years the provisional seat created three years previously for the benefit of the non-grouped States, and (3) M. Entezam's own proposal to the effect that the seat now occupied by Turkey should in future be reserved for the representation of the Powers of Western Asia.

He would be glad if paragraph 3 of the draft report could be so modified as to bring out the last-named point more clearly.

M. SADAK (Turkey) hoped that the additional seat for the representation of the Far East, though at present provisional, would become permanent. It should be occupied, in the first place, by China ; but it should be reserved for the representation, not merely of the Far East, but of Asia as a whole. It was in that sense that Turkey supported the Iranian delegate's proposal.

M. SOUBBOTITCH (Yugoslavia) recalled that he had, at the last meeting, referred to a practice that had grown up during the last sixteen years and had observed that it would be advisable to extend that practice, and to regard one seat as allocated to the representation of the Near East. He felt that there ought to be a reference in the report to that practice, which in his view should be continued, as well as to the suggestion concerning a seat for the States of the Near East.

¹ The draft report is not published ; for the final text see Annex 2, page 75.

M. FELDMANS (Latvia) pointed out that the statement in paragraph 3 that the Committee had accepted the proposal "in a spirit of resignation" was not quite accurate. The Special Committee had decided unanimously in favour of the creation of two seats, and the First Committee had accepted the proposal with one dissentient vote. In both cases, therefore, there was practical unanimity.

M. ROLIN (Belgium), Rapporteur, pointed out that unanimity was not necessarily incompatible with a spirit of resignation. Perhaps the phrase might read as follows: "The First Committee accepted the proposal unanimously, though certain members did so in a spirit of resignation".

M. LANGE (Norway) said that there was no unanimity, as there had been one vote against the proposal.

M. ROLIN (Belgium), Rapporteur, agreed to omit the word "unanimously" from the new text he had proposed.

The amended text proposed by M. Rolin was adopted.

M. FELDMANS (Latvia) accepted this text subject to an alteration in paragraph 4.

M. ROLIN (Belgium), Rapporteur, observed that the question of the representation of the Near East had not been included in the Special Committee's terms of reference and no resolution on the subject had been submitted to the First Committee. Other groups of States might find it difficult to accept the claim that a seat should be reserved for only four or five States, when ten or fifteen others had to share one seat between them. Paragraph 3, though it did not refer explicitly to the question of reserving a seat for the Near East, definitely mentioned the desire that had been expressed, and the reference could be made use of subsequently.

M. ENTEZAM (Iran) said that the explanation given by the Rapporteur was not entirely satisfactory. It was perfectly natural that the request made by his country should not have been submitted in the form of a draft resolution. The request was so modest that it did not seem to call for any resolution. The delegation of Iran was not asking for the creation of a new seat, but merely that the seat about to be created should be reserved for the Far East, and that the seat now occupied by Turkey should be reserved for a representative of Western Asia. That proposal had received the support of other delegations; but the point of view was not made sufficiently clear in the draft report. In particular, it was not covered by the sentence in paragraph 3, which applied to a number of groups of States each in an entirely different situation. The seat at present allocated to Turkey should, notwithstanding the creation of a new seat reserved for the Far East, still be occupied by a Western Asiatic State. M. Entezam suggested the insertion in paragraph 3 of the words: "The Near-Eastern States expressed the desire that the seat now occupied by Turkey should in future be reserved for the States of Western Asia".

Mr. OFFICER (Australia) said that a number of delegations thought two questions only were to be dealt with: the question of finding seats for the non-grouped Member States of Europe, and the representation of the Far East. In the course of the discussion, a number of delegations had referred in general terms, the delegation of Iran more specifically, to the question of the representation of some other groups, but the Australian delegation had understood that there had been no intention of coming to a decision upon that point. He appealed to the delegation of Iran to allow the report to stand. At some future date, the Iranian delegation's views could be discussed fully; the matter would arise when Turkey vacated her seat.

M. WESTMAN (Sweden) recalled that the question of the representation of Asia had been discussed at length by the Special Committee, as also the claims put forward by the delegation of Iran.

That Committee had recognised in its report that there should be two provisional seats, of which one should be allocated to the non-grouped European States and the other possibly reserved for the representation of Asia. Since, in reality, it was the representation of the whole of Asia that was in question, the relevant phrase in paragraph 2 might be modified to read "to ensure representation of Asia". If the First Committee took a decision concerning the special representation of Western Asia, it would be going outside the scope of the Special Committee's work as outlined in its report.

M. SOUBBOTITCH (Yugoslavia) thought it was not desirable to discuss the question whether any particular seat should be allocated to any particular State or group of States. The report should, however, reflect in due proportion all the ideas expressed in the Committee. A considerable part of the draft report had been devoted to a single idea: the representation of States which were neighbours to the parties to a conflict. If the report were not to convey a false impression, proportionate space ought to be given to other ideas.

Could not the Rapporteur say that certain delegations thought the seat now occupied by Turkey should in future be reserved for a representative of the Near East ?

M. Wellington Koo (China) expressed appreciation of the favourable reception accorded to the request of China for representation of the Far East on the Council.

The Chinese delegation supported the views expressed by a number of delegations in regard to the seat now occupied by Turkey. He felt, however, that this question could not be decided by the Committee, for it had not been included in the terms of reference of the Special Committee. Perhaps a reference in the report to the views that had been expressed by a number of delegations concerning Turkey's seat might give satisfaction to the delegate of Iran.

The delegate of Sweden had suggested replacing the phrase " Far East " in paragraph 2 by the word " Asia ". If that proposal were accepted, M. Wellington Koo would propose the addition of a reference to the very favourable reception of China's request.

In regard to paragraph 1(b), he would be glad if the Rapporteur could see fit to add the words " and in particular of the claim of China to enter the Council ", in order to give fuller expression to the Special Committee's terms of reference. That Committee had been instructed to examine " the question of the representation of Asia on the Council, and in particular of the request of China to enter the Council ". The original resolution of 1933 creating an additional non-permanent seat laid down that the Special Committee would meet in 1936. But because of China's request for the representation of Asia, and particularly for the representation of China herself, the Special Committee had been created in 1935.

The addition he proposed would not in any way alter the substance of the decisions already taken.

M. RÜSTÜ ARAS (Turkey) said that Turkey, as a Balkan State, could hardly claim satisfactorily to represent the whole continent of Asia, although she had vast interests in Asia.

The report should faithfully reflect the Committee's views. Asia had not been sufficiently represented. Attempts had been made to remedy that situation provisionally, but it was to be hoped that a final solution would soon be found. He did not think the proposed slight addition would in any way diminish the value of the report.

M. ROLIN (Belgium), Rapporteur, recognised the justice of the remarks made by the delegate of Yugoslavia, and that certain proposals might have been put forward with undue fervour, which might give ground for fair criticism. He therefore proposed, in paragraph 4, to omit the word " forcibly ".

The difficulty was that, if a special phrase were introduced regarding representation of the Near-East group, similar phrases would have to be inserted in regard to the other groups. Paragraph 3 referred to several groups—the South American States, the *Pelite Entente*, and the ex-neutrals. Naturally, each of those groups would like to have a seat always reserved for it. He did not think the situation could be made much clearer than it had been in the present text.

With regard to the observations of the delegates of China, Sweden and Turkey, M. Rolin explained that he had used the words " Far East " and not " Asia " because the Special Committee's report had not seemed to him to be absolutely clear on the point. It might be said that Turkey represented Asia at the present time; yet the Committee was asked to recommend the immediate creation of a provisional seat to be occupied by China. M. Rolin thought that the real intention of the Special Committee had been to recommend that the seat should be reserved for the Far East.

He agreed that the words " raised by the request put forward on behalf of China " should be added to paragraph 1(b); and proposed that, in order to express exactly the Committee's idea, the words " an additional seat to be allocated to Asia " should be added at the end of paragraph 2; and finally that, in view of the arguments put forward, paragraph 3 should remain as it was.

The Rapporteur's proposals were adopted.

M. ROLIN (Belgium), Rapporteur, in response to a request by M. Wellington Koo (China), agreed that the end of paragraph 2 should read: ". . . the creation of an additional seat attributed to Asia, and, in present circumstances, to China ".

The amendment was adopted.

M. ENTEZAM (Iran) wondered whether the recent long discussion to which his proposal had given rise would not have been useless if paragraph 3 were to be left as it stood.

The CHAIRMAN reminded the Iranian delegate that the Minutes of the meeting would contain an accurate record of the discussion.

M. ENTEZAM (Iran) suggested that the recasting of the paragraph be left to the Rapporteur. He was sure he would be able to recast it in a way acceptable to all.

M. ROLIN (Belgium), Rapporteur, said he would do his best.

M. FELDMANS (Latvia) said that, if the idea expressed in paragraph 4 were to be retained in a special paragraph of the report, he feared that the impression would be created that it

was more or less the general view of the Committee, which was not the case. The opinion expressed in that paragraph, to the effect that "an increase in the number of elected members of the Council make its working more difficult" was not shared by all the delegations.

The CHAIRMAN suggested that, to obviate that objection, paragraph 4 should be attached to paragraph 3 as a sub-paragraph beginning: "At the same time, however, the opinion was expressed by certain delegations . . .", the word "forcibly" being deleted, as arranged, from the paragraph. The beginning of paragraph 3 would then read: "The First Committee accepted this proposal, although some delegations did so in a spirit of resignation. The claim of China regarding the representation of the Far East was very favourably received . . ."

The Chairman's proposals were adopted.

Paragraphs 1 to 4 of the draft report, as amended, were adopted.

Paragraph 5 (Paragraph 4 of the Final Text).

The CHAIRMAN read paragraph 5 of the draft report as follows:

"5. The suggestion was accordingly made that the legitimate desire of States to participate in the discussion of questions which are of interest for them, even if the interest is only indirect, should be satisfied by a wider application of Article 4, paragraph 5, of the Covenant, which provides for the admission of *ad hoc* representatives of States whose interests are affected and which would otherwise not be represented.

"In this connection, the opinion was, for example, expressed that, where political difficulties had to be dealt with, representatives of States whose territories are co-terminous with those of the parties should be invited to sit.

"This method would provide a Council which, when sitting in its normal composition, would be small in numbers and which, on exceptional occasions, would be sensibly larger, but at the same time have a membership calculated to give it a particularly high degree of authority."

M. DE SZENT-ISTVÁNY (Hungary) was obliged to make the fullest reservations concerning this paragraph, and wished this to be recorded in the Minutes.

M. GAJARDO (Chile) understood that M. Rolin's suggestion referred rather to the future work of the experts than to the present state of affairs. In fact, the idea contained in paragraph 5 amounted to an extension of the application of Article 4 of the Covenant. If that idea were adopted, it might become necessary, in the event of a dispute, to invite non-member States to sit at the Council table.

M. ROLIN (Belgium), Rapporteur, said that no State—even a Member of the League—could be compelled to accept such an invitation. In order, however, to meet M. Gajardo's views, he suggested that the first sentence of paragraph 5 should read: "The remark was accordingly made as a contribution to the final solution of the problem that the legitimate desire of States . . . might be satisfied . . ." In the next sub-paragraph, the word "suggestion" would be substituted for "opinion", and the last words would read: "the parties *might* be invited to sit". The last sub-paragraph would form part of sub-paragraph 2, instead of a separate sub-paragraph.

M. GAJARDO (Chile) said that the proposed text met his objection.

Paragraph 5 (paragraph 4 of the final text) was adopted as amended.

Paragraphs 6 to 10 (Paragraphs 5 to 9 of the Final Text).

Paragraphs 6 to 10 (paragraphs 5 to 9 of the final text) were adopted without observations.

Draft Resolution.

The CHAIRMAN said he had received from several delegations a suggestion to the effect that, in the last paragraph but one of the draft resolution, the word "convene" should be replaced by the term "set up".

M. POLITIS (Greece) observed that the First Committee was not really concerned with the setting-up of a committee by the Council. If, however, the Committee wished to be very precise it could use the expression "appoint and convene".

M. LANGE (Norway) thought it would be logical, in the circumstances, to do so.

The amendment proposed by M. Politis was adopted.

The draft resolution was adopted.¹

The report as a whole, as amended, was adopted. (Annex 2, page 75.)

M. LANGE (Norway) reserved the right of his delegation to make a statement during the discussion of this question in the Assembly.

¹ The resolution was adopted by the Assembly on October 1st, 1936.

9. **Permanent Court of International Justice : Method of Election to the Three Vacant Seats : Proposals by the Council concerning the Election of Members of the Court : General Discussion.**

The CHAIRMAN read the following resolution adopted by the Council on September 25th, 1936:¹

“ The Council :

“ Proposes to the Assembly that the two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates nominated for those seats shall alone be eligible, and that there shall be a separate election to fill the seat vacated by M. Wang, at which only the candidates nominated for that seat shall be eligible.”

He declared the discussion open.

M. POLITIS (Greece) thought that there was really only a point of procedure to settle. The resolution adopted by the Council proposed that the Assembly should, in order to fill the three seats now vacant, take two votes—a *scrutin de liste* for the first two seats and a uninominal vote for the third.

The explanation of that procedure given in the report of the Committee of Jurists² was that these vacancies had occurred at different times, that the national groups had been informed separately, first of the first two vacancies and then of the third, so that, logically, the elections ought to be held in the same manner for the two posts which had first fallen vacant—that was to say, by *scrutin de liste*—and for the third post by a uninominal vote.

As far as the Assembly was concerned, however, the three posts were vacant at present and in exactly the same way. M. Politis therefore thought it a useless complication to have two separate votes. It had been said that it was more difficult to elect three members at the same time than to elect first two and then one. Nevertheless, at the general elections, the Assembly had elected fifteen judges at one time by *scrutin de liste*. He therefore proposed, if no more satisfactory reasons for the procedure suggested could be given, that a *scrutin de liste* should be opened for the three seats. That method would facilitate negotiations between the groups in case of difficulties.

M. SADAK (Turkey) agreed with M. Politis' proposal.

M. ADLE (Iran) wondered whether it had not been the intention of the Council, in adopting the resolution, to take into account the fact that the candidates had been nominated separately for each single seat, so that those nominated for the third seat, for instance, could not be regarded as candidates for the first two seats.

M. ROLIN (Belgium) shared M. Politis' view. There should be no mistake as to the nature of candidatures for the Court of International Justice. These were put forward when a vacancy occurred, but they were not put forward for any particular seat. They referred, so to speak, to an anonymous seat. There was, therefore, no more need to establish any close connection between the candidatures and a given seat in the case of a partial election than when general elections took place in respect of lists with fifteen names. Any idea of specialisation would distort the whole mechanism of elections to the Court.

M. MUNTERS (Latvia) shared M. Politis' view.

Sir William MALKIN (United Kingdom) was not opposed to M. Politis' proposal, but desired to give a few explanations concerning the reasons which had guided the Committee of Jurists, of which he had been a member.

In the present case, they were not dealing with an open election for the Court, where each national group could only nominate four members for all the vacancies, but with an election to seats that had become vacant at different dates. Two vacancies had occurred at the same time; the national groups had therefore been called upon to submit candidates for those two seats. A third vacancy had occurred subsequently, and the national groups had again been asked to submit candidatures. When the first two vacancies had occurred, the groups did not know that there would be a third post free, and, moreover, nominations for the third vacancy were made without taking into consideration the first two vacancies. The jurists therefore thought it would be more convenient to have two elections, so that the votes would tally with the manner in which the candidatures had been submitted. If, for reasons of convenience, the Committee preferred another solution, he would not oppose it.

M. BASDEVANT (France) thanked Sir William Malkin for his explanations, adding that the Committee of Jurists had taken into consideration the connection between the method of submitting candidatures and the election itself. It had borne in mind the fact that, at a general election, each national group could not submit more than four names, whereas, in view of the circumstances under which the three vacancies had occurred, each national group was in the position of having submitted not four, but six candidates. The Committee had thought that, in those circumstances, it was not possible to hold one single election for the three seats. It would, moreover, have been inconvenient to disregard the last two submissions,

¹ See Annex 3, page 77. |

² See Appendix to Annex 3, page 78.

because, in that case, the whole balance of the system would have been disturbed. The first nominations had been made having regard to the nationality of the remaining judges ; for instance, it had not been possible to propose candidates of Chinese nationality because there was at the time a Chinese judge at the Court and, according to the Statute, there could not be two judges of the same nationality.

When the discussions had begun in the Committee of Jurists, he himself had preferred the system suggested by M. Politis, but he had been obliged to take into account the objections raised. If the method suggested by M. Politis were accepted, it would have to be clearly understood that, even with this system of a single election for the three seats, all the nominations made retained their full force. That was a very important point and, if, in future, a similar situation arose, it would have to be understood that the Secretary-General would have to continue his consultations when a third seat fell vacant. That would, by interpretation, lead to a practice which was not, perhaps, absolutely in harmony with the letter of the Statute of the Court. But, in the present case, there would have to be a certain elasticity in the interpretation of the situation ; for partial elections following upon successive vacancies, the national groups would thus be called upon to submit a larger list of candidates than at the general elections. That situation might lead to protests, but that was not necessarily a reason for refusing completely the proposed solution. M. Basdevant would not oppose that solution if it met with the approval of the majority of the Committee.

The CHAIRMAN expressed some doubt concerning the system suggested by M. Politis, at any rate as far as the present case was concerned. The present situation might arise again in the future. Article 14 of the Statute of the Court laid down, however, that :

“ Vacancies which may occur shall be filled by the same method as that laid down for the first election subject to the following provision : The Secretary-General of the League of Nations shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Council at its next session.”

After the first two vacancies, the Secretary-General had received lists from the national groups. Then another vacancy had occurred, and the Secretary-General had again applied to the national groups and had received a new list. Consequently, two lists of candidates had been submitted by reason of certain vacancies. Could those lists be combined when, on the one hand, candidates had been proposed for vacancies A and B and, on the other, candidates for vacancy C ?

Article 9 of the Statute was worded as follows :

“ At every election, the electors shall bear in mind that, not only should all the persons appointed as members of the Court possess the qualifications required, but the whole body also should represent the main forms of civilisation and the principal legal systems of the world.”

The candidatures for the first two vacancies had been submitted before it had been known that a third vacancy would occur.

M. POLITIS (Greece) was glad that his proposal had led to this discussion, because the observations made by Sir William Malkin and M. Basdevant were extremely interesting ; they represented a general aspect of the question which deserved careful consideration.

He agreed with M. Basdevant that, if the Committee proposed to the Assembly a *scrutin de liste* for the three seats, all the nominations would have to be taken into account. That led him to lay stress once again on M. Rolin's observation, which formed his own reply to the question raised by the delegate of Iran. Seats in the Court were impersonal ; they were unconnected with nationality in themselves. The Committee would doubtless remember that the whole problem of the creation of an international jurisdiction had for long encountered the difficulty of the allocation of seats between the various nations. A solution had been found because of the fortunate chance of the existence of two great organs of the League of Nations, which had made it possible, through the double election in the Assembly and the Council, to ensure the election of representatives of the great Powers in the Court, but no seats were officially occupied by the great Powers as such rather than by any other country.

The various groups were asked to observe the best conditions possible for recruiting the best qualified judges. When national groups were asked to nominate candidates on the occurrence of a vacancy that did not mean that they were expected to take mainly into consideration the nationality of the judge whose death or resignation had caused the vacancy. They were asked to say who, in their opinion, were the candidates offering the best guarantees for the completion of the panel of judges in accordance with the provisions of the Statute of the Court. Thus, when several vacancies occurred successively, nominations might be made in view of the special circumstances, but the spirit of the Statute was that all candidates should be regarded by the various groups as being fit to fill the posts. It would thenceforth be for the Assembly and the Council, according to the requirements of the moment, to make their choice among all those candidates.

M. Basdevant was perhaps right in saying that the system was not quite in harmony with the letter of the Statute ; but M. Politis considered that it corresponded most faithfully and conveniently to the spirit of that Statute, that it was in accord with the general idea that the members of the Court did not necessarily represent a nationality, and were not chosen on account of their nationality. That was one more reason why the system M. Politis proposed should be adopted by the Committee : a *scrutin de liste* for the three seats, taking into account, for this threefold election, all the names that had been put forward.

M. KULSKI (Poland) said that, as a member of the Committee of Jurists, he could only support the solution that had received the approval of the Council and had been proposed by the said Committee. He could not agree with the view that seats in the Court were entirely anonymous. As the Chairman had pointed out, it was intended that the Court should be representative of the main juridical systems. If the method of one single list and one single election were adopted, the unexpected result might be the elimination, by additional elections, of judges representing very important juridical systems—a result which would not enhance confidence in the Court.

Nevertheless, M. Kulski admitted that serious arguments might be advanced in favour of both theses and, as it would be very difficult for the delegations, in the course of the present discussion, to convince each other, a solution could only be obtained by a vote.

M. HIITONEN (Finland) desired, before the vote was taken, to draw the Committee's attention to another aspect of the problem. Supposing that three successive vacancies occurred in the Court owing to the departure of a European, then of an American and, finally, of an Asiatic judge. For the submission of candidates, certain groups might consider that they ought to take account of the various juridical systems and propose, in place of the European judge, another European judge; in place of the American judge, another American judge; and, in place of the Asiatic judge, another Asiatic judge. At the same time, certain national groups holding a more egocentric view might propose their own nationals for each vacancy. The result would be that the groups which had prepared their lists from an objective point of view would only have their national candidates in one election, whereas the groups of the other category would have their national candidate in each successive election. That would not be fair, and that was one more reason why he supported M. Politis' proposal.

M. Wellington Koo (China) thought that, in spite of apparent differences of opinion, it might be possible to reach agreement on an intermediate solution by holding one single election for the three seats, the candidates being chosen from the two lists—the first reserved for the first two seats and the second for the third seat.

The CHAIRMAN declared the discussion closed. Certain delegates wished to discuss the situation with the other members of their delegation. The vote would be taken without further discussion at the beginning of the next meeting.

FOURTH MEETING.

Held on Wednesday, September 30th, 1936, at 3.15 p.m.

Chairman : M. LIMBURG (Netherlands).

10. Permanent Court of International Justice : Method of Election to the Three Vacant Seats : Proposals by the Council regarding the Election of Members of the Court :¹ General Discussion (continuation).

M. WESTMAN (Sweden) desired to explain his vote regarding the method of election to the three vacant seats in the Court. The Swedish delegation was of the opinion that the correct solution, from the legal point of view, was that two separate elections should be held. It was the only one which was quite compatible, on the one hand, with the provisions of the Statute, which did not permit of the submission of more than four names for each vacant seat, and, on the other hand, with the spirit of the revised Statute, which definitely required that each vacancy should be filled as quickly as possible. It was only due to chance circumstances that the two seats which had become vacant a year or more ago had not yet been filled.

The Swedish delegation would yield to the opinion of the majority of the members of the Committee in the present case; but it sincerely hoped that the decision to be taken would not constitute a precedent and thus cause delays in the future in filling vacancies in the Court.

The CHAIRMAN recalled that the Committee had to vote : (1) on the proposal made by the Council in its resolution adopted on September 25th, 1936 ;² (2) on M. Politis' proposal that there should be only one election for the three posts. According to normal parliamentary procedure, the Council's proposal being considered as a Government proposal, that of M. Politis must be considered as a motion or an amendment. The Committee must therefore first give its opinion on M. Politis' proposal.

M. Politis' proposal was rejected by sixteen votes to ten.

The Council's proposal was adopted unopposed.

¹ See Annex 3, page 77.

II. Permanent Court of International Justice : Participation in the Election of the Judges of a State which is not a Member of the League but is a Party to the Statute of the Court : Proposals by the Council concerning the Election of Members of the Court : General Discussion.

The CHAIRMAN opened the discussion on the following resolution adopted by the Council on September 25th, 1936 :¹

“ The Council,

“ Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice :

“ (1) Proposes that the Assembly decide that, if a State which is not a member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly ;

“ (2) Further proposes that the Assembly decide, as a provisional measure and without prejudging any question of principle, that at any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not members of the League but are parties to the Statute of the Court, shall, if they notify their desire to do so to the Secretary-General, also be admitted to vote in the Council ;

“ And reserves the right to make subsequently to the Assembly a proposal regarding participation in the voting in the Council at elections of members of the Court which occur after January 1st, 1940 ;

“ (3) The Secretary-General would be instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not members of the League of Nations to participate in the elections.”

M. DA MATTA (Portugal) declared that the Portuguese delegation gave its full support to the proposal before the Committee regarding the participation, in the election of members of the Permanent Court of International Justice, of States non-members of the League of Nations, but parties to the Statute of the Court. There were three States in that position, one of them being Brazil, the great South American Republic united by so many bonds to Portugal. M. da Matta was happy to support the Council's proposal, which in his opinion represented the application of a principle of equity. He wondered, however, what reason lay behind the difference of regulations, suggested in the report of the Committee of Jurists² and in the resolution, regarding the admission of a non-member State to take part in the voting, on the one hand, in the Assembly, where it was to be admitted of right, and, on the other hand, in the Council, where its admission would be contingent on circumstances. There was no legal reason for that solution ; neither the Covenant nor the Statute of the Court could justify that double regime. It would be more logical to permit a non-member State to vote, both in the Council and in the Assembly, at all future elections and not merely during a stated period. The argument brought forward regarding that point in the jurists' report, did not seem to him at all convincing.

M. CASTBERG (Norway) declared, on behalf of the Norwegian delegation, that it would find it difficult to vote for the first sub-paragraph of paragraph 2 of the Council's resolution. It was there proposed to give, in one resolution, the right to vote in the Council to the three States there mentioned.

Certainly, it seemed only right to recognise the right to vote in the Council of States which were already named as permanent Members of the Council in the Covenant itself. That would apply to the United States of America. States which had been first Members of the League of Nations and later became permanent Members of the Council, following upon a decision of the Council or of the Assembly, would be in the same position.

On the other hand, in the case of States which were not designated as permanent Members of the Council in the Covenant, and had not been appointed permanent Members by the Assembly and the Council, the Norwegian delegation thought it neither just nor opportune to give them, by a general provision, a privileged position as regards the election of judges. Particular care must be taken to avoid such a procedure becoming to some degree an encouragement to leave the League of Nations.

The Norwegian delegation decidedly preferred the regulations proposed by the Committee of Jurists, of which the second gave the Assembly the right to admit, by a two-thirds majority, a State to vote in the Council. It had the advantage that no binding decision would have been taken on such an important question, and that it would be possible to decide, by a separate vote, for each State individually and for each election, whether a State should have the privilege of voting in the Council.

M. ROLIN (Belgium) shared the view taken by M. Castberg. He could not conceive why it should be desired to confer a privilege on States which, after having been Members of the

¹ See Annex 3, page 77.

² See Appendix to Annex 3, page 78.

League of Nations, had withdrawn. One might at most contemplate maintaining, as it were, the rights acquired by States which had been Members of the Council and which, after withdrawing from the League of Nations, would thus still be accorded the privilege of a double vote. But even that concession seemed to M. Rolin to be excessive. The right to vote in the Assembly was already a sufficient appreciation of the part those States had played in the organisation of the League. He was therefore in favour of granting the right to vote in the Assembly alone. He would nevertheless accept, as a subsidiary solution, the proposal made by the Committee of Jurists and which M. Castberg had also supported. He feared, however, that the vote cast in the Assembly might take on a rather unpleasant political complexion and involve the exclusion of certain States which had submitted similar requests. The gap between those States and the League of Nations would then become wider, and that was why he definitely preferred the solution which made for equality.

In that connection, M. Rolin would remind the Committee that, at the present time, only Brazil, Japan and Germany were involved, but that certain small States had recently announced their intention of leaving the League. When those States came to take part in the next elections, it would be necessary to establish two categories of non-member States. While a difference of treatment was, in his opinion, justified in the case of elections to the Council, there was no reason to maintain that treatment in the case of non-member States.

M. POLITIS (Greece) pointed out that, if the question were an open one, he would readily agree with M. Rolin, but that was not the case. The Council had proposed a solution, and, in his opinion, there were serious political objections to rejecting that proposal. In the interest of the League of Nations, the Committee also should accept that solution.

M. DE BLANCK (Cuba) supported the view expressed by the delegate of Portugal.

M. GAJARDO (Chile) pointed out that the matter had been discussed very fully by the Committee of Jurists. In the course of the discussion, it had been suggested that the question whether non-member States should vote in the Council might be decided according to the circumstances of each case; in other words, States which had expressed a desire to vote in the Council would be allowed to do so. The Committee had then held that it would be expedient to give the States concerned the right to vote in the Council, provided the Assembly took a decision to that effect by a two-thirds majority.

M. Gajardo thought it would be extremely dangerous to lay down the principle that, whenever there was a vacancy in the Court, the Assembly would have to take a vote for which a two-thirds majority was required. It might happen that a State, which had on one occasion obtained a favourable vote in the Assembly, might subsequently be faced with a negative decision. For reasons of dignity, that State would feel obliged to take no part in the elections, and probably to leave the Court. That was why he had upheld, in the Committee of Jurists, the view that the right to vote conferred on such States by the Assembly should be conferred once only, and should be valid for all vacancies occurring in the Court. The majority of his colleagues in the Committee of Jurists had submitted a different solution to the Council. During the discussion of the report by the Council, important and delicate negotiations had taken place. As a result of those negotiations, the Council had adopted, a few days previously, on the proposal of the Danish representative, the report which was now submitted to the Committee.

As M. Politis had pointed out, it would be dangerous to reject the solution which had been adopted after lengthy negotiations, and to revert to one which was open to serious objections. The Chilean delegation considered this question to be of the utmost importance, and would be unable to accept the report to the Assembly if the Committee went back on the solution adopted by the Council.

It had been said that the result would be to establish differential treatment as between non-member States and Member States formerly, but no longer, represented on the Council; that would be to the advantage of the non-member States if they were allowed to vote in the Assembly and in the Council. Chile, for its part, was not apprehensive of such a situation arising when it would no longer be represented on the Council. The same differential treatment would exist as between the States which were not members of the League of Nations. Why should one non-member State be allowed to vote in the Council and not another? Did the Committee think that the second State would readily accept that situation, or, on the contrary, that it would decide to leave the Court? In M. Gajardo's view, there was more to be lost than gained by allowing these States to vote in the Council.

For all those reasons, the Chilean delegate supported the resolutions adopted by the Council.

M. CANTILO (Argentine Republic) appreciated the various points of view which had been expressed, but felt that he must nevertheless support the Council's proposal. The solution proposed was a provisional one, designed exclusively to meet the case of the three States which were not members of the League of Nations but were parties to the Statute of the Court. In M. Cantilo's view, there was every reason to adopt the Council's resolution.

M. GORGÉ (Switzerland) admitted that M. Rolin's proposal was logical. If the League of Nations were universal, M. Rolin's remarks would be the essence of common sense, and, for his part, he would prefer M. Rolin's proposal to that put forward by M. Castberg, who, like the Committee of Jurists, contemplated a vote in the Assembly, which presented more

inconveniences than advantages. It must not be forgotten that the question was no longer entirely open. If the Committee went back on the Council's proposal, it would be heading for political difficulties which might prove serious. The Swiss delegation had always been in favour of the principle of universality, and was prepared to support anything which would promote that principle. It considered that, while there might be better solutions than that contemplated by the Council, the latter was based on expediency, and its rejection might make it more difficult for the States in question to return to the League of Nations. He would, therefore, have no hesitation in voting for the Council's proposal.

M. Wellington Koo (China) thought it would be undesirable to give non-member States any advantage over Member States, other than was contemplated in the Statute of the Court itself. The question of the rights of non-member States were those States Members of the Council was purely a matter for conjecture. The whole question called for very careful consideration, as it involved principles which might subsequently become extremely important.

As the Committee had to decide a definite point, the Chinese delegation supported the Council's proposal, on the understanding that the decision was only provisional and that the principles involved would be given further consideration.

M. BASDEVANT (France) thought that the discussion which had taken place had been useful, and had shown how complex the question was. The Assembly had a duty to perform. Under Article 4 of the Statute, it had to lay down the conditions under which a State which had accepted the Statute of the Court, but was not a member of the League of Nations, might participate in the election of members of the Court.

If a solution were to be reached, it was essential, when examining this question, to show moderation and to reconcile the various opinions which had been expressed. That was the spirit in which the Committee of Jurists had worked. It had suggested a scheme which had met with certain objections, and which the Council had replaced by another.

When making the proposal which was now under discussion, the Council had clearly tried to steer a middle course between the different views which might find expression, and M. Basdevant thought that, in present circumstances, the solution it had proposed was acceptable. He therefore accepted it as a conciliatory solution, while recognising that it was not entirely free from objection. It ought not to be forgotten that, in the case at issue, the Committee was not called upon to devise a theoretically and legally perfect scheme, but to take a decision of a political kind—that was to say, to choose between possible drawbacks and advantages. From a political point of view, which was the only one he was considering for the time being, the solution proposed by the Council was the best.

M. Basdevant wished to add a few words in regard to an observation made incidentally during the discussion. It had been suggested that, if a State did not, in certain circumstances which had been contemplated during the discussion, obtain a vote in the Council, that State might feel obliged to leave the Court—that was to say, to reject the Statute which it had previously signed. He hoped that incidental remark did not appear in the Minutes, but, if it did, he must, for his part, make a very definite reservation in regard to that legal opinion. He did not wish the silence of the First Committee to be interpreted as implying acceptance of that assertion.

M. HIITONEN (Finland) supported M. Rolin's view, in principle. Nevertheless, in the light of the political arguments which had been advanced, he would vote for the resolution adopted by the Council; but he would do so solely in a spirit of resignation, and would make an express reservation as regards any similar decisions which might be taken in future.

M. FRANGULIS (Haiti) observed that the solution was purely political. The election of judges of the Court ought, however, to be an entirely legal matter, and should be held with due regard for the principle of the equality of States on which the Statute of that institution was based. If political considerations, either as regards the Court or the League itself, were to play a part too frequently in such elections, they would gradually cease to have any legal character or absolute equality. He felt obliged to make that declaration on behalf of a small State, as he noticed a tendency to continue taking political decisions and to increase their number; he left full responsibility to the Council for this purely political solution, which had been adopted without any regard for legal considerations.

The CHAIRMAN pointed out that the only proposal before him was that of the Council. He asked the Committee to vote on the Council's resolution, paragraph by paragraph.

Paragraph 1 was adopted.

The first sub-paragraph of paragraph 2 was adopted by thirty-one votes to two.

The second sub-paragraph of paragraph 2 and paragraph 3 were adopted.

The Committee adopted the resolution for submission to the Assembly in the following form :

“ I.

“ The Assembly, in agreement with the proposal of the Council, decides as follows :

“ The two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates

nominated for those seats shall alone be eligible, and there shall be a separate election to fill the seat vacated by M. Wang, at which only the candidates nominated for that seat shall be eligible."

" II.

" The Assembly,

" Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice ;

" Having regard to the proposal of the Council :

" Decides that :

" (1) If a State which is not a member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly ;

" (2) At any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not members of the League but are parties to the Statute of the Court, if they notify their desire to do so to the Secretary-General, shall, as a provisional measure and without prejudging any question of principle, also be admitted to vote in the Council ;

" (3) The Secretary-General is instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not members of the League of Nations to participate in the elections."

12. Permanent Court of International Justice : (a) Method of Election to the Three Vacant Seats ; (b) Participation in the Election of the Judges of a State which is not a Member of the League but is a Party to the Statute of the Court : Appointment of the Rapporteur to the Assembly.

The Committee appointed M. DA MATTA (Portugal) Rapporteur to the Assembly for the two questions relating to the Permanent Court of International Justice.

13. Permanent Court of International Justice : (a) Method of Election to the Three Vacant Seats ; (b) Participation in the Election of the Judges of a State which is not a Member of the League but is a Party to the Statute of the Court : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.

The Committee decided that a discussion of the report at a plenary meeting of the Assembly would not be necessary.

14. International Repression of Terrorism : General Discussion.

The CHAIRMAN recalled that the Committee had before it two draft Conventions (1) for the Prevention and Punishment of Terrorism and (2) for the Creation of an International Criminal Court.¹ Two preliminary draft Conventions had previously been drawn up by a Committee appointed to study both questions,² and the drafts had been sent to Governments for observations. They had been redrafted by the Committee in the light of the Governments' replies.³ A further series of replies had been received from Governments after the texts had been redrafted.⁴

In referring the draft Conventions to the First Committee, the Assembly would seem to have wished the latter to express an opinion on the character and contents of the two drafts. On the other hand, in view of the fact that it was proposed to call a diplomatic conference, the Committee was not in a position to submit amendments to the articles of the Conventions ; it could only offer such observations as it thought fit on the articles in question.

The First Committee included four members of the Committee responsible for the preparation of the two drafts—namely, M. Gajardo, M. Basdevant, M. de Szent-Istvány and M. Pella.

The Chairman proposed that the Committee should discuss the two Conventions separately, beginning with the Convention for the Prevention and Punishment of Terrorism.

DRAFT CONVENTION FOR THE PREVENTION AND PUNISHMENT OF TERRORISM.

M. PELLA (Roumania) thought it might be indicated, in view of his activities in connection with the Committee for the International Repression of Terrorism, that he should give some account of the questions under consideration.

¹ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), pages 3 to 13.

² Document C.184.M.102.1935.V, pages 4 to 11.

³ Documents C.184.M.102.1935.V, pages 11 to 22, and A.7.1936.V (Ser. L.o.N. P. 1936.V.2), pages 13 to 16.

⁴ Documents A.24.1936.V (Ser. L.o.N. P. 1936.V.6) and A.24(4).1936.V (Ser. L.o.N. P. 1936.V.7).

He did not propose to make a detailed analysis of the provisions of the draft Conventions. He would await the observations of the members of the First Committee, and would give his final views, if necessary, at the close of the general discussion.

The facts and circumstances which had led the French Government to submit to the Council, in December 1934, certain proposals for the prevention and punishment of terrorism were well known to the Committee. The French proposals¹ covered four points.

The first point related to the actions which should be treated as criminal in all countries with a view to international co-operation for their prevention and punishment.

The second point related to matters of procedure. The French Government had in mind an International Criminal Court with jurisdiction independent of that of national judicial authorities, with priority of competence for the latter. It was interesting in that connection to quote certain passages from the French Government's proposal :

" The International Criminal Court would have to try individuals accused of any one of the acts above mentioned in the following cases :

" (a) Where the accused has taken refuge in a country other than that which desires to prosecute him, and the country of refuge prefers to bring up the accused for judgment before the International Criminal Court rather than grant extradition to the State applying for it ;

" (b) Where the State on whose territory the act was committed prefers to waive prosecution before its own courts in the particular case concerned."

M. Pella particularly drew attention to the following paragraph :

" The establishment of such an International Criminal Court meets the double requirement of ensuring impartial justice in specially delicate cases and covering the responsibility of the State whose courts would have to try crimes of this kind."

The third point in the French Government's proposals related to the measures to be taken to prevent the use of forged passports, experience having shown that terrorists frequently used such passports in order to proceed from one country to another in the execution of their crimes.

The fourth point in those proposals was the need for exchanges of information between the different States in regard to persons guilty of the offences to which the proposed Convention related.

The Council, under the terms of its resolution of December 10th, 1934,² had specifically recognised the inadequacy of modern means to prevent and punish terrorism and the international need for such prevention and punishment, and had appointed a Committee for the International Repression of Terrorism, to which it had referred the French Government's proposals for study.

In order to collect the necessary documentary material, steps had immediately been taken, even before the Committee met, to obtain the observations of Governments. Thirteen replies were received ; they would be found in document C.184.M.102.1935.V. In April and May 1935, the Committee had held a first session and, on the basis of the French Government's proposals (which were explained in an introductory statement by the French representative, M. Basdevant) and the observations of the Governments, was able, in the course of its first session, to evolve a general text of a Convention for the Prevention and Punishment of Terrorism. The session had been too short to allow of a more thorough study of the question of the International Criminal Court ; but the Committee had had before it a definite proposal in this connection drawn up by the representatives of Belgium, Spain, France and Roumania.

The documents containing the material with regard to the prevention and punishment of terrorism, on the one hand, and the creation of an International Criminal Court, on the other, were submitted to the Council. The Council transmitted them to Governments for further observations. Further replies were thereupon received by the Secretariat. Reference should also be made to the co-operation with the Committee, direct or indirect, of certain institutions with special qualifications in connection with the study of common law, such as the International Criminal Police Commission, which drew up a detailed memorandum on the subject for the Committee's first session. Reference should also be made to the work of the International Union of Associations for the League of Nations and, finally, of the International Bureau for the Unification of Criminal Law, which enquired into the subject of the prevention and repression of terrorism at its Conference in Brussels in 1930, and again at its Conference in Paris in 1931, its Conference at Madrid in 1934, and its Conference at Copenhagen in 1935. Its enquiries at the last-named Conference were conducted with reference to the work of the Committee.

On the basis of all that material, the Committee, at a second session held in January 1936, had drawn up two draft Conventions, the first for the repression of terrorism and the second for the institution of an International Criminal Court.³

M. Pella did not propose to analyse the text of the first Convention ; it was sufficient to recall that its fundamental article (Article 2) specified the actions to be treated as criminal

¹ Document C.184.M.102.1935.V (see also *Official Journal*, December 1934 (Part II), page 1839).

² See *Official Journal*, December 1934 (Part II), page 1760.

³ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2).

in the law of all countries, and for the prevention and punishment of which international machinery should be set up. Article 3 embodied the general principles of repression, and treated as criminal offences attempts to commit any of the specified acts and conspiracy or complicity in connection with their commission. Articles 5, 6, 7 and 8 laid down the principles of international criminal law having a material bearing on co-operation between States for the prevention and punishment of the acts specified in the Convention.

As regards the Court, it was important to notice the connection between the two draft Conventions. M. Pella wished to make clear that the jurisdiction of the Court was inconceivable unless the State which had the offender under detention was prepared, of its own initiative, to waive its right to try him. There was, therefore, no question of interference by the Court or compulsory enforcement of its jurisdiction. It somewhat resembled the idea of delegation of jurisdiction by one instance to another. The Convention with regard to the Court was really a protocol of voluntary jurisdiction. States which did not sign it incurred no commitments, and their legal situation was not in any respect affected. He was anxious to make these points clear at the outset in order to avoid misunderstanding. Moreover, the Committee of Experts itself had clearly stated that the Convention was a voluntary document concerning only those States which were ready to sign it. In its report, the Committee said¹ that :

“ Under this system, States which, for reasons of principle or any other reason, feel unable to hand over an accused person to the International Criminal Court in any circumstances will have the option of becoming contracting parties to the first Convention only.

“ On the other hand, the acceptance by a State of the Convention for the Creation of an International Criminal Court is conditional on the acceptance by that State of the Convention for the Prevention and Repression of Terrorism.”

The two draft Conventions had been submitted to the Council, the Committee proposing the following procedure :²

“ The observations of the Governments should reach the Secretary-General by July 15th, 1936, in order that they may be communicated to the Assembly at its ordinary session of 1936, at which decision will have to be taken whether a diplomatic conference should be held in 1937 to draw up the Conventions contemplated by the Committee.

“ The Committee might, if necessary, hold a session shortly after the close of the next ordinary session of the Assembly, in order to make a final revision of the texts to be submitted to the diplomatic conference, in the light of the observations of the Governments and the discussions of the Assembly.”

The Council, at its meeting on January 23rd, 1936,³ without going into the substance of the Committee's work, had approved the procedure recommended by the Committee and had adopted a resolution in that sense.

As the result of the second consultation of the Governments, seventeen replies had been received by the Secretariat.⁴ Some of them dealt only with points of principle ; others, on the contrary, contained proposals for amending the texts of the draft Conventions as submitted by the Committee. Particular interest attached to the replies (amongst others) of Belgium, the United Kingdom and the Netherlands.

M. Pella's conclusions were as follows :

(1) It did not rest either with the Assembly or with the First Committee to establish the final texts of the Conventions. That was a matter for a diplomatic conference.

(2) It was very desirable to have the First Committee's observations on the texts submitted by the Committee for the International Repression of Terrorism.

(3) The Minutes of the First Committee should be forwarded to the above Committee to enable the latter to revise the texts in the light of the First Committee's observations, whether in regard to principles or details.

(4) The First Committee should ask for the inclusion of a credit in the budget for the meeting of the diplomatic conference.

On the last point, M. Pella had two remarks to make. In the first place, it was proposed that the diplomatic conference should meet at Geneva, and that the representatives of Governments should be paid by their own Governments. There would therefore only be small subsidiary expenses to meet. In the second place, M. Pella desired to emphasise the urgency of the conference. The problem could not be left too long without a solution. Terrorism was a permanent scourge. If an international agreement could be reached for its prevention and punishment, the danger of grave international complications as the result of acts of terrorism would be diminished.

He was alive to the difficulty inherent in the fact that terrorism was sometimes associated with political activities. He would leave on one side the question of civil war, which it should be possible to exclude from the operation of the Convention ; admirable legislative forms for the purpose were to be found in the extradition law of Finland. But, apart from the question

¹ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 2.

² *Ibid.*, page 3.

³ *Ibid.*, page 16 (see also *Official Journal*, February 1936, page 119).

⁴ Documents A.24.1936.V (Ser. L.o.N. P. 1936.V.6) and A.24(2).1936.V (Ser. L.o.N. P. 1936.V.7).

of civil war, M. Pella refused to admit that terrorism could be regarded as a form of political strife. He could not agree that crime should be given the status of political dogma. Terrorism had its international aspects; it was a form of international crime, and the international community should unite against those criminal combinations in the territories of different countries, and the concomitant disintegration of juridical values of the first importance. Terrorist acts, which it was becoming more and more common to regard as a method of solving social or political differences, were a return to barbarism. To leave them unpunished was to sympathise with action which the conscience of all civilised persons could not but reject.

M. DA MATTA (Portugal) said that the Portuguese delegation was in favour of approving the report of the Committee for the International Repression of Terrorism concerning the two draft Conventions on the prevention and punishment of terrorism and on the creation of an international criminal court. It accepted the two texts submitted to the First Committee as a basis of discussion, and thought that it was a matter of urgency to arrive at the conclusion of an international agreement against acts of terrorism. It nevertheless reserved the right at the proper moment—that was to say, at the diplomatic conference which would be responsible for drawing up the proposed Conventions—to submit amendments regarding both the substance and the form of the two drafts.

The idea of an international agreement which would secure the co-operation of States in the prevention and punishment of crimes likely to disturb the organisation and operation of the public authorities and services was making good progress. If it were left to the national and judicial authorities to punish a crime whose causes and consequences went beyond the national sphere, there was a risk that regrettable international conflicts might be created. Although, in the case of a national crime, the attitude of the courts might have no consequences for the State, in the case of an international crime, the Government might be held responsible for the acts of any organ of the State. Hence the necessity for punishment of an international nature when national punishment was impossible or insufficient.

There was, of course, no idea of imposing an international jurisdiction on anyone. Each State must remain free to resort to it or not, and a Government could always exercise its right to have crimes committed on its territory dealt with by the local courts. But if a Government preferred to renounce its own competence and to leave it to an international jurisdiction to deal with a crime committed in its territory, such an international jurisdiction must exist in order that the matter might be referred to it.

Everyone was aware of the difficulties which this jurisdiction might encounter, even with the optional character conferred on it by the draft Convention. There was the difficulty of extradition, since terrorist outrages were sometimes considered as political crimes. There were also some who refused to admit that the Government could hand over one of its own nationals, even if he had committed a crime. Others refused to admit that, if the author of the outrage had taken refuge in another country, he was not entitled to the right of asylum. M. da Matta quoted, in that connection, the example of Portuguese law and practice. But there must be a reaction against this excessive generosity towards offenders. Such crimes threatened the whole community, and their perpetration, far from being confined to the country in which they were committed, affected foreign countries. The necessity of repressing them, therefore, went beyond the scope of the national laws. M. da Matta therefore considered that it was essential to conclude a Convention like that which was at present before the Committee. He therefore pronounced, in principle, in its favour.

M. ROLIN (Belgium) wished, first of all, to express the Belgian delegation's agreement and sympathy with the considerations to which this action owed its origin. The Marseilles outrage, owing both to its terrible result and the circumstances which had attended it, had given rise to the widespread conviction throughout the world, and especially in Belgium, that there were gaps in the international organisation and that, whatever the violence of political struggles in certain countries, it was intolerable, from the point of view of international organisation, that such outrages should be prepared or perpetrated in the territories of other countries. The Belgian Government had therefore regarded as legitimate the French Government's action in laying the problem before the Council.

Nevertheless, M. Rolin thought that the Committee of Jurists had considerably widened the scope of the problem. It had drawn up two draft Conventions, the first of which, now under discussion, appeared to the Belgian delegation to be quite unacceptable in its essentials, and M. Rolin was convinced that, even if it were accepted by a conference, it would be rejected by many Members of the League. The Belgian Government had already expressed its views very clearly in that connection. It had explained that, in the system now in force in Belgium—which Belgium was prepared to relinquish if it were shown to be defective—extradition was refused, not only in respect of political crimes properly so called which did not involve bloodshed and were not common law offences, but also offences associated therewith—that was to say, acts of common law committed against the person of certain authorities, but related to purely political acts which were not punishable by Belgian penal law, and also "compound" offences—that was to say, those which, although punishable by Belgian penal law because they threatened the lives of certain persons, nevertheless had a political motive. It was true that a Belgian law, which had been much quoted abroad, contained a clause dealing with outrages—that was to say, Belgian law gave special protection, whatever the political motives, to foreign sovereigns or heads of State, because it was considered, in Belgium, that an act committed against the person of the head of a State was of such political gravity that other countries

must waive the right of asylum, owing to the necessity for punishment which became a matter of international courtesy and solidarity.

But the Belgian delegation did not think that, particularly in Europe's present situation, when traditional institutions had been so shaken by acts of violence, many of which had, indeed, been crowned with success and had brought into power Governments that were now recognised, it was possible to adopt, in the form of a Convention, provisions of that kind, unless there were added to Article 2 an exceptional clause saying that such acts would only be prosecuted if they had failed!

The Belgian Government's attitude, in the present case, was, therefore, a negative one. Its objections were as follows: In the first place, in the hope no doubt of securing wider adoption of the Convention, the expression "terrorism" had, by a veritable abuse of words, been used for acts which, according to current definitions, had never been identical, either in sociology or in penal law, with what was known as terrorism. In a Convention against terrorism, States were now asked to repress "any act intended to cause death or grievous bodily harm or loss of liberty to: (a) heads of States; persons exercising the prerogatives of the head of the State; their hereditary or designated successors; (b) the wives or husbands of the above-mentioned persons; (c) members, officers, or servants of Governments; (d) members of constitutional or legislative bodies; (e) persons holding judicial office; (f) diplomatic representatives or consuls; (g) members of the armed forces of the State".¹ All these acts were apparently now regarded as acts of terrorism, so that any act of rebellion would, by definition, be placed in that category. In that connection, M. Rolin quoted the following passage from a recent study by the Spanish professor, Saldana, which had appeared in the *Revue internationale du Droit pénal*, 1936, page 26:

"By terrorism in the widest sense is meant, in criminology, any political or social crime or offence the commission or even announcement of which causes general alarm owing to its liability to create a special danger. In a more limited sense, terrorist outrages are criminal acts committed solely or mainly to create alarm (subjective factor) by the use of methods capable of creating a state of common danger (objective factor)."

Everyone was familiar with the large number of abominable acts which had generally been described as acts of terrorism. When, in the fight against the Russian Empire or against monarchic power in Russia, bombs were thrown in theatres or churches, or at popular demonstrations, when death was spread haphazard through the crowd for the sole purpose of creating dread, that was obviously terrorism.

M. Rolin did not really think that it was possible, without an abuse of words, to consider certain acts of violence, however reprehensible, as acts of terrorism, just because in free countries the use of violence was a crime. Such acts, committed against those who were in power, were political crimes which were generally punished, and rightly so, but they were not acts of terrorism. Great caution should therefore be shown when, under shelter of the Convention, an appeal was made to that very natural reprobation which was inspired by any act of terrorism.

M. Rolin mentioned that, in his country, which was nevertheless very scrupulous as regards extradition, the Court of Appeal, as early as 1884, had pronounced in favour of the extradition of an individual who had thrown bombs at a public meeting, outrages by means of explosives being one of the manifestations of the Anarchist movement. Those outrages were, in the judges' view, committed with purely destructive intent, which could not be placed on the same footing as political outrages proper, the latter enjoying, not privileged treatment, but the application of the right of asylum, which the Belgian Government considered to be one of the forms of non-intervention.

M. Rolin's chief objection to the Convention—and this would lead him to conclusions which would not be entirely negative and to a suggestion which would perhaps mitigate the force of his Government's observations—was that, in reality, too wide an interpretation had perhaps been given of the international character of acts which might justify international legislation or an international Convention.

In the observations which it had submitted, the Netherlands Government² had said that it supposed that it was not desired to deal with offences which had no international character—that was to say, with offences committed by one of a State's own nationals against the State itself in its own territory; and the Netherlands Government added "without the criminal having gone to another country". M. Rolin did not agree with the Netherlands Government on that point, and wished to ask the following question: Suppose that an act, at the time of its preparation and of its perpetration, had possessed a purely national character, that there had been no foreign complicity, that the act had been performed by nationals in their own territory, and that the authors of the act had taken refuge in a foreign country, did the mere fact that they took refuge in a foreign country give that act retrospectively an international character and place the country of their residence under the obligation of giving them up?

In the case of specifically terrorist acts, in cases where the deaths of a number of innocent persons were involved, M. Rolin would be prepared to accept international action. But in the case of specifically political acts, committed in foreign countries by nationals of those countries

¹ Article 2 of the draft Convention for Prevention and Punishment of Terrorism (document A.7.1936.V; Ser. L.o.N. P. 1936.V.2, page 3).

² Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 14.

against men in power in the latter, the Belgian delegate thought it would be absolutely impossible to induce States to organise a procedure of assistance with a view to punishment.

M. Rolin said he had been genuinely impressed by the idea that the suggestion made by the Committee of Experts meant going back three or four thousand years. Originally, extradition had been devised exclusively as a means of assisting Governments which desired their neighbours to hand over their political opponents when the latter had crossed the frontier. While progress had appeared to consist in the creation and strengthening of the right of asylum, it was now proposed to reintroduce this quite primitive aspect of extradition to which it had been confined at its origin.

This idea had frequently been defended, particularly before 1914, by jurists who had come to consider that, in reality, non-extradition for a political crime was an idea belonging to the past. A distinguished criminologist, M. Adolphe Prinz, explained that, in 1833, it had doubtless been necessary to protect politicians persecuted by a reactionary Government; but to-day, he said, "justice and morality would suffer if stern measures were not taken".

Thus, before 1914, the idea had generally been entertained that progress in civilised countries gave individuals such guarantees for the free evolution of political institutions and also for the punishment of individual acts that it would be necessary to abandon that aspect of the right of asylum which was only a sign of distrust in the institutions of foreign countries, and that States ought to declare themselves jointly responsible in this matter.

Without wishing to go into details, M. Rolin thought that no member of the First Committee could seriously affirm that, in the present condition of the world, the rights of men and of citizens were sufficiently guaranteed by the various countries for it to be possible to show quite general and unlimited confidence, while disregarding the particular circumstances of a country and remaining blind to the methods of government or the means by which power was gained in various States, and that it was possible to enter into an unconditional undertaking with such Governments to hand over all their opponents, if the latter should be guilty of certain acts of violence against those in power.

The practical consequences would, indeed, be a defiance of public opinion, for the vicissitudes of the political struggle in certain places might lead to the following situation: at the moment when certain people were being handed over under Article 2, their political friends would perhaps have seized power, and it would then be necessary to surrender those against whom the acts that had been the cause of the first request for extradition had been directed. More than ever at the present particularly tragic time, when, in circumstances which had come before the Assembly, an extension of what might be called the principle of non-intervention and non-interference was being suggested (certain delegates had claimed with fairly good reason that this, in reality, meant prohibiting certain things which should normally be authorised and sanctioned by international law), M. Rolin could not conceive that anyone would, by a veritable contradiction, pledge himself to what would constitute an act of obvious, systematic and *a priori* partiality for any Government in power, whatever its tendencies and origin.

It had been said that the Members of the Assembly should not be divided up into Governments of the extreme left and Governments of the extreme right, or Governments of the centre; in this particular case, M. Rolin was convinced that, on one side, there would be Governments of the extreme right and of the extreme left, and, on the other, Governments which were still attached to democratic institutions. He hoped that the Members of the Assembly would not have to take sides in that way, and that the Committee of Experts, taking into account that difficulty, which would constantly increase as public opinion realised the consequences of adopting such a Convention, would return to the ideas that had originally led to the action taken and would revise its work, which, indeed, contained some excellent provisions.

A great step forward would have been taken if, as a result of the work of the Committee of Experts, it was understood that, whatever the grievances or feelings of the political minorities of the various States, their quarrels did not concern foreign countries and that the latter would take no side in their disputes, but would warn them that those quarrels must invariably be settled in the territory of their own country and that any offence committed abroad would find all States, whatever their political tendencies, ready to aid in its punishment, since peace would really be threatened if internal political strife were to spread to other territories. In taking such a decision, the First Committee would be acting in the interests of peace, and it would not expose itself to the very serious criticisms that he had repeated.

M. Rolin added that, in his opinion, work of such importance could not succeed under present conditions, and he hoped that the First Committee would give the Committee for the Repression of Terrorism an opportunity to revise the texts in question in the course of the year, so that the next Assembly could finally decide whether a conference should be convened.

The continuation of the discussion was adjourned to the next meeting.

FIFTH MEETING.

Held on Thursday, October 1st, 1936, at 3.30 p.m.

Chairman : M. LIMBURG (Netherlands).

15. **Permanent Court of International Justice : Examination and Adoption of the Draft Report of the First Committee to the Assembly.**

I. **METHOD OF ELECTION TO THE THREE VACANT SEATS.**

M. DA MATTA (Portugal), Rapporteur, submitted his draft report¹ and suggested that the paragraph reading :

“By sixteen votes, to ten the Committee pronounced in favour of the system recommended by the Council's resolution of September 25th, 1936,”

should be amended to read as follows :

“A comprehensive discussion took place on this point. Many delegations maintained that it would be more in conformity with the spirit of the Court's Statute for all three seats to be filled at a single election. Other delegations, however, thought that the system of two elections suggested in the Council resolution was more practical and more in conformity with the letter of the Statute. Ultimately, by sixteen votes to ten, the Committee pronounced in favour of this system.”

He hoped that this amendment would satisfy M. Politis, whose views had not coincided with those of the Council.

M. WESTMAN (Sweden) wished to point out that, in the opinion of the Swedish delegation, the method advocated by the Council and by a number of delegations was more in conformity with the spirit as well as the letter of the Statute. He asked the Rapporteur, therefore, to express in his text the idea of conformity “with the spirit and the letter of the Statute”.

The CHAIRMAN pointed out that the Swedish delegate's proposal would hardly fit in with the first part of the paragraph. He suggested, therefore, that the second sentence of the Rapporteur's text should read :

“Other delegations were of the contrary opinion and supported the suggestion recommended in the Council's resolution of September 25th, 1936”.

M. WESTMAN (Sweden) accepted that text.

M. DA MATTA (Portugal), Rapporteur, also accepted the suggestion, though he pointed out that the new text did not indicate the reasons why certain delegations had taken a different view.

The Committee adopted the first part of the report with the modifications suggested by M. da Matta and the Chairman.

II. **PARTICIPATION IN THE ELECTION OF THE JUDGES OF A STATE WHICH IS NOT A MEMBER OF THE LEAGUE BUT IS A PARTY TO THE STATUTE OF THE COURT.**

The second part of the draft report was adopted without discussion.

The report as a whole, and the draft resolutions,² were adopted (Annex 4, page 80).

16. **International Repression of Terrorism : General Discussion (continuation).**

DRAFT CONVENTION FOR THE PREVENTION AND PUNISHMENT OF TERRORISM (continuation).

M. POTEKINE (Union of Soviet Socialist Republics) said that the special circumstances which had led the Council to adopt its resolution of December 10th, 1934,³ with regard to terrorist activities were well known. During the exchange of views which had then taken place in the Council, the attitude of the Soviet Government with regard to terrorist action

¹ The draft report is not published ; for the final text, see Annex 4, page 80.

² The resolution was adopted by the Assembly on October 3rd, 1936.

³ See *Official Journal*, December 1934 (Part II), page 1760.

endangering peace and international security had been stated very definitely and clearly.¹ He himself had been a member of the Committee for the International Repression of Terrorism, whose report² had been adopted by the Council on January 23rd, 1936,³ and submitted to the Governments for study.

In its letter of April 16th, 1936,⁴ to the Secretary-General, the Government of the Union of Soviet Socialist Republics had made certain observations as a result of its examination of that document, relating to the aims of the international agreement foreshadowed in the Council resolution of December 10th, 1934. The Government of the Soviet Union held that the principal object of that agreement was to organise joint action by the contracting parties for the prevention and punishment of political terrorist acts of an international character. It was necessary to establish a series of international agreements for the purpose of preventing States from exploiting terrorist action by making it an instrument of disguised intervention on their part in the affairs of other countries, thereby transforming political terrorism into a factor of international tension and a menace to external peace.

The Government of the Union of Soviet Socialist Republics had been glad to note that it was not the only one to support that view, which had been developed on many occasions by the representatives of the Soviet Union during the discussions in the Preparatory Committee. It remained faithful to those ideas and proposed to support them once more, at the proper moment, should the Assembly decide to submit the draft drawn up by the Committee to a diplomatic conference or to postpone the matter for further study. The Government of the Union of Soviet Socialist Republics was itself in favour of the latter course. It considered that this supplementary study should be entrusted to the same Preparatory Committee which had already covered a great deal of ground. It would, of course, be for the Council of the League to fix the date for the convocation of the diplomatic conference to consider the final text of the two Conventions.

M. STOYKOVITCH (Yugoslavia) paid a tribute to the work of the Committee of Experts and to the way in which its members had carried out their difficult task. The Yugoslav Government approved the draft Convention prepared by the Committee. He would explain in a moment the reasons why his Government was able to accept the text.

The First Committee's task would, in his view, be easier if it could succeed in defining the exact object of the present discussion. The main question at present was the expediency of convening a diplomatic conference to draw up the final text of a draft Convention for the Prevention and Punishment of Terrorism, which would subsequently be signed and ratified by Governments. It was not the Committee's duty to recommend that the Assembly should purely and simply adopt any specific text, but rather to take a decision, in principle, on the question whether it was in favour or not of the extension of international co-operation in the prevention and punishment of terrorism, by means of a Convention to be concluded between States.

Certain Governments might not be entirely satisfied with some of the provisions in the draft prepared by the experts. The observations which had already been made or which would be made by the members of the Committee would be of great use in the future preparation of the Convention. The present draft would, in due course, be revised once more by the Committee of Experts. It would then be discussed by a diplomatic conference composed of the representatives of the States, who would have full powers to negotiate and sign. The observations in question must not, however, be allowed to delay indefinitely the final preparation of a Convention on a subject which called for prompt international settlement.

In view of the turn taken by the discussion, M. Stoykovitch would divide his observations into two parts, and would consider, first, the expediency of the international suppression of terrorism by means of an international Convention and, secondly, the principles on which that Convention should be based.

In examining the first question, M. Stoykovitch wished first of all to draw the Committee's attention to the fact that the draft Convention was the outcome of an initiative the desirability and importance of which it would be difficult to overlook. That initiative was not based on academic or abstract considerations or on the existence of imperfections or lacunæ in present international law concerning the repression of terrorism. It had originated from the Council's discussions, at a time when the Council was acting as a political body, concerned with a serious dispute under the terms of Article XI of the Covenant. Having settled the dispute, the Council, the highest political organ in the community of nations, had felt that its task had not come to an end. It had also desired to take action for the future, since prevention was better than cure. Paragraph 4 of the resolution adopted by the Council on December 10th, 1934, read as follows :

“ The Council,

“ Considering that the rules of international law concerning the repression of terrorist activity are not at present sufficiently precise to guarantee efficiently international co-operation in this matter :

¹ See *Official Journal*, December 1934 (Part II), page 1733.

² Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 2.

³ *Ibid.*, page 16 (see also *Official Journal*, February 1936, page 119).

⁴ Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 12.

“ Decides to set up a Committee of Experts to study this question with a view to drawing up a preliminary draft of an international Convention to assure the repression of conspiracies or crimes committed with a political and terrorist purpose.”

It was this reference by the Council to the lack of precision in the present rules of international law which had served as the basis and guiding line for the work done by the Special Committee. All those possessing a certain experience in that domain knew well that the organs best qualified to judge of the necessity for fresh legislation were those which were responsible for applying existing law. In criminal law, the recommendations made by juries were often the starting-point of the most necessary and urgent legislative reforms.

It would be an error to suppose, however, that it was a question in the present case of establishing new international obligations and of preparing legislation concerning a question in regard to which, up to the present, none had existed. The duties incumbent on States mutually to assist each other in preventing and suppressing terrorist action were already laid down in existing rules of international law. The Council of the League had not omitted to recall that fact very clearly and forcefully in its resolution, from which M. Stoykovitch quoted the following passages :

“ The Council,

“ Recalls that it is the duty of every State neither to encourage nor tolerate on its territory any terrorist activity with a political purpose ;

“ That every State must do all in its power to prevent and repress acts of this nature and must for this purpose lend its assistance to Governments which request it ;

“ Is of opinion that these duties devolve, in particular, on the Members of the League of Nations in view of the obligations of the Covenant in relation to the engagements they have undertaken to respect the territorial integrity and the existing political independence of the other Members.”

In the Yugoslav delegation's view, therefore, this subject was eminently suitable for international regulation. General international obligations already existed. All that was necessary was to define them more clearly so as to adapt them better to the present necessities of international life.

That was the task which the Special Committee had had to carry out in preparing the draft Convention for the Prevention and Punishment of Terrorism. Nevertheless, at the previous meeting, the draft prepared by the Committee had been very severely criticised by M. Rolin.¹ Before considering M. Rolin's arguments, M. Stoykovitch wished to thank him for the sympathy he had expressed regarding Yugoslavia in connection with the tragic events which had been the immediate causes of the international action with a view to the prevention and punishment of terrorism. That sympathy was a source of great encouragement to him, and would help him to state quite frankly the reasons why he could not agree with M. Rolin's views.

If M. Stoykovitch understood correctly, M. Rolin, while agreeing that, in principle, there was need for an international repression of terrorist acts, nevertheless criticised the draft on two grounds. In the first place, he objected that it unduly extended the scope of international repression by including crimes not sufficiently international in their characteristics. His second objection, closely connected with the first, was that the draft imposed on States the obligation to extradite political delinquents who had taken refuge in their territory, thus placing an instrument of political vengeance in the hands of other Governments against their opponents. M. Rolin believed that such a Convention would go far beyond the scope of the reasonable suppression of terrorism and would tend to infringe the concept of the right of asylum in political matters.

With regard to the first objection, M. Stoykovitch pointed out that the Convention, by its very nature, only referred, and could only refer, to terrorist action which was international in its character. It was difficult to believe that the signatories of the Convention would ever invoke international action in the case of terrorist crimes which were not at all international in character. If a crime were planned and carried out within national territory by nationals and if the authors were brought to justice in the State affected by the crime there could be no question of international repression. But if there was a foreign element, either in the planning, the preparation, or the carrying-out of the crime, or if those who had committed it took flight abroad, then the need for international action was immediately obvious. Article 2(I) of the draft had been intended by the Special Committee to define the limits of the acts to which the Convention would apply, and already contained sufficient data to limit the field of action of the Convention. The general definition might, if necessary, be improved, but the Yugoslav delegation did not think that, even in its present form, it extended unduly the field of repression if exercised sanely and reasonably. There would be no difficulty in finding a form of words intended expressly to exclude all acts that were really acts of civil war.

M. Rolin had dealt particularly with the question whether terrorist acts prepared or committed in the territory of one country by nationals of that country necessarily assumed an international aspect merely because their authors had fled to another country. In his opinion, the draft Convention covered acts which must be regarded as political acts and not as terrorist crimes. It would accordingly be inadmissible to impose an obligation on a State to surrender

¹ See page 31.

the authors of such acts, while regarding them as excusable on account of their underlying political motives.

There was a fundamental difference between the two concepts of terrorist crime—that was to say, M. Rolin's concept and that of the Committee of Experts. According to the Committee's draft, no political motive whatever could excuse murder or an act of violence that imperilled human lives; such acts ought to be punished in any circumstances, and, apart from their political motives, should be punished by all States signatories of the Convention. The aim of the Convention was to condemn in general all acts of violence, assassinations, murders, etc., as legitimate means of political combat, whatever their motives. An assassination must remain an assassination, and M. Stoykovitch thought it was not a retrogression to prehistoric barbarism but rather a step towards a better and more civilised humanity to state that politicians could not be killed with impunity on account of the opinions which they professed.

It had been pointed out that political regimes changed, often through terrorist acts which had been committed, and that this relationship between ideas and political systems called for a certain prudence in the extradition of political offenders. It would, however, be a grave error to suppose that the Convention on the International Repression of Terrorism had been designed solely to protect any existing or future political regimes. Over and above those regimes was an absolute and immutable consideration that must in all circumstances be upheld—the sanctity of human life. Steps must be taken to prevent human life from becoming the terrible stake of political struggles which stained humanity with blood. Political liberalism properly understood and applied must find its natural limits in respect for that high principle.

M. Rolin thought that States should be entirely free to decide whether it was desirable to extradite a person guilty of having committed acts mentioned in the Convention. But such a system might lead to grave injustice and undeserved impunity for the offender. In that system, extradition—that was to say, the punishment of individuals—would ultimately depend on the political sympathy, or rather antipathy, inspired in the country of refuge by the ideas professed by the victims of the terrorist crime.

It should, however, be observed that the system recommended in the draft of the Committee of Experts, Articles 7 to 9, did not make the extradition of guilty persons obligatory in all cases. The fundamental idea of the draft Convention was that terrorist crime must never go unpunished, and States granting asylum were obliged either to extradite the culprit or to punish him. The system proposed by the Committee of Experts was fairly elastic in itself, and the proposed institution of an International Criminal Court which enabled the States to avoid any direct extradition of the culprits and to have them tried by a jurisdiction whose impartiality in political matters was above suspicion made the system still more elastic. If any objection could be urged against that system, it was rather that which had already been raised in the observations of some Governments—namely, that it left certain loopholes for the escape of a guilty party.

To return to the practical question, M. Stoykovitch thought any further adjournment should be avoided. As regards the international repression of terrorism, the Council had already voted two resolutions in favour of the prompt settlement of the question. The Committee of Experts had already twice revised the draft, and Governments Members of the League had twice been consulted. A further adjournment to the next session of the Assembly would not fail to intensify the unfortunately widespread impression that the organs of the League were powerless to settle the gravest and most urgent questions. He did not think the divergencies which had arisen were impossible of reconciliation. If the need for the international repression of terrorism could not be reconciled with the sound principles of the right of asylum in political matters, there was no hope for the future of civilisation. Fortunately, this did not appear to be the case. If, in order to decide on the advisability of convening a diplomatic conference, it was necessary to come to complete agreement on all details of the future Convention in advance, there would be little prospect of concluding any international Convention whatever under the League's auspices.

M. Stoykovitch therefore proposed that the following procedure should be adopted: the Assembly should give an opinion in favour, in principle, of the convening of a diplomatic conference for the international repression of terrorism to be held during the course of the following year, and the Council should be left to fix the exact date. In the meantime, the experts should hold a third session for the final revision of the text of the draft Convention, in the light of the discussion which had taken place in the First Committee and of the observations which had been, or might be, received from Governments.

M. CASTBERG (Norway) said that his delegation shared the opinion expressed by M. Rolin: great prudence was necessary in dealing with the question of the international repression of terrorism. Some of the provisions in the draft Convention for the Prevention and Punishment of Terrorism were entirely in harmony with the rules of Norwegian criminal law. For instance, the Norwegian Criminal Code contained provisions for the punishment of the acts mentioned in Article 2, points (1) to (3), even when committed abroad by foreigners.

Nevertheless, on the question of extradition, the Norwegian delegation, like the Belgian delegation, had objections, on principle, to the rules proposed in the draft. It was a fundamental tenet of countries with a liberal Constitution and free institutions that persons accused of political crimes against a State should not be handed over to the justice of that State. Only very rarely were exceptions admitted to that rule. The draft Convention for the Prevention and Punishment of Terrorism would, if accepted, seem practically to eliminate from the

juridical systems of the contracting parties the principle of non-extradition for political crimes. Although the draft was possibly not quite clear on this point, M. Castberg thought it amounted practically to abolishing the right of asylum—a suggestion with which Norway could never agree.

The rules concerning extradition seemed to be those which were of most practical importance, and it was precisely to those rules that the Norwegian delegation most seriously objected. He regretted, therefore, that, in those circumstances, he could not support the view that it would be expedient to organise a diplomatic conference in 1937 to prepare a Convention based on the draft at present under consideration by the First Committee.

The continuation of the discussion was adjourned to the next meeting.

SIXTH MEETING.

Held on Saturday, October 3rd, 1936, at 3.30 p.m.

Chairman : M. LIMBURG (Netherlands).

17. International Repression of Terrorism : General Discussion (continuation).

DRAFT CONVENTION FOR THE PREVENTION AND PUNISHMENT OF TERRORISM (*continuation*).

M. VEVERKA (Czechoslovakia) said that his country had accepted the resolution of December 10th, 1934,¹ by which the Council, recognising the inadequacy of the rules of international law for the repression of acts of terrorism, had decided to draw up an international Convention to prevent offences committed with a terrorist purpose from going unpunished.

The Czechoslovak Government fully approved of the draft Convention² drawn up as the outcome of that resolution. The observations which it would submit shortly would not deal with the principles of the draft, but solely with certain points of detail.

The Czechoslovak law officers were following closely and sympathetically the efforts made to enlist the co-operation of States in repressing acts of violence committed with a political purpose. The Conventions concluded at Geneva in the sphere of international criminal law clearly showed that it was possible to co-ordinate criminal acts and the penalties therefor under the different municipal laws.

In view of the very special nature of terrorism, the problem was, however, beset with certain difficulties. While the criminal activities of individuals and groups of individuals should be punished, care should be taken not to bring within the scope of the Convention acts coming within the province of international public law—for example, the law in regard to warfare. Care should also be taken not to restrict or even to suppress freedom of opinion on the pretext of repressing terrorism.

The Czechoslovak delegation considered that the procedure suggested by the delegate of Roumania³ and defined by the delegate of Yugoslavia⁴ should be followed.

M. UNDÉN (Sweden) thought that all the members of the Committee were obviously anxious to prevent acts of terrorism committed with a political purpose and also felt the same indignation in regard to the abominable crimes which had led States to seek international co-operation in the matter. Care should be taken, however, not to adopt laws unduly restricting the right of asylum which every country possessing a free political system considered it a privilege to grant to political refugees.

After the end of the world war, Sweden had granted the right of asylum to the most varied categories of political refugees. At one time, a large number of communists who had taken part in an insurrectionist movement in a neighbouring country had come to Sweden. Later on, certain refugees belonging to the extreme right, who had taken part in an insurrection in another country, had also asked Sweden for asylum. The adoption of the draft Convention would not only prevent the application of that principle, but might possibly make it necessary to extradite refugees.

He was glad to note the suggestion made by the delegate of Yugoslavia to the effect that the draft Convention should be modified so as to exclude from its provisions participants in civil warfare, and the proposal of the delegate of the Soviet Union,⁵ that the Convention

¹ See *Official Journal*, December 1934 (Part II), page 1760.
² Document A.7.1936.V (Ser. L.O.N. P. 1936.V.2), page 3.
³ See page 30.
⁴ See page 37.
⁵ See page 35.

should apply solely to cases involving international factors. But such an amendment would necessitate the radical revision of the draft Convention ; moreover, in all probability it would not be easy to draw a hard-and-fast line between cases of that kind and other cases.

The draft would infringe the right of asylum in several respects—for instance, as a result of the obligation which a contracting State would accept to punish foreigners who had committed in another country the crimes enumerated in Articles 2 and 3 of the draft Convention. In that connection, M. Undén agreed with M. Rolin that the scope of the Convention was too wide. The draft covered, not only terrorist crimes in the proper sense of the term, but also political crimes which were not terrorist in character. Its adoption would involve a radical change in the principles hitherto applied by Sweden in regard to the extradition of persons guilty of political offences. He would like to quote the observations made by the Netherlands Government in its letter of July 15th, 1936 :¹

“ The extradition treaties hitherto concluded by the Netherlands Government are based, in general, on the principle that extradition cannot be granted for political offences. In view of the wide differences of political opinion which at present exist in different countries on fundamental questions, the time does not seem favourable for completely abrogating this rule. The present circumstances as regards the national policies of different States are not such as to induce the Netherlands to depart from their historic tradition as regards the hospitality offered to political refugees.”

The Swedish Government fully endorsed those views.

The adoption of the draft Convention would also necessitate the modification of the general provisions of Swedish penal law relating to attempts to commit and preparations for committing crimes. That law was at present being thoroughly revised, and it would not be possible for the Swedish Government to anticipate the result of that revision so far as principles were concerned.

M. Undén had confined himself to general observations because the Swedish delegation, which did not include experts in criminal law, was not ready to enter upon a discussion concerning the various articles of the draft Convention.

He added that the Swedish Government was not in favour of holding the proposed diplomatic conference next year.

M. KULSKI (Poland) wished to make certain observations on the two draft Conventions. The Polish Government's point of view had, moreover, been clearly set out in the observations transmitted to the Secretary-General and communicated to the members of the Committee.² Those observations would be enlarged upon, if necessary, at the proposed diplomatic conference.

From the outset, the idea of the joint repression of terrorist crimes had met with a favourable reception in Poland. Terrorist activity, which was prevalent in several countries, had necessitated a common effort on the part of Governments with a view to its effective prevention and punishment. That activity was hardly ever confined to the national sphere, but usually extended beyond the boundaries of the country concerned and consequently took on an international character. Terrorist acts were of an international character, not only when they were committed in the territory of the country in which the criminal had been arrested, but also when the instigators or accomplices of the terrorists were living in foreign territory. That was what frequently happened, because terrorist acts were rarely perpetrated by isolated individuals; they were usually organised by associations whose headquarters and leaders were generally to be found beyond the frontiers of the country concerned. This was, therefore, a sphere in which mutual assistance, in the interests of political stability and friendly international relations, should be given without hesitation.

The draft Convention prepared by the Committee of Experts met a vital and urgent need. Its general outlines had been approved by the Polish Government. Nevertheless, the latter considered that certain amendments would be needed, although they would not necessitate any notable alteration in the general structure of the draft. In particular, certain gaps should be filled so as to avoid the possibility of criminals escaping punishment in the absence of a judgment by the courts of the country of asylum and failing their extradition. More adequate provision should also be made for complete reciprocity on the part of the signatories of the Convention in the matter of obligations.

The Polish delegation thought that the question had been studied with sufficient care to enable a diplomatic conference to be convened in 1937, to draw up a final text for the purpose of settling, by means of a firm and definite undertaking, a question which at present was liable to give rise to international disputes. Before the conference was convened, a further session of the Committee of Experts should, of course, be held to enable it to revise the text in the light of the observations of Governments.

The Polish Government would be unable to accept the draft Convention for the Creation of an International Criminal Court, but M. Kulski did not think it was necessary for him to state the reasons for its attitude, since each Government would have an opportunity of setting forth its views in detail at the diplomatic conference. While it fully respected the intention of other countries to conclude an additional Convention among themselves on this matter,

¹ See document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 11.

² Document A.24(a).1936.V (Ser. L.o.N. P. 1936.V.7), page 1.

the Polish Government would like that additional Convention to remain *inter alios acta* for non-signatories. That was, he thought, a justifiable attitude, and the fact of the existence of the International Criminal Court could not be invoked when non-signatories of the additional Convention requested, in virtue of the main Convention, the punishment or extradition of the guilty person.

In conclusion, M. Kulski was prepared to support a proposal by the First Committee for the insertion in the League's budget of a special credit to cover the cost of a diplomatic conference.

M. SIMONSEN (Denmark) recalled that the draft Conventions* had been submitted to Governments, and that only a small number of States had replied. Several of the replies indicated that more specialised comments would be forwarded later; others contained reservations of principle or practice. The explanation was that the Conventions not only affected criminal legislations of very different structures, but also raised a number of intricate practical and political problems.

The Danish Government had carefully examined the draft Conventions and highly esteemed the excellence of their contents. It had been obliged, however, to seek advice from the various authorities concerned. As a result, it had not yet been able to reply, and he understood that other States found themselves in a similar position.

The Danish delegation therefore was of opinion that there was not sufficient justification for convening a diplomatic conference in 1937. Consequently, it could not, at present, support the proposal to hold that conference. It would not be able to reach a decision in the matter, until it had been informed of the views of a larger number of States.

Sir William MALKIN (United Kingdom) said that he proposed to confine his remarks to the Convention on terrorism. With regard to that Convention, the only actual decision the Committee was called upon to take was whether it should recommend the Assembly to summon a diplomatic conference. The United Kingdom delegation was in favour of summoning such a conference at the most appropriate date, and would be prepared to support a resolution to that effect. He might, perhaps, be allowed to remind the Committee that the report which had led to the study of that question had been submitted to the Council by the representative of the United Kingdom.

It was, however, clear, both from the replies received from Governments and from the course of the present debate, that certain preoccupations were felt by some Governments regarding the present wording of the Convention. Those preoccupations were shared to some extent by the United Kingdom Government; their origin did not lie so much in the general aim and object of the draft Convention (on which there seemed to be a wide measure of agreement) as in certain doubts regarding the exact scope and effect of its provisions and, in particular, those of Articles 2 and 3. Those articles were, so to speak, the basic articles of the Convention, because upon their effect depended the scope and the effect of certain other important articles which followed them, including Articles 7, 8 and 9. Most of the acts mentioned in Article 2 of the draft already constituted offences under the law of the United Kingdom, and Sir William Malkin imagined that the position was probably the same in most countries.

It could not be denied, however, that there was some doubt whether, under those articles as at present worded, an obligation would not be imposed upon contracting States to treat as crimes, and punish, certain acts which at present were certainly not generally regarded as criminal. This was not the time to discuss details, but, merely as an example, it was possible to feel serious doubts as to what the effect of Articles 2 and 3 might be in the case of industrial disputes in another country, disputes possessing no political character at all. But these were not matters where doubt or uncertainty were permissible. Each State must know precisely what its international obligations were, and the people of that State must know, beyond possibility of doubt, whether certain acts did or did not constitute criminal offences under their law. Moreover, Article 23 of the draft Convention provided (perhaps unnecessarily, but certainly in precise terms) that acceptance of the Convention would imply that the law of the acceding country was in line with the provisions of the Convention. Before, therefore, a State could decide whether to accept the draft Convention, it must know precisely what changes in its criminal law would become necessary, and must consider whether those changes were likely to commend themselves to its legislation.

There was also another important question, that of extradition, which had been mentioned by the delegates of Norway and Sweden. The delegate of Norway¹ had said that the Convention would deprive a State which accepted it of the right to refuse to extradite for political offences, and that therefore Norway could not accept the Convention. If his own view of the effect of the Convention had been the same as that of the delegate of Norway, Sir William Malkin's attitude towards the Convention would have been the same, because the right to refuse extradition in the case of political offences properly so called was one which the United Kingdom was certainly not prepared to surrender. But, in point of fact, His Majesty's Government in the United Kingdom did not interpret the Convention in that way; it interpreted it as leaving intact the right of each contracting State to refuse extradition for political offences. Obviously, however, as a different view was taken by other Governments, there was serious doubt on the point, and such doubt could not possibly be allowed to subsist.

¹ See page 37.

Further study of the text of the draft Convention was necessary, therefore, from that point of view. The procedure suggested would afford ample opportunity for such further study—namely, that before the diplomatic conference met, the Committee of Experts should hold a further meeting to consider the draft Convention in the light of the replies received from Governments and of the observations made in the Assembly. That was an excellent idea, and he was glad to have this opportunity of paying his tribute to the value of the work already done by the Committee of Experts. It was to be hoped that a further study of the text, first of all by the Committee of Experts and subsequently by the diplomatic conference, would result in removing the difficulties which had been expressed in many quarters and in producing a Convention that would command something like general acceptance.

M. PAUL-BONCOUR (France) said that there was one point in the Swedish delegate's speech that had particularly struck him—namely, that it was not for the Committee to go any further into the various views that might be held by the Governments represented on it with regard to the draft Convention under discussion, because, as the Chairman had observed in a prefatory remark, the question that the First Committee had to settle came to this: Was it expedient to summon a diplomatic conference to conclude the Convention? A further question that might be asked was whether it was desirable to hurry on the meeting of the conference.

Although France had not sent any observations to the Secretary-General, there would be general surprise if the French delegation took no part in the present debate, and he thanked his colleagues, the distinguished jurists Basdevant and Cassin, who were devoting special attention to the question, for leaving it to the permanent delegate of France to the League to make a statement at the present meeting.

M. Paul-Boncour reminded his hearers that the Committee for the International Repression of Terrorism had been set up in pursuance of a resolution adopted by the Council on December 10th, 1934—a date which he would like to link with October 1934, meaning thereby that, although the aim pursued was a general one, although it was directed towards a whole series of proceedings which were absolutely inadmissible in the modern world, it derived from one particular event, which had stained with blood the soil of France, who would suffer eternal sorrow. France therefore regarded it almost as a duty, on account of the manner in which her hospitality had been abused, to ask the Committee for a decision by the largest possible majority—a unanimous decision, if possible—so as to make clear to the Assembly the desirability of convening a diplomatic conference to prepare a Convention on the subject of international terrorist activities. Nor must it be forgotten that the Council on January 23rd, 1936,¹ had proposed that the Assembly should consider the possibility of expediting the procedure contemplated by the resolution and summoning a diplomatic conference the very next year, on the understanding that the Committee of Experts should again revise the Convention, clearing up any uncertainties of meaning and eliminating any questionable conclusions.

The French delegation strongly supported the Council in its desire to expedite the procedure, to endeavour to hold the conference as soon as possible, and to make it a diplomatic conference, which was essential for its success, since, in addition to extremely delicate legal points, the problem to some extent involved the sovereignty of States. There must, therefore, be a diplomatic conference or none at all, on the understanding—and he would emphasise that point—that the Committee of Experts and Jurists, taking into account the observations made at the present session of the Assembly, in the First Committee, should accomplish preparatory work which would dispense the conference from dealing with questions of detail and enable it to settle the main principles of international law and international sovereignty that arose.

To illustrate the French delegation's views on the Convention, M. Paul-Boncour explained that he was particularly concerned with three points, the first two of which were closely connected. He shared the apprehensions expressed by the Swedish delegate² and strongly emphasised by M. Rolin,³ regarding the right of extradition, which was a form of the right of asylum—the human expression of a right which could and must less than ever be denied, since the "progress of civilisation" was no longer even a current catchword, and since, on the contrary, there was a retrogressive tendency in certain customs, in the respect for certain rights, and since this was less than ever the time to deprive States of the right to give hospitality to those who had been driven from their own countries by internal upheavals.

On that point M. Paul-Boncour agreed with the United Kingdom delegate. He would share the views of M. Undén and M. Rolin if he thought that the draft Convention had the meaning they attached to it; but he did not think it had. Since the question had been raised, however, it must be cleared up. In any case, he thought a satisfactory formula could be devised which would reconcile with the necessity of punishing strictly criminal acts the anxiety of generous countries—of which France was one—to preserve the right not to deliver up persons who had taken refuge on their soil when, for purely political reasons, they had been driven from their own countries.

The two could easily be reconciled if there were an International Criminal Court to decide doubtful cases. France was in no way biased against the creation of such a court; on the contrary, she was very much in favour of it. In all sorts of matters she had given proof

¹ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 16 (see also *Official Journal*, February 1936, page 119).

² See page 39.

³ See page 31..

of her desire for the development of international jurisdictions. She had not hesitated to submit to them the most serious disputes, those which most directly affected her interests or her prestige ; she held that the existence of an International Criminal Court would remove every pretext for allowing certain acts to go unpunished, and at the same time countries would not be faced with the formidable alternative of leaving the guilty unpunished or perhaps surrendering them to jurisdictions in whose impartiality and lack of prejudice it was impossible to place entire confidence.

The third point concerned a question that had been broached but left unsettled by the Committee of Experts. Some members of that Committee thought that States themselves should have been put, and ought still to be put, under an obligation to refrain from any acts likely to foster terrorist activities directed against public order and safety in another State. "The Committee", said the report,¹ "considered that such a provision would be superfluous, since international law imposes on every State the strict obligation, not only to refrain from resorting to such methods, but also to take measures on its own territory against any enterprise likely to endanger the public order and security of other States". That was unquestionably a precept of public international law. But was it carried out in practice ? M. Paul-Boncour doubted it, and many other members doubted it as well, and for that reason he would borrow a famous reply from that eminent French Foreign Minister Talleyrand, who, when somebody said to him, "There is no need to say so ; it is obvious," answered, "It will be even more obvious if we do say so".

Like the delegate of the Union of Soviet Socialist Republics,² M. Paul-Boncour thought it was necessary to establish a series of international agreements for the purpose of preventing States from exploiting terrorist action and making it an instrument of disguised intervention in the affairs of other countries, thus transforming political terrorism into a menace to the external peace of States.

It might seem superfluous, but he thought it would be most desirable, in the present circumstances and in view of the customs that had become established in the world, especially in Europe, to make it very clear that it was the intention of the signatory States, not merely to punish terrorist activities, but also to prevent Governments from using them as an instrument of national policy.

M. RUIZ GUIÑAZÚ (Argentine Republic) said that the Argentine delegation accepted, in principle, the report now under discussion. It considered that the conclusion of a Convention for the international prevention and punishment of terrorism would be of the greatest value. In 1933, the Government of the Argentine Republic had concluded a Convention on that matter with Peru, for the purpose of preventing and punishing propaganda and extremist methods directed against social order. In that connection, he added that, in order to facilitate the international action of Governments, the Argentine Republic had also signed a Convention with the Republic of Uruguay. In view of those precedents, the Argentine Government supported, in principle, the proposal to convene a diplomatic conference in 1937, but reserved the right to submit observations of a legal nature at the opportune moment.

Mr. OFFICER (Australia) agreed, on behalf of the Commonwealth Government, to the proposal for a Convention on the prevention and punishment of terrorism, and for a Conference to settle its terms. The proposal for the constitution of an International Court, on the other hand, was not acceptable to the Commonwealth Government, which believed it would serve no useful purpose.

His Majesty's Government in the Commonwealth of Australia was prepared to accept the draft prepared by the Committee of Jurists as a suitable basis for such a Convention, but considered that it required a considerable amount of amendment in the direction of simplification and harmonisation with certain existing systems of law. Mr. Officer supported Sir William Malkin's remarks. The Commonwealth Government hoped that, by such amendment, many of the doubts expressed during the course of the debate would be allayed. It would be better to secure the essentials by a short and simple convention than to aim at an ideal solution.

The Commonwealth Government considered that the Committee of Experts should meet again as soon as possible to revise the draft for submission to the Conference, in the light of the comments that had been made in the First Committee.

M. ROLIN (Belgium) had been surprised to find that, after the concordant interpretations of the draft Convention given both by those who criticised and those who defended it, he should have been accused of having misunderstood the draft and of having believed, in particular, that extradition was provided for subject to the application of the existing laws relating to political crimes. If Article 9 were to be interpreted in that way, the Convention would entirely fail in its essential purpose, which was to ensure, to an extent not so far provided for under existing legislation, international co-operation for the prevention and punishment of political crimes.

¹ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 3.

² See page 35.

Not for an instant had he thought it possible to interpret Article 9 in that way without depriving it of all meaning. Paragraph 1 of Article 9 read as follows :

“ The acts set out in Articles 2 and 3 shall be deemed to be included as extradition crimes in any extradition treaty which has been, or may hereafter be, concluded between any of the High Contracting Parties.”

Articles 2 and 3 related, *inter alia*, to acts “ directed to the overthrow of a Government or an interruption in the working of public services . . . ” That was precisely how political crimes were defined in various legislations. Consequently, in accordance with Article 9, acts of violence for the purpose of overthrowing a Government should, *ipso facto*, be deemed to be included in extradition treaties, which appeared to make it quite clear that the offender must be extradited. There was, it was true, a third paragraph providing that extradition would be granted in conformity with the law of the country to which application was made and would be conditional on reciprocity. But, in order to give a meaning to that third paragraph without destroying the meaning of the first, there was no alternative but to consider that the reference to the law of the country to which application was made applied, on the one hand, to the law relating to procedure and, on the other, to certain provisions restricting extradition (Article 7) on account, not of the material fact, but of the person—in other words, in accordance with the exceptions relating to nationals which existed in a large number of legislations. Hence, Article 9 made it possible for a country to continue its practice not to extradite nationals provided that the latter, in accordance with Article 7, were prosecuted under municipal penal law. As regarded foreigners, however, in all the cases covered by Article 2, and in conformity with Article 9, extradition should be granted. From an objective standpoint, no other conclusion was possible.

The question then arose whether the idea was to be carried to its logical conclusion and the request made by the Yugoslav delegate, which at first sight was very attractive and very moving, accepted. The Yugoslav delegate had stated that there was one law which took precedence of all others and of all political preferences—namely, the law of respect for human personality—and that it was only right that offences against that law should be punished internationally.¹

M. Rolin would have been glad to signify his agreement on that point, were it not that the political situation throughout the world had forced him to reach the impartial conclusion that that law was not fully respected by certain Governments at present in power. He had no intention of expressing his personal opinions, but the fact was that, in the majority of countries, a section of public opinion was accusing certain Governments of disregarding the law of freedom and respect for human life. The proposed Convention would, however, be open to the accession of all Governments. A dramatic problem of conscience would thus arise for public opinion in certain countries. If it were really to be admitted, in theory, that there were inhuman Governments whose acts it was not possible to discuss under international law and that it was therefore necessary to turn a deaf ear to the cries of the victims who, against all human law, were being persecuted in the most abominable manner, could a State be asked to depart from that attitude of non-intervention and to uphold the Governments in question, when the persecuted individuals had recourse to precisely the same methods in their struggles against those Governments? That seemed to him impossible and he did not think such an attitude would be adopted by very many of the States represented on the Committee when they examined, not the legal theory, which might be touching and generous, but the realities of the present situation of Europe.

It had been alleged that the second Convention for the establishment of an International Criminal Court would make it possible to hand over guilty persons, not to Governments, but to an international judge. Nevertheless, that would still constitute repression, and M. Rolin could not be a party to repression when he was obliged, in all honesty, to recognise that the accused individuals were exercising their right of legitimate defence and had confined themselves strictly to action in their own territory, within the limits of their political struggles, which from a legal standpoint were not his concern.

The question was whether an international conference should or should not be convened. The Council's report itself showed that this constituted a departure from the procedure laid down in 1931, whereby the Committee of Experts was to revise the draft, taking into account the observations submitted by Governments; the revised draft was to be transmitted to Governments for their observations, and then to the Assembly, which would decide whether action should be taken on it.

M. Paul-Boncour had suggested that the Committee of Experts should be asked to settle all points of detail and technical questions and that it should be left to the conference to decide the main principles. In M. Rolin's view, the procedure should be exactly the reverse: the main principles should be decided by the Committee, or—to put it more accurately—it was essential, before a conference was convened, to agree upon the main principles. Points of detail could be settled later by the Conference. If such a conference were to have any chance of success, it was essential to reconcile beforehand two diametrically opposite conceptions.

As Belgian delegate, M. Rolin would have no objection to the Committee of Experts being asked to revise its work and the Council then being requested to summon a diplomatic conference, when, in the First Committee, all the misunderstandings had been removed, the points which it was desired to include in the Convention had been specified more accurately,

¹ See page 37.

and other points which, rightly or wrongly, appeared to be included in the Convention had been eliminated. The first essential was that the main outlines of the Convention should be drawn with the utmost care.

M. FRANGULIS (Haiti) observed that the Committee was considering two questions, one of which related to the Convention and the other to procedure. The speeches that had been delivered in the First Committee showed what a wide divergence of views there was on the very matter on which it was proposed to legislate. Although Article 2 of the draft Convention contained in certain respects an extensive—if not, indeed, excessively extensive—enumeration of acts defined as terrorism, it none the less afforded a means of limiting a danger which was so serious that it might have international consequences.

In view of the limited time available, M. Frangulis doubted whether the Committee could make a really thorough study of a problem which was certainly something entirely new in European public law. There were a great number of extradition treaties in existence. The Convention, which would be an international act, would be superimposed on the separate Conventions that had been concluded during more than a century. That being so, would it not be advisable, before destroying the existing public law, and in the light of the observations that had been made, to ask the Technical Committee which the Council had appointed to study the problem to specify, and even to eliminate, those particular cases which in any way represented a backward step as compared with existing public law.

As regards procedure, M. Frangulis thought it would be better to undertake the work in question without delay, as some degree of urgency attached to it. An abominable crime had been committed in 1934, and had roused the conscience of the world. It would be a matter of general surprise if, three years after that crime, the League had not yet found any means of preventing its repetition. He thought it would be better to ask the Assembly to summon a diplomatic conference, which could rely on the advice of the Committee of Experts and undertake a task which, though it would doubtless require considerable time, would make it possible to frame new legislation whereby the spread of crimes that presented an international danger could be arrested.

The CHAIRMAN said he would like to make a few remarks in his capacity of Netherlands delegate, but they could be brief, because his Government had already submitted its observations in two letters to the Council.¹

In principle, the Netherlands Government was entirely in favour of dealing with the problem of terrorism on international lines, but at the same time it felt that the draft Convention would have to be considerably altered, partly because the criminal law embodied in Articles 2 and 3 was much too wide in scope, and partly because, as his Government had written :²

“ The present circumstances as regards the national policies of different States are not such as to induce the Netherlands to depart from their historic traditions as regards the hospitality offered to political refugees.”

That meant that, in the Netherlands Government's view, the extradition clauses went too far.

As to the interpretation of Article 9, M. Limburg entirely agreed with M. Rolin, as he thought no other interpretation was possible.

In conclusion, he doubted whether a diplomatic conference could be summoned as early as 1937.

M. PELLA (Roumania) shared the anxieties of the delegates of Belgium, Norway, Sweden and the Netherlands. He was all the better able to say so because the draft Convention entirely met those anxieties, and because most of the criticisms levelled by those delegations against the draft were due to misconceptions.

International criminal law contained, of course, a fundamental principle in regard to political offences—the principle of the neutrality of foreign States, of non-co-operation in the punishment of such offences. If a foreign State co-operated in the punishment of a purely political offence, it would be interfering in the political struggles of another State. It was not the aim of international criminal law to defend one political system against another. Everybody was agreed on that point ; but, at the same time, the principle could not be regarded as absolute, as that great lawyer, M. da Matta,³ had said in such a terse and lapidary form in his speech following M. Pella's introductory statement.

There were two fundamental interests requiring equal consideration, because, since there were no absolutes in social life, there could, *a fortiori*, be no absolutes in political questions. Those two principles, which had to be reconciled with the idea of political neutrality in regard to the punishment of political offences, were the following : the principle of the sanctity of human life and the fundamental idea of the protection of the interests of the international community.

Some people held the view, no doubt, that human life no longer had the same value ; but M. Pella was one of those out-of-date people who still regarded human life as sacred.

¹ Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 14, and document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 10.

² Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 11.

³ See page 31.

At the close of the nineteenth century, the Institute of International Law, at its sessions in Oxford and at its sessions in Geneva, had laid down the famous rule of elimination, whereby the most serious acts contrary to morality and ordinary law, such as assassination, poisoning, maiming, wilfully inflicting grievous bodily harm, and blowing up or setting fire to property, could not be regarded as political offences or as acts accessory thereto. M. Pella would not go as far as that. He would be content with a conception that had to some extent been embodied in the recent French Extradition Act. There were many cases in which the atrocious nature of the means employed outweighed the objective character of the offences. It was for that reason that the theory of elimination, with certain correctives to which he would return later, had been established in many legislations.

M. Pella passed next to the considerations which, in certain respects, corrected the absolute principle of political neutrality in regard to the punishment of the offences in question—those considerations that concerned the protection of international relations. The idea of the fundamental interests of the international community had not perhaps existed at the time when the individualistic conceptions so ably upheld by M. Rolin had been developed. The principle of political neutrality had as its corollary the idea of the non-extradition of political refugees and the admission of the right of asylum in such cases. It must not be forgotten, however, that, according to the Covenant—which was so often appealed to and so seldom applied—international relations must be based upon solidarity, justice and honour. M. Rolin had said that the Convention would be a step two thousand years back. M. Pella would retort that the conception of the unlimited right of asylum dated back to the idea of the right of asylum as it was understood in antiquity and in the Middle Ages, when it implied a sentiment of mutual hostility between States, and frequently resulted in the right of asylum being extended to the worst malefactors.

In view, however, of the criminal characteristics of terrorist acts, it must be admitted that, in the vast majority of cases, the criminals were not persons swayed by political ideas, but were professional malefactors, paid agents carrying out certain instructions.

M. Pella would only allude to certain cases famous in history; he would not say whether they were ancient or modern. There was one case in which two men, the authors of a most atrocious crime that had aroused universal reprobation, had twice previously been the subject of requests for their extradition; those requests had been refused, and they had thus been given the opportunity of committing their odious crime. M. Pella would not say what case that was, but he could assure the Committee that what he said was absolutely true.

In giving shelter to political refugees, a country was only acting within its rights—was often, indeed, only performing its duty—but at the same time it must not be allowed to evade its international obligations towards other States. A State must not cover with its tutelary protection those most dangerous individuals who sprang up out of the earth, as it were, during insurrections, and so enable common murderers, thieves or incendiaries to escape punishment because they sheltered behind a political opinion which they had only embraced in order the more easily to commit offences repugnant to the universal conception of morality.

In support of that view, M. Pella would quote the opinion expressed by a great English statesman, Lord Stanley, in the House of Lords on August 3rd, 1886 :

“ If a man is killed in a riot or popular uprising, the murder will perhaps be regarded as a political offence. But difficulties may arise in the case of assassination. It would be monstrous, notwithstanding our desire to preserve inviolable the exception in regard to political offences, to say that if the person assassinated is invested with any political character whatsoever, then the offence becomes political.”

M. Pella thought that all the members of the Committee would agree with him that the right of asylum had limits, and also implied corresponding duties. It could not, and must not, exist except on the indispensable condition that its application would be in no sense contrary to the equally sacred rules of international law—that was to say, to the safety of other States.

In his first speech,¹ M. Rolin, interpreting Article 2, had said that an agreement could be reached if it were only a question of acts calculated to create a state of terror. M. Pella entirely agreed with M. Rolin on that point. He himself would gladly have limited the scope of Article 2 to acts calculated to create a state of terror, but it must be remembered that the particular case that had led to all this procedure was the Marseilles crime. Obviously, a crime committed with a revolver might cause general excitement; but, in itself, a revolver was not an instrument calculated to create a general danger, a state of terror. It was evident that if the crime had been committed with a bomb, it might have created a state of terror. Cases that might create a state of terror were enumerated in sub-paragraph 2 of Article 2 in the draft Convention. On that point, a formula might be found that would satisfy M. Rolin.

M. ROLIN (Belgium) said that he was not satisfied with anything that M. Pella had yet said.

M. PELLA (Roumania) observed that M. Rolin and himself represented two different conceptions. His own idea was to defend peace and freedom against crime, and he thought that the paths that he and M. Rolin were respectively following must meet in due course, although M. Rolin seemed to be growing more and more uncompromising as the discussion

¹ See page 32.

continued. In his first speech, he had said that he could agree to a formula that would limit the problem to acts which, owing either to the manner of their commission or to their consequences, assumed an international character. That was an interesting suggestion, which the Committee of Experts itself had wished to put forward. Owing, however, to the compromise formulæ which were always arrived at in committee, it had not been possible for the Committee of Experts to advance the very clear ideas held by M. Rolin. M. Pella was prepared, however, to agree upon a formula that would meet M. Rolin's legitimate desires, which, indeed, were also his own.

Referring to Article 9, M. Pella regretted that the Chairman had spoken before him, because, otherwise, he would certainly not have been so ready to accept the ideas of the delegates of Sweden, Belgium and Norway. In the 1929 Convention for the Suppression of Counterfeiting Currency, which had come into force, the English and Swiss jurists had submitted a formula designed to leave Governments free, in certain cases, to refuse extradition when the offence was of a political nature. Nobody would deny that England and Switzerland were democratic countries. Roumania, Portugal, Austria and Bulgaria had refused to allow that counterfeiting might be regarded as a political offence in certain cases, and that was clear evidence that Article 9 of the draft Convention should be interpreted as M. Pella had interpreted it. The countries in question had accordingly drawn up an optional protocol. In the Committee of Experts, which had been composed of the best authorities on criminal law, certain members had suggested that the formula of the Convention on Counterfeiting Currency should be adopted for Article 9 of the draft Convention. M. Pella had opposed that suggestion because he was in favour of clear principles in matters of criminal law. He had been defeated because the Committee had thought that M. Rolin was in the right.

M. ROLIN (Belgium) pointed out that he had not been present at those discussions, and would never have agreed to such an assimilation of the two Conventions, seeing that Articles 2 and 3, to which M. Pella was referring, were not in the Convention on the Suppression of Counterfeiting Currency.

M. PELLA (Roumania) recalled that M. Rolin had said that he could not agree because Article 9 allowed of extradition in all cases. He would try to clear up the situation on the basis of the texts. The Italian delegate on the Committee, M. Ugo Aloisi, had asked that, in accordance with the Italian view, extradition should be admitted for all the offences mentioned, as a precise text would exclude terrorism from the class of political offences and would thus allow of extradition in all cases. M. Delaquis, representative of Switzerland and Professor of Criminal Law in the University of Geneva, had explained that Switzerland could not accept Article 9 if it included the paragraph stipulating that extradition should be granted in conformity with the law of the country to which application was made. He thought the Committee would be well advised to retain the existing text of Article 9, which had already proved its worth in the Convention on Counterfeiting Currency. Again, Sir John Fischer Williams, speaking against M. Aloisi's proposal, had observed that provisions were under consideration which would completely upset English law on extradition, and had stated that it would be absolutely impossible for the United Kingdom Government to accept a formula running counter to British law on the point of establishing the political nature of an offence. M. Pella himself had maintained a different view, but he had been defeated, and on the proposal of M. Delaquis and Sir John Fischer Williams the Committee had decided to make no change in Article 9 of the draft.

M. Pella would go further. He could understand that the text might not satisfy what he might call M. Rolin's æsthetic sense of law; but he deprecated too severe an attitude on the part of the latter towards so many jurists, all of whom were experts in criminal law. There was no contradiction in Article 9. As M. Rolin knew very well, political issues could be viewed either from an objective or from a subjective standpoint. It was a common thing in extradition treaties to stipulate that this or that offence should be extraditable, and then to insert a clause leaving the State applied to free to refuse extradition in the case of offences of a purely political character or of a character akin to political offences. The Committee of Experts had stipulated in Article 9 that all the offences specified in the Convention were to be deemed extraditable; in point 3, on the other hand, there was a provision (the wording of which was taken from the Convention for the Suppression of Counterfeiting Currency) to the effect that the granting of extradition should conform to the law of the country to which application was made. That was a safety-valve designed to safeguard the liberty of judgment of every country in grave cases where purely political offenders committed offences as the champions of particular political views.

In reply to M. Undén,¹ who was afraid that this arrangement would put Sweden in a position where she would be compelled to punish foreigners on Swedish territory who had committed political offences in other countries, M. Pella pointed out that Article 8 was perfectly clear, since it stated that in such cases, where extradition had been demanded and could not be granted for a reason independent of the act itself, punishment was admissible. The "reason independent of the act itself" was an allusion to opposition on the part of the countries of transit. If, therefore, a country refused extradition on political grounds, it was not compelled to punish the offender. That was the interpretation of the text which emerged from the Minutes of the Conference on Counterfeiting Currency as well as from the Minutes of the Committee of Experts.

Lastly, M. Pella agreed with the proposals made by certain delegations, including those of the United Kingdom, France, the Union of Soviet Socialist Republics, Yugoslavia,

¹ See page 30.

Czechoslovakia, Poland and the Argentine Republic. He also accepted the Portuguese delegation's proposal to send the Minutes of the discussions in the First Committee to the Committee of Experts for guidance in the revision of the texts of the Convention.

He would like to go further. If the Chairman of the Committee had no objection, he proposed to endeavour, in agreement with M. Rolin, to find a form of words providing for the reference of the draft Convention to the Committee of Experts with a view to a revision of the texts in the light of the observations made in the First Committee and at the same time providing for the restriction of repression to acts of terrorism of an international character. A form of words on those lines had been submitted by M. Rolin himself to the Union of Associations for the League of Nations; and he imagined M. Rolin would not argue in 1936 against what he had himself advanced in 1934.

A form of words on those lines might, he hoped, make it possible to adopt a unanimous resolution. It was essential not to lose sight of the circumstances which had led the Council to adopt the resolution of December 10th, 1934. The purpose of that resolution had been to restore calm. The League of Nations had committed itself on that occasion to action with a view to allaying anxiety, on the one hand, and, on the other hand, to preventing the repetition of such offences and providing for the security of each individual country. The League had undertaken to draw up a Convention without delay, and it must set an example in carrying out its undertakings. Since 1934, the world had been waiting for a Convention which was not yet in existence.

The continuation of the discussion was adjourned to the next meeting.

SEVENTH MEETING.

Held on Monday, October 5th, 1936, at 10.15 a.m.

Chairman : M. LIMBURG (Netherlands).

18. International Repression of Terrorism : General Discussion (continuation).

DRAFT CONVENTION FOR THE PREVENTION AND PUNISHMENT OF TERRORISM (*continuation*).

M. GORGÉ (Switzerland) did not propose to revert to the dramatic circumstances which had led the French Government to ask that this question be studied. The point to be settled was as follows : Was there a general and permanent problem to be solved, and, if so, what should be the solution ? The question needed consideration, and the French Government was to be congratulated for having raised it ; but it was not inevitable that every study should lead to the conclusion of an international Convention.

M. Gorgé thought that the Committee of Experts had not explored with sufficient diligence all possible avenues ; he could say this all the more freely as Switzerland had taken a very active part in the work of the said Committee. Truth to tell, the Swiss delegation had not reached the conviction that it was necessary to prepare a Convention of this kind and it had doubts as to its advisability. In particular, it doubted whether terrorism existed to the extent of constituting a public menace. Referring to the definition quoted by M. Rolin, he wondered whether any factor of this kind existed to the extent that it might lead to general panic. In particular, was there any such terrorism in Europe ? The Swiss delegation did not think so. It feared that, in those circumstances, the preparation of a new Convention on so special a subject would provide a new argument for those who complained that the League of Nations drew up many legal instruments for which there was no absolute need. The Swiss delegation, therefore, supported M. Rolin's proposal and thought it would be better to postpone all decisions until the next Assembly. That would allow time for reflection. With regard to the Convention itself, M. Gorgé did not think that the Committee should discuss the draft, article by article, and, in any event, he thought the present moment would be inopportune for the purpose.

The Swiss Government wished to draw the First Committee's attention to the fact that it adhered to two principles : (1) the non-extradition of nationals ; (2) non-extradition for political offences. The literature on the subject referred to a " Swiss conception " of political offences. That conception dated back to the Federal Law of January 22nd, 1892, and it had been consecrated by rulings in the Federal courts for over forty years. Article 10 of that law read as follows :

" Extradition shall not be granted for political offences.

" It shall be granted, even when the guilty party alleges a political motive or aim, if the act for which it is demanded constitutes mainly an offence under ordinary law. The Federal court shall have discretion to decide in each particular case the exact nature of the offence in the light of the facts.

" When extradition is granted, the Federal Council shall stipulate that the person whose extradition is requested shall be neither prosecuted nor punished for a political crime or on account of his political motive or aim."

With regard to the second proposal, the Swiss delegation agreed with the reply of the Government of the United Kingdom and made the same reservations as that Government.¹ It did not think that the proposed criminal court would have many cases to hear or would need to sit frequently.

M. HIITONEN (Finland) said that his delegation favoured, in principle, international collaboration for the repression of terrorism ; but it also thought that there could be no such collaboration until agreement had been reached on the meaning of the word " terrorism ". In spite of the very detailed definition in Article 2 of the draft Convention, he thought that it did not completely cover all the various forms which terrorism might assume in practice. There was, first of all, the terrorism which Governments might themselves employ against their political adversaries or against national or other minorities. There was the terrorism exercised by private individuals but supported by Governments as a means of indirect attack upon public safety and order in other countries ; finally, there was terrorism *sit venia verbo*, an entirely private concern of private individuals. The draft Convention seemed to refer almost exclusively to this last category, which was, he thought, putting the cart before the horse, to the detriment of the scheme.

The terrorism resorted to by Governments might, it must be remembered, stir up the nationals of the States in which it was carried on and lead to violent reactions, which might sometimes originate simply in the desire for self-defence. How, then, could the right of asylum be refused in such cases ?

As to the terrorism of individuals directed against the form of Government in one country and supported by the Government of another country, the Finnish delegation shared the opinion of the minority of the Committee of Experts. It considered that States should be expressly enjoined to refrain from all acts likely to encourage terrorist activities directed against the public order and security of another State. It was true that the majority of the Committee was of opinion that it was unnecessary to say this, because it was already an axiom of the existing rules of international law. But, as the French delegate had pointed out, this was a typical case for the application of the maxim, " Even if it goes without saying, it will go all the better for being said " .

States should be told exactly what was expected of them in the matter. The draft should, for instance, contain an express undertaking by the contracting parties to prohibit, in their respective territories, all activities of any organisation that aimed at overthrowing the Government of another country by force or encouraged the achievement of such purpose by other methods. The draft should also state more clearly than the present text did that the contracting parties must refrain from participating in any act likely to propagate subversive designs regarding the form of Government in other countries or to encourage such aims in any other way. The prohibition should apply, in particular, to broadcast propaganda and the printing, conveyance and distribution of publications containing an exhortation to overthrow, by force, the Government of another country.

If, however, the part which Governments themselves could play in connection with terrorism was thus adequately dealt with in the draft Conventions, it would be right and equitable to consider the extent to which, by international collaboration, private individuals, acting on their own initiative and responsibility, could be obliged to observe certain rules of conduct even in their political struggles. In so doing, it must be remembered that the present draft seemed to restrict the right of asylum in essential respects. If that were so—and if it were not so, the draft would seem to have no practical purpose—it amounted to a fundamental innovation in existing law, and as a result would require careful consideration and reflection on the part of Governments before they could decide whether they would be able to accept the proposed new system or not.

The delegate of Roumania did, it was true, seem anxious to maintain the full freedom of Governments to refuse extradition in certain cases—that was to say, in the case of acts which he referred to as the purely political acts of private individuals. But what acts could be regarded as purely political ? In any case, the State applying for extradition and the State applied to would probably differ on the point, so that good understanding between nations would not be improved by these Conventions ; international understanding would, on the contrary, be endangered by eternal disputes as to the nature of acts committed by the persons mentioned in the letters of request foreshadowed under the Conventions.

Without going into further details, M. Hiitonen would merely state that, generally speaking, the Finnish delegation approved the tenor of the observations submitted by the delegates of Belgium and Sweden. Those observations showed that the draft Conventions could hardly secure general acceptance unless the present texts were considerably amended. In short, the question of the repression of terrorism by international co-operation did not yet seem to have reached that stage of maturity at which a conference might shortly be convened with a view to drawing up the final texts of the proposed Conventions. In those circumstances, it did not seem very opportune, particularly in so important and delicate a question, to replace the normal procedure for the preparation of conventions to be concluded under the auspices of the League of Nations by an accelerated and more summary procedure.

M. OSSORIO Y GALLARDO (Spain), without wishing in any way to prejudice the decision on the substance of the question and making every reservation as regards the preliminary draft, said that the Spanish delegation was in favour of convening an international conference in 1937.

¹ Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 4.

Sir Denys BRAY (India) supported the general proposals of the Swiss and Finnish delegations, but on somewhat different grounds from those advanced by those delegations. Unlike the Finnish delegation, the Indian delegation felt that the draft Convention should not be enlarged, but contracted; that it was not too narrow, but too wide, in its scope. Unlike the Swiss delegation, the Indian delegation felt that there did indeed exist an international problem which ought to be faced as soon as might be practicable. The Indian Government was in entire accord with the principle of international co-operation for the repression of terrorism. It therefore attached importance, in particular, to the preventive and executive clauses of the draft Convention.

The Indian Government was in some perplexity as to the real intention of certain of the fundamental articles, and that perplexity was not likely to be diminished by the present discussion. When eminent jurists were at sixes and sevens as to the meaning and implications of articles drawn up by a Committee of eminent jurists, that was surely a warning for practical men that here was a case where more haste would mean less speed. The Indian delegation, therefore, was very strongly of opinion that wisdom lay in adhering to the League's normal procedure. It would like to see the draft Convention referred back to the Expert Committee and then forwarded by that Committee to the next Assembly, in the hope that it would then have a draft Convention, in a simplified and clearer form, dealing with terrorism in the ordinary sense of the word, terrorism as universally understood.

M. DA MATTA (Portugal) was sorry he could not agree with M. Gorgé as to the urgency for a Convention for the repression of terrorism. He need state only one reason in support of his opinion: Portugal—and it was not the only country in the same case—was at present amending its domestic law in respect of the criminal acts referred to in Article 2 of the draft Convention. It would doubtless be interesting and useful if the national laws of the various countries could be adapted to the principles of the future Convention.

M. Gorgé did not think that the time had come to deal with acts of terrorism that were aimed against the very foundations of the whole social structure. Nevertheless, the tragic events of Marseilles had been followed by a general movement in favour of measures for the prevention and punishment of acts of terrorism. Human memory was short. But the persons guilty of such crimes grew daily more active, and the lack of success of efforts made under the auspices of the League would not fail to encourage them.

With regard to the question of the extradition of nationals which was refused under most national laws—apart, perhaps, from English and North American law—M. da Matta would observe that the inclusion of that principle in national legislation had not prevented States from acceding to international Conventions in which the principle was not admitted. Examples were numerous, but he need only quote the Convention on Counterfeiting Currency. All that was required was to discover a formula, and M. da Matta thought that that would not be difficult.

The CHAIRMAN, speaking as delegate of the Netherlands, said he would not reply to M. Pella's speech,¹ but would merely say that M. Pella had not convinced him with regard to the interpretation of Article 9. The allusion to the Convention on Counterfeiting Currency did not appear to him to be a sufficient argument. Article 9 contained so wide a principle that the Netherlands Government could not agree to it under any circumstances. That was one article, therefore, which would have to be remodelled.

The Chairman declared the general discussion on the draft Convention for the Prevention and Punishment of Terrorism closed.

He noted that no member of the Committee desired to submit observations on any individual article of the draft.

DRAFT CONVENTION FOR THE CREATION OF AN INTERNATIONAL CRIMINAL COURT.²

The CHAIRMAN opened the general discussion on the draft Convention for the Creation of an International Criminal Court.

M. DE SZENT-ISTVÁNY (Hungary) said that the Hungarian Government had already informed the Secretary-General in writing³ that it had no observations to make on the present text of the draft Convention for the Prevention and Punishment of Terrorism.

With regard to the second draft Convention, however—that for the creation of an International Criminal Court—the Hungarian Government maintained its opinion and all the objections its representative had raised during the sessions of the Committee of Experts. The Hungarian Government believed that the creation of an International Criminal Court was neither necessary nor desirable; it could not, therefore, accept the draft Convention on the subject.

¹ See page 46.

² Document A.7.1936.V (Ser. L.o.N. P. 1936.V.2), page 8.

³ Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 5.

Sir William MALKIN (United Kingdom) said that the United Kingdom Government had already expressed its views with regard to this Convention in its reply to the Secretary-General.¹ He was glad to hear that those observations received the approval of the Swiss Government. There was only one remark he wished to make. It might be said that, while every Government was entitled to say that it did not approve of a proposal of this nature, that was no reason why it should place obstacles in the way of the adoption of the Convention by those States which desired to do so. But the matter had also to be considered from the general standpoint of international co-operation, and, in particular, from the standpoint of the League's own interests. His Majesty's Government in the United Kingdom doubted whether it would be wise in the League's own interests to proceed with the setting-up of such a Court, unless it could be proved that general opinion favoured its creation as supplying a felt need, and unless the Court would be supported by at any rate a considerable majority of the States concerned. It seemed very doubtful whether those conditions would be fulfilled; and, if they were not, His Majesty's Government doubted whether it would be wise, in existing circumstances, to proceed further.

M. PAUL-BONCOUR (France) desired to emphasise and approve the point just made by the delegate of the United Kingdom, that it was for countries which deemed it desirable—and France was one of those countries—to proceed with the constitution of an International Criminal Court by means of a protocol or by reaching an agreement among themselves for the purpose. On the basis of that possibility, he drew from these premises a conclusion different from that drawn by the delegate of the United Kingdom—namely, that the second Convention should, like the first, be revised by the experts and then submitted to a diplomatic conference which should meet as soon as possible. There was, however, a difference: the first Convention required general assent, whereas the second Convention might come into operation in the form of a protocol concluded among those States which favoured the creation of an International Court.

If, however, it was decided that the Committee of Experts should not revise the Convention on the creation of a Criminal Court, the States which were in favour of its creation would be unable, at the diplomatic conference, to decide to set it up as between themselves. It was therefore very desirable that, as for the first Convention, and since the stage of accessions had not yet been reached, the Convention on the International Criminal Court should also be revised by the Committee of Experts in the sense that certain points should be defined and a greater measure of agreement sought.

In respect of the fundamental reasons for which the French delegation was a very strong supporter of the creation of an International Criminal Court, M. Paul-Boncour agreed with the Chairman that it was useless to repeat what had been said during the discussion of the first draft. He would therefore merely once more assert that the French Government was in favour of the proposed organisation.

Dr. LEITMAIER (Austria) reminded the Committee that, at a previous meeting, one delegate had observed that the establishment of an International Criminal Court might make it easier for certain Governments to ratify the Convention. There might, in fact, be certain Governments—the Austrian Government was one of them—which would be glad, if necessary, to be able to hand over an accused person to an international criminal jurisdiction for punishment or for a decision regarding his extradition. The Austrian delegation therefore agreed with M. Paul-Boncour's conclusions.

M. UNDÉN (Sweden) said that the proposal to create an International Criminal Court had been put forward for a much wider purpose—namely, the establishment of criminal jurisdiction in the matter of wars of aggression or the violation of the laws and customs of war.

The Swedish delegation considered that the criticisms of these various proposals were well grounded, and, although the jurisdiction provided in the present draft was much more restricted, the Swedish delegation still regarded the creation of the Court as undesirable. Very considerable difficulties would certainly arise in connection with the competence of the proposed Court. Moreover, if it were set up by a small number of States only, it should not be referred to as if it had been established under the auspices of the League of Nations. No one would think of denying the right of States which wished to do so to negotiate between themselves a Convention for the Creation of an International Criminal Court; but, in that case, the Court would not be analogous to the Permanent Court of International Justice created by the League of Nations.

M. SKYLSTAD (Norway) reminded the Committee of the Norwegian Government's written reply of July 20th, 1936,² to the effect that it could not, for reasons of principle, approve the draft Convention concerning the creation of an International Criminal Court. The Norwegian delegation had stated its reasons at a previous meeting, and could not but support the observations of the delegate of Sweden.

Mr. OFFICER (Australia) opposed the proposal for the creation of a permanent Court. The Government of Australia was also opposed to the suggestion that, when a number of States were not in favour of a Convention, the League should continue to negotiate for the sake of those States which wished to participate.

¹ Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 4.

² *Ibid.*, page 9.

M. COUCKE (Belgium) said that the Belgian Government made every reservation regarding the creation of an International Criminal Court, which would involve a very radical change in the present system. It was prepared, however, to re-examine the question in the light of the discussions that had taken place in the First Committee. The statements of the Austrian delegate, in particular, would be given every consideration. In any case, the Belgian delegation agreed with the French proposal that the question should be referred back to the Special Committee of Experts.

The CHAIRMAN, speaking as delegate of the Netherlands, referred to his Government's letter dated July 15th, 1936.¹ The following passage in that letter merited attention :

" In this connection, the Netherlands Government ventures to suggest that, in Article 22 of the first draft Convention, States prepared to ratify the Convention should be given the possibility of entering a special reservation to the effect that the reciprocal obligations ensuing from that instrument are only accepted in regard to the States which are also parties to the Convention on the Court. It might, indeed, happen that a State unwilling to accept the very general rule as to extradition embodied in Article 9 would nevertheless be prepared to accept the Convention on terrorism in regard to other contracting parties if it were entitled, under certain circumstances, to send the person charged before the International Court for trial instead of granting his extradition."

He reminded the Committee that, in the last few years, a system had been established under which the only reservations that could be made to a Convention were those expressly stipulated therein. That was why he drew special attention to this passage in the Netherlands Government's reply.

M. PELLA (Roumania), wished first to reply to an objection raised by M. Undén, who had referred to certain antecedents connected with the creation of a high court of justice for the punishment of the crime of a war of aggression and the punishment of certain crimes committed in connection with an armed international conflict. M. Pella, who, by his writings, had become associated with those proposals, thought he could say that the draft, as conceived in the French Government's proposals to the League Council in December 1934,² did not cover the criminal responsibility of States. It did not in any way concern the criminal responsibility of natural persons, which in turn involved a certain amount of responsibility for States. Consequently, all those objections to the creation of a high court of international justice were groundless in the present case.

Why was it that the French Government's conceptions of an international criminal jurisdiction had been so eagerly approved by certain delegations and even certain Governments? Many examples might be quoted in explanation, but he would only mention one. Supposing that a crime coming within the scope of the first Convention had been committed in a certain country and its author had taken refuge in Roumania. There might be in Roumania at the time a strong current of public opinion favourable to the concepts which had led that individual to commit his crime ; and that current of opinion might not view sympathetically the extradition of the offender to the applicant country. On the other hand, Roumania might say : I will not extradite, but I will cause this person to be judged by my courts. Under the Roumanian Constitution, crimes must be tried by jury, and popular juries were the most prone to feel the influence of public opinion. They might therefore acquit the perpetrator of the crime. States were not exempt from international responsibility, even in respect of the decisions of their own courts. Consequently, if Roumania accorded extradition, the Government would come into conflict with its own public opinion, which might think that it was committing an act of injustice by delivering up the individual to a jurisdiction by which he might be judged without objectivity, or where he might become a victim of a sort of vengeance. If, on the other hand, the person in question were acquitted by the Roumanian courts, the Roumanian Government would not be exempt from its international responsibility.

It was possible that, for the great Powers, the problem was only of relative importance in certain circumstances. But for small and medium-sized countries the situation was a particularly delicate one. That was why Roumania accepted the proposed Conventions with enthusiasm.

The Polish delegate, though making reservations concerning the Court, had said that he regarded the question as *res inter alios acta*, which could not in any way affect the legal position of countries that had not acceded to the second Convention and had merely signed and ratified the first. Personally, M. Pella could not understand why countries which might have very legitimate preoccupations concerning the principle and practical possibility of the functioning of this Court should object to the continuation of the work, because their legal position was in no wise affected, and, when the Committee of Experts was engaged in revising the texts, certain points could be made clearer, both in the first and in the second Convention, in order that no doubt might remain on the subject. M. Pella also took into account the observations made by the Chairman.

Mention had also been made of the question of opportuneness. Opportuneness was a very relative term. Those opposed to the creation of a Court might regard the suggestion as inopportune, whereas those who felt it to be absolutely necessary would regard it as very

¹ Document A.24.1936.V (Ser. L.o.N. P. 1936.V.6), page 11.

² Document C.184.M.102.1935.V, page 22 (see also *Official Journal*, December 1934 (Part II), page 1839).

opportune. The date was only October 1936. The diplomatic conference would not meet until several months had elapsed, and, as in this question certain aspects might change from day to day, M. Pella thought it would be unwise to refrain from submitting the question to a diplomatic conference at which the same delegates, provided with full powers and more definite instructions than at present, could express their views and endeavour, with every chance of success, to discover a felicitous formula that would allay certain anxieties expressed by those countries that did not desire a Court, without creating any precedents that would affect the legal position of those countries.

The CHAIRMAN noted that no member of the Committee desired to make observations on any of the articles of the draft Convention.

19. International Repression of Terrorism : Examination of the Draft Resolution submitted by M. Pella and M. Rolin.

The CHAIRMAN opened the discussion on the following draft resolution submitted to the Committee by M. Pella in agreement with M. Rolin :

“ The Assembly,

“ Recognising the utility for the consolidation of peace of the conclusion of a Convention for the Prevention and Punishment of Terrorism ;

“ Considering, however, that the replies of the Governments regarding the draft drawn up by the Committee and the discussions in the First Committee have shown that certain Governments feel doubts which it is desirable to remove :

“ Expresses the view that the contemplated Convention should have as its principal object :

“ (1) To confirm and render more precise the duty which rests upon States of abstaining from all intervention in the political life of a foreign State, and of prohibiting on their territory any form of preparation or execution of attacks upon the life or liberty of persons taking part in the work of foreign public authorities and services ;

“ (2) To establish collaboration to facilitate early discovery on their territory of preparations for such attacks, with a view to preventing them from being carried out ;

“ (3) To ensure by extradition or otherwise punishment of attacks of a terrorist character in the strict sense of the word, or attacks possessing an international character in virtue either of the place in which preparations for them were made or the place in which they were carried out, or in virtue of the nationality of those participating in them or their victims ;

“ Feels that the trial of persons guilty of such attacks by an International Criminal Court is considered by some Governments to constitute an alternative which in certain cases would be preferable to extradition or to prosecution, and that on this ground the second Convention has for the Governments a value, even if not capable of securing general acceptance ;

“ Recommends that the Committee revise its conclusions in the light of the observations to be found in the Government replies or formulated in the course of the debates, in order that the Council may convene a diplomatic conference in 1937, if possible before the next ordinary session of the Assembly.”

M. UNDÉN (Sweden) said that it would be difficult for him to take up a definite position with regard to the introductory paragraphs of the resolution. He therefore suggested the adoption of a much shorter resolution, which might be worded as follows :

“ The Assembly recommends that the Committee revise its conclusions in the light of the observations to be found in the Government replies or formulated in the course of the debates, and that the question be submitted to the next ordinary session of the Assembly.”

The CHAIRMAN said he regarded this as an amendment to the draft resolution proposed by M. Pella and M. Rolin, which would leave only the last paragraph of the draft, modified as suggested by M. Undén.

Sir Denys BRAY (India) said that the Indian delegation agreed with the Swedish amendment, for the reasons he had already stated.

M. DE SZENT-ISTVÁNY (Hungary) said that the main subject of the discussion was the desirability of convening a diplomatic conference in 1937. True, the discussion had also included an exchange of views on the fundamentals of the problem and on the meaning of the various articles of the first draft Convention ; but he did not think that such a hurried exchange of views on the various aspects of the question of terrorism could justify the Committee in formulating any definite directions to the Committee of Experts, particularly as the scope of the first draft Convention would be widened if any such directions were given. For those reasons, he supported M. Undén's draft resolution.

M. BASDEVANT (France) drew attention to the difference in the scope of the draft resolution submitted by M. Pella in agreement with M. Rolin and the draft resolution submitted by M. Undén.

The first difference between the two texts lay in the fact that M. Undén omitted the summary of the discussion that had taken place in the First Committee. Views might differ as to the desirability of maintaining such a summary in the resolution and, if its maintenance were accepted, views might still differ on certain phrases in the text, and on the question whether those phrases faithfully reflected the discussion. He did not wish to discuss that point, for it did not seem to him to be of essential importance. If it were thought useful to maintain all the details of M. Pella's draft, the Committee of Experts would be provided with valuable indications for its work. If it were thought preferable to eliminate those details, the experts could still consult the Minutes of the First Committee.

It was, however, important to ascertain the exact nature of the decision which was to be reached. Both draft resolutions contemplated a resumption of the Expert Committee's work. But what would be the outcome of that work? M. Pella proposed that, when the Committee of Experts had completed its work, a conference should be convened by the Council in 1937, if possible before the next ordinary session of the Assembly, so that the conference might endeavour to bring the whole matter to a satisfactory conclusion. M. Basdevant reminded the Committee incidentally that it was important, for budgetary reasons, to reach a decision quickly.

According to M. Undén's proposal, the question would not be referred to a diplomatic conference when the Committee had finished its work, but would come back before the Assembly next year—that was to say, in actual practice, before the First Committee. Unless the First Committee was prepared to transform itself into a diplomatic conference and itself undertake the work of drafting the Convention, he did not see of what use such a further discussion could possibly be. At the present discussion, delegates had gone very deeply into the question. The Committee had examined all essential points, leaving aside the details, which were a matter to be settled by a diplomatic conference. Consequently, with regard to the essence of the problem, it would seem that all that should be said in the First Committee had been said, and it was useless to resume the same discussion in the following year. If any step forward was to be made, a diplomatic conference would have to be convened. Moreover, if next year the First Committee had again to deal with this problem, the rest of its work would suffer, because it was not at a few meetings that a Convention on so delicate a subject could be properly prepared. It was necessary, then, that a diplomatic conference should be convened, with time to devote all due care to the subject.

M. Basdevant thought that, in any case, the final decision in M. Pella's proposal, to the effect that the Committee should revise its conclusions in the light of the observations contained in the replies from Governments or formulated in the course of the debates, should be maintained, in order that a diplomatic conference might be convened by the Council in 1937, if possible before the next ordinary session of the Assembly.

M. GORGÉ (Switzerland) supported M. Undén's proposal, for reasons he had already explained. That proposal was, in fact, nothing else than the initial suggestion of M. Rolin, who, he was bound to say, had convinced him that the problem was not very urgent. M. Gorgé thought the fact that Governments would have an opportunity to reconsider the whole situation would be extremely useful, not only to the opponents of the draft, but also to its supporters.

M. Basdevant had said that he did not see any need for further discussion in the First Committee. M. Gorgé would have shared that opinion if the discussion had been destined to turn on the same draft; but he thought that, after the matter had been referred back to the Committee of Experts, another draft would emerge, and might perhaps make it possible for certain Governments, which at present doubted the desirability of concluding a Convention on those lines, to change their minds. It was, therefore, rather on grounds of opportunity than because of a divergence in the matter of principle that he combated M. Pella's proposal. M. Gorgé asked that he might be given an opportunity of reaching an agreement, if possible, with those who did not share his views. That was why he would like the matter to be held over for one year in order to give Governments time to examine the final results of the work of the Committee of Experts, after which it would be possible to say definitely whether a diplomatic conference would be worth while or not.

M. STOYKOVITCH (Yugoslavia) regretted that he was obliged to oppose the Swedish delegate's proposal, first because he did not see the use of several days of discussion if, after the question had been examined from every angle and Governments had been in a position to express their opinion regarding the utility of an international repression of terrorism, the First Committee simply resolved to refer the matter forward to the next Assembly.

The question was whether the Assembly thought it useful to organise the international repression of terrorism by the conclusion of a Convention. On that point, he would remind the Committee that the Council had already taken a decision which had settled a dispute laid before it. The Council had promised the States concerned that, in future, terrorism would be repressed on an international basis. That decision formed an integral part of the Council resolution of December 10th, 1934.¹ The incident which had given rise to that resolution of

¹ See *Official Journal*, December 1934 (Part II), page 1759.

the Council had been settled solely because the Council had promised that, in the future, international regulations would be laid down, and it was in reliance upon that resolution that the interested parties had accepted the Council's decision.

The draft resolution, as amended by the Swedish delegation, went almost entirely contrary to the Council's decision. Even the first sentence, harmless though it was, was no longer included. As if the question of the international repression of terrorism were now coming up for the first time before the League, a mere hope was expressed, all past events being totally ignored. The Yugoslav delegation felt that the time had now arrived for action. The question had been discussed in the Council; it had been twice studied by the Committee of Experts; the interested Governments had twice been invited to submit their observations on the draft prepared by the Committee of Experts. After all that work, it was now proposed that a mere hope should be expressed that the Committee of Experts would be good enough to revise its conclusions in the light of the observations contained in replies from Governments or put forward in the course of the present debates. That was a backward step which the Yugoslav delegation could not accept. The problem was so urgent that no further adjournment could be tolerated. In that respect, he could not share the opinion of the Swiss delegation or agree that a sufficient number of crimes must be committed before action could be taken.

Finally, M. Stoykovitch urged that the draft resolution submitted by M. Pella should be adopted, subject to a revision of the wording of the passages in that draft which reflected the opinions expressed during the debate.

The CHAIRMAN said that the Committee must reach a conclusion at that meeting, so that it might be in time, if necessary, to communicate with the Supervisory Commission on the budgetary aspect of the question.

Count CARTON DE WIART (Belgium) said that he had hesitated to take part in the discussion because he had presided over the Committee of Experts. He observed that, whenever a League Committee was called upon to draft an international Convention, it encountered difficulties as a result of narrower or wider conceptions of national sovereignty. In the present case, in view of the very nature of the problem submitted to the Committee of Experts, those difficulties had appeared at the outset with particular emphasis. It was not, therefore, surprising that many observations—some of which seemed very much to the point—had been made by Governments. Those observations deserved all the attention of the First Committee. The latter, by the time it had devoted to this problem, had itself proved the importance it attached to it.

Unless a decision were to be adjourned *sine die*—which was certainly nobody's intention—the logical course would be to follow the traditional procedure; the observations of Governments, having been examined by the First Committee, should be referred back to the Committee of Experts, which would take them into full account in a spirit of absolute objectivity. There could be no doubt on that point. The divergency of views occurred only on the question whether a diplomatic conference should be convened for 1937. In that connection, Count Carton de Wiart referred to the last paragraph of the draft resolution, which left it to the Council to decide whether such a conference ought to be convened before the next Assembly. The Council would see whether sufficient progress had been made to warrant the convocation of the conference. That was a reservation which should allay the anxieties of several delegations and allow them to adopt the draft resolution.

M. SKYLSTAD (Norway) made every reservation concerning the principles set out in the draft resolution, particularly the paragraph concerning extradition. Norway was very anxious that the principle of the right of asylum should remain intact. Furthermore, the Norwegian Government thought that the time was not yet ripe for the conclusion of an international Convention. Consequently, he associated himself with the Swedish delegate's proposal that the question of convening a diplomatic conference should be referred to the next Assembly, and that, in the meantime, a new draft should be prepared in the light of the discussions that had taken place in the First Committee.

M. HIITONEN (Finland) accepted the draft resolution submitted by M. Pella, subject to a modification in the last paragraph, because he was not sure that Governments could be ready even before the end of next year. He therefore proposed that the final phrase of the draft resolution should read as follows:

“ In order that a diplomatic conference may be convened by the Council, if possible before the next ordinary session of the Assembly.”

M. KAYA (Turkey) supported M. Pella's draft resolution, and endorsed the observations of the Yugoslav delegation. He added that, when the event which had given rise to this study had occurred, mankind had run a very grave risk. The promise given at that time that the question of the repression of terrorism would be settled had averted a catastrophe. In order to prevent similar risks in the future, it was absolutely necessary that a Convention should be prepared.

Sir William MALKIN (United Kingdom) said a draft resolution which combined the views of M. Pella and M. Rolin was a remarkable and even an historical document. There was, however, material in it for considerable further discussion before it could be adopted. For

that reason, he would have preferred a much simpler resolution, on the lines of the one suggested by M. Undén. At the same time, he thought it would be unfortunate if the Assembly separated without making any provision for convening a diplomatic conference. While the discussion had been extremely useful, it had admittedly not been a discussion of the details of the draft Convention. It seemed to him, therefore, that, when the experts had done their work, it would be well that the draft should receive further consideration by a diplomatic conference.

Sir William Malkin would prefer a resolution on the lines suggested by M. Undén, but retaining the essential portion of the last paragraph of the resolution proposed by M. Pella and M. Rolin. The date on which the diplomatic conference could be convened must depend to some extent on the time taken by the experts, and on the time taken by Governments to consider the results of the experts' work. If, after the experts had completed their task, it was thought that further discussion by the First Committee might be useful next year, there would still be time for that discussion to take place and for a diplomatic conference to be convened in 1937.

M. KULSKI (Poland) said that several delegations, including his own, had forcefully expressed the opinion that the international repression of political terrorism was a real and urgent need. Their attitude could be easily justified by recalling the crimes committed by terrorist organisations, which could not possibly have carried on their activities without the impunity ensured them by the absence of any Convention on the subject. M. Kulski was persuaded that international political stability would have nothing to gain from an adjournment of the question. He entirely approved M. Basdevant's arguments, and recalled that the League had often convened conferences in which only some of its members had taken part. He thought that the resolution to be adopted at the end of the discussion should embody the concept that Members of the League were entitled to conclude between themselves, but under the auspices of the League, such conventions as they might deem useful for the consolidation of peace. That option did not in any way prejudice the attitude of the other States Members, who might abstain from participation in such convention.

The Polish delegation heartily supported the draft submitted by M. Pella and M. Rolin, especially the last paragraph, which fixed an approximate date for the diplomatic conference.

M. POTEKINE (Union of Soviet Socialist Republics) supported the draft resolution submitted by M. Pella and M. Rolin. That document formed a very clear and precise summary of the essence of the discussion in the First Committee, and clearly defined the main object of the proposed Conventions. The summary in paragraphs 1, 2 and 3 might be used as a basis, and even as a guide, for the future work of the Committee of Experts which would revise the Conventions. The Soviet delegation agreed with the arguments put forward by the Yugoslav delegate, and was in favour of the last paragraph of the draft resolution, which referred to the convocation of a diplomatic conference, if possible, before the next ordinary session of the Assembly.

M. VEVERKA (Czechoslovakia) supported the arguments put forward by the delegates of France, Yugoslavia, Belgium, Poland, and the Soviet Union. He was in favour of the essential point of the resolution submitted by M. Pella and M. Rolin, to the effect that a diplomatic conference should be convened.

M. CAPSALIS (Greece) thought that there was no time to be lost, because a promise had been given by the Council. The question was now due for settlement, and should not be put off indefinitely.

Mr. OFFICER (Australia) said the Australian delegation would find it difficult to accept the full text of the Pella-Rolin resolution, but would be prepared to accept a resolution on the lines suggested by Sir William Malkin.

Mr. SKELTON (Canada) said he agreed that M. Pella and M. Rolin were to be congratulated on the ability they had shown in their endeavour to express the essence of the discussion in the Committee and the replies from the Governments, though their summary—necessarily brief—did not, of course, fully reflect all the views and criticisms that had been put forward. He was particularly doubtful about the third paragraph. Furthermore, he did not think that the paragraph referring to an International Criminal Court took account of the necessity for an organisation destined to exist under the auspices of the League of Nations to secure the assent of a majority, at any rate, of the Members of the League. However, those paragraphs were not essential, and might be omitted. He would wish the report of the Committee of Experts to be considered either by the Governments or by the next Assembly; from that standpoint, he would support M. Undén's suggestion. If, however, unanimity could be obtained by leaving it an open question whether a diplomatic conference should be held before the next Assembly, he would support that solution.

M. SIMONSEN (Denmark) supported the resolution proposed by M. Undén.

M. DA MATTA (Portugal) strongly supported the principle of the resolution submitted by M. Pella and M. Rolin.

The CHAIRMAN put M. Undén's proposal to the vote.

The proposal was rejected.

The CHAIRMAN put to the vote the principle of the resolution submitted by M. Pella and M. Rolin, it being understood that the question whether the contemplated diplomatic conference should meet before the next ordinary session of the Assembly or not would be settled at the next meeting.

The principle of the resolution submitted by M. Pella and M. Rolin was adopted.

20. International Repression of Terrorism : Communication by the Chairman of the First Committee to the Chairman of the Supervisory Commission.

The CHAIRMAN read the letter which he proposed to send to the Chairman of the Supervisory Commission asking for a credit of 35,000 francs for the convening of the diplomatic conference.

The text of the letter was approved.

21. International Repression of Terrorism : Appointment of the Rapporteur to the Assembly.

On the proposal of the CHAIRMAN, the Committee appointed M. PELLA (Roumania) Rapporteur to the Assembly on the question of the international repression of terrorism.

EIGHTH MEETING.

Held on Tuesday, October 6th, 1936, at 10.15 a.m.

Chairman : M. LIMBURG (Netherlands).

22. International Repression of Terrorism : Examination and Adoption of the Draft Resolution submitted by M. Pella and M. Rolin (continuation).

The CHAIRMAN invited the Committee to discuss, paragraph by paragraph, the draft resolution submitted by M. Pella (Roumania), Rapporteur, in agreement with M. Rolin (Belgium).¹

New Paragraph 1.

M. PELLA (Roumania), Rapporteur, proposed to insert a new paragraph at the beginning of the draft resolution worded as follows :

“ The Assembly, having taken cognisance of the second report of the Committee for the Prevention and Repression of Terrorism and of the two draft Conventions annexed thereto ; ”

The new paragraph was adopted.

Paragraphs 1 and 2 (Paragraphs 2 and 3 of the Final Text).

Paragraphs 1 and 2 were adopted.

Paragraph 3 (Paragraph 4 of the Final Text).

Preamble and Sub-Paragraph 1.

M. PELLA (Roumania), Rapporteur, proposed, in order to avoid employing a somewhat vague expression which did not correlate the draft resolution sufficiently with terrorism, the following wording at the beginning of sub-paragraph 1 :

“ To confirm and make clear the duty of every State to abstain from any action likely to endanger public order and security in other States and to prohibit in its territory any preparation or execution of terrorist attacks upon the life or liberty, etc.”

He suggested the addition of the adjective “ terrorist ”, on the understanding that the Committee did not thereby mean to exclude from the Convention attacks not having the character of a common danger—for example, the assassination of the head of a State with a revolver.

¹ For the text of the draft resolution, see page 52. For the final text as adopted by the Committee, see Annex 7, page 85.

M. LACHKEVITCH (Union of Soviet Socialist Republics) did not see any advantage in the substitution of the wording proposed by M. Pella for the original text. The words "to abstain from all intervention in the political life of a foreign State" clearly showed the purpose that was pursued by the Convention. Such intervention constituted an act which was familiar to all; the expression proposed by M. Pella, on the other hand, was so vague that it could not fail to embarrass the Committee of Experts. M. Lachkevitch was therefore in favour of maintaining the original text.

As regards the objection that the rule of non-intervention in the political life of a foreign State was a rule which had been in existence prior to the conclusion of the Convention, M. Lachkevitch would reply that the Convention aimed at defining that same rule from the particular point of view of terrorist activities. The only change in the paragraph which he would like to propose was to say in the French text "*la vie politique d'un Etat étranger en interdisant sur leur territoire*", instead of "*la vie politique d'un Etat étranger et d'interdire sur leur territoire*".

M. GORGÉ (Switzerland) had some hesitation in supporting M. Pella's proposal, which stated an elementary truth, at any rate so far as Switzerland was concerned. In Switzerland, it would be difficult to understand why a League Committee should think it necessary to reassert that principle.

M. SKYLSTAD (Norway) agreed with M. Gorgé.

M. DA MATTA (Portugal) also agreed. He considered the first part of sub-paragraph 1 unnecessary, since the purpose of the Convention was not to confirm or make clear the duty of States to abstain from any intervention, etc., but to ensure that States prohibited in their territories any form of preparation or execution of terrorist attacks, etc.

M. STOJKOVITCH (Yugoslavia) recalled that the principle of non-intervention of States in the political life of a foreign State had been raised at the time of the adoption by the Council of the resolution in virtue of which the Committee to study the draft Convention had been set up. The Council had therefore thought it necessary to refer to that principle, and, as the draft resolution was based on the Council's decision, there was no reason why it should not contain a reference to that same principle.

M. BASDEVANT (France) proposed to make the duty of abstaining from intervention in the political life of other States the motive of the resolution, and to amend the beginning of the paragraph accordingly to read :

"In accordance with the duty of every State to abstain from intervention in the political life of a foreign State, to prohibit, etc."

The CHAIRMAN said he was in favour of that wording, but would prefer to begin with the words "founding itself upon the principle that it is the duty of every State, etc."

M. PELLA (Roumania), Rapporteur, while he felt he should, as a matter of loyalty, support the wording proposed by M. Rolin—who, as M. Paul-Boncour had said in his speech, wished to reassert the principle, even if it were self-evident—would accept the formula proposed by M. Basdevant, if it were understood that States would have two obligations—namely, the personal obligation not to intervene in the political life of other States and the obligation to prevent in their territory any form of preparation or execution of attacks, etc.

M. HIITONEN (Finland) thought that, in view of the importance of the principle involved, it would be preferable to reassert it in the text of the future convention rather than in the preamble. To that end he proposed that the wording of sub-paragraph 1 of the draft resolution should be retained, with the addition, after the words "foreign State", of the words "by means of terrorist activities directed against the public order and security of that State, by prohibiting . . ."

Count CARTON DE WIART (Belgium) observed that the purpose of the Convention was to prevent and punish acts of terrorism, and not to define the duties of States in this or that particular. The wording proposed by the Chairman seemed to him preferable to that suggested by M. Basdevant. It was not in virtue of their duty of non-intervention that States were required to prohibit in their territories any form of preparation or execution of terrorist attacks, but in virtue of their duty to ensure order in their territories. If the Committee nevertheless thought it desirable to relate that duty to a more general one, Count Carton de Wiart would prefer the wording proposed by the Chairman—that was to say, "founding itself upon the principle that it is the duty, etc."

M. CASSIN (France) said that, as M. Paul-Boncour had explained, the French delegation was definitely in favour of confirming the duty of States to prohibit all criminal activities of a certain kind, and not only one of those activities. M. Basdevant's suggestion had been made in a conciliatory spirit. If it did not meet with the Committee's unanimous approval, the French delegation would not press it. M. Cassin thought the wording proposed by the Chairman was weaker, inasmuch as it merely recalled the general principle, and so deprived the resolution of some of its weight.

The CHAIRMAN noted that the Committee was agreed on the substance of the question. As M. da Matta had pointed out, the purpose of the Convention was not to confirm or make clear the duty of States to abstain, etc. If it were, the Committee would be back again at the point reached by the discussions which had taken place at The Hague in 1930 on the extent of the responsibility of States. The purpose of the Convention was to prohibit and prevent terrorist attacks. The amendment he had proposed was intended, like that of M. Basdevant, to bring out the fact that the reason why States had to prohibit, etc., was because it was their duty to abstain from intervention in the political life of other States.

M. DA MATTA (Portugal) suggested that the principle of the non-intervention of States in the political life of other States might be reasserted in the preamble by making the latter read :

“ Expresses the view that the contemplated convention, founding itself upon the principle that it is the duty of every State to abstain from any intervention in the political life of a foreign State, should have as its principal objects :”

He also thought it would be a good thing to make clear that the attacks in question were terrorist attacks.

M. KULSKI (Poland) wished to introduce the idea of “ instigation ” in sub-paragraph 1. He proposed, therefore, that the text should read “ to prohibit in their territories the instigation, preparation, etc.” There might be cases of instigation to terrorist attacks which were not followed by any actual consequences, but had the most significant bearing none the less on the security of other States. The introduction of this idea into the text might oblige Governments to exercise supervision over the activities of terrorist organisations in their territories.

The CHAIRMAN was not in favour of M. Kulski's amendment. He did not think it desirable, in the text at present before the Committee, to go into the details of the different branches of penal law. It was better not to go outside the field of social questions, but to confine consideration to the preparation and execution of attacks. “ Instigation ” raised other issues. Moreover, it was obviously covered by the conception of “ preparation and execution ”.

M. DA MATTA (Portugal) considered that the point with regard to instigation was of the greatest importance ; but “ instigation ” was surely covered by “ preparation and execution ”.

M. KULSKI (Poland) took note of the fact that the idea of instigation was held to be included in “ preparation ”.

The preamble and sub-paragraph 1 were adopted with the amendments proposed by the Chairman and M. da Matta.

Sub-Paragraph 2.

M. SKYLSTAD (Norway) proposed to omit the whole of sub-paragraph 2 with its enumeration of the methods to be employed. He explained that the various police forces of the world were already co-operating in the repression of terrorism. That was one of the means which ought to be employed for the prevention of outrages. In his opinion, police services ought to co-operate for the prevention no less than the detection of crime. He would have preferred to leave it to the Committee of Experts to define the nature of such preventive action ; the proposed collaboration was only one form of such action.

The CHAIRMAN was not in favour of M. Skylstad's proposal, since international collaboration between such services was one of the essential objects of the Convention.

M. CASSIN (France) remarked that the objection to sub-paragraph 2, which dealt with measures of prevention, was that it did not cover the whole field of preventive action. He proposed to combine the references in sub-paragraph 2 to preparation and prevention and to substitute the following text : “ To prevent preparatory acts and establish collaboration calculated to, etc.”

M. PELLA (Roumania), Rapporteur, said the object was not to limit prevention to preparatory acts. The organisation of a terrorist outrage included acts which went much further back, such as the forging of passports. He would prefer the following wording : “ To ensure the prevention of terrorist acts and, in particular, to establish collaboration, etc.” But that was a question of form only, and it would be preferable, in his view, to confine all mention of prevention to sub-paragraph 3.

M. DA MATTA (Portugal) proposed the form, “ To ensure the effective prevention of terrorist acts . . . ”

M. CASSIN (France) proposed the form, “ To ensure the effective prevention of such outrages and, in particular, to prepare collaboration with a view to facilitating early discovery in their territory of acts preparatory to the commission of such outrages . . . ”

M. SKYLSTAD (Norway) proposed the form, “ To establish international collaboration between police forces with a view to ensuring effective prevention and discovery . . . ”

The CHAIRMAN thought it was better to make no mention of the police in the draft resolution. He considered that M. Cassin's wording met all objections.

The Committee adopted sub-paragraph 2 in the following form :

" To ensure the effective prevention of such outrages and, in particular, to establish collaboration to facilitate early discovery of preparations for such outrages."

Sub-Paragraph 3.

M. PELLA (Roumania), Rapporteur, proposed the omission of the words " by extradition or otherwise ". In his opinion, it was unnecessary to indicate the means by which Governments should " ensure the punishment of attacks ".

In reply to M. Kulski's observation, he said that the omission in the draft text of any reference to instigation—a conception which was of special interest from the point of view of penal law—was probably unintentional. A person in country A might be the instigator of the assassination of a statesman in country B by a national of B. If no account were taken of the instigation in the foreign country, cases might arise in which the Convention could not be applied owing to the fact that the assassin and the victim were of the same nationality. Experience showed, however, that there were numerous cases of terrorist attacks committed as a consequence of instigation from other countries. M. Pella therefore thought it desirable to state that instigators were to be counted as parties to the crime. No doubt existed on the point in Roumanian law ; but the same was not true of the law of some other countries, and he thought it desirable that this observation should be entered in the Minutes as an indication to the Committee of Experts.

The CHAIRMAN regarded M. Pella's proposal to omit the words " by extradition or otherwise " as an improvement.

As regards the inclusion of instigators among the parties to a crime, there did not seem to be any doubt on the point. The French Penal Code regarded instigators as accomplices or principals—so did the Netherlands Penal Code and the old German Penal Code. Under English law, instigation came within the limits of the expression " accessory before the fact ". There therefore did not seem to be any cause for anxiety in the matter. If the penal law of any country regarded the instigator otherwise than as a principal or accomplice, it would probably make instigation a separate offence.

The Chairman was also in favour of replacing the word " ou " by the word " et " in the passage " *attentats présentant un caractère terroriste proprement dit ou un élément international* ".

M. SKYLSTAD (Norway) approved the omission proposed by M. Pella, and proposed the addition to sub-paragraph 3 of the words " prevention or punishment ".

M. DA MATTA (Portugal) approved M. Pella's suggestion. He added that, in the case put by M. Pella, the instigator would be treated as the moral author of the crime by the penal law of all countries.

M. PELLA (Roumania), Rapporteur, recognised that the instigator would usually be liable to prosecution as an accomplice to the principal. As a professor of penal law, he had wished to avoid the possibility of impunity in the preparation of attacks, even if the attacks did not take place, in order to cover the case of countries which treated instigation as a special offence.

The proposal to add the word " prevention " before the word " punishment " seemed to him a good one, for it was in the spirit of the draft prepared by the Committee of Jurists. It should be remembered that the preparation of acts of terrorism included a variety of different operations, such as the falsification of passports. The prosecution of such acts under the Convention would be one way of preventing acts of terrorism.

The proposal to omit the words " by extradition or otherwise " was approved.

The CHAIRMAN invited the Committee to take a decision regarding the proposal to substitute " and " for " or " in the following sentence of sub-paragraph 3 : " . . . attacks of a terrorist character in the strict sense of the word, or attacks possessing an international character ".

M. PELLA (Roumania), Rapporteur, said that the proposed substitution would entirely change the scope of the Convention. The idea of terrorism had not yet been defined in current jurisprudence. Some writers on the subject regarded terrorism as meaning acts accomplished in a manner intended to create public panic. The Convention for its part related to two categories of acts—namely, attacks on the person of foreign sovereigns, and acts which by their very nature were a public danger. If the legal conception embodied in the definition mentioned above were accepted, the circumstances in which the outrage occurred might count for more than the consideration of the place in which it was committed, with the result that the Convention would no longer apply to the very acts which had led to its inception. That was why, in accordance with M. Rolin's arguments, the draft mentioned only two sorts of terrorist acts—namely, outrages and criminal acts which were a public danger. If the Committee were to insist on the embodiment, in the definition of terrorist acts of an international element deriving either from the way in which the outrage was prepared or from the personality of the victim and of the parties to the outrage, the scope of the Convention would be narrowed considerably. M. Pella was afraid the Chairman's proposal might have unforeseen consequences, in view of existing differences of opinion as to the nature of terrorism.

Count CARTON DE WIART (Belgium) considered that the Chairman's proposal was comprehensible as long as sub-paragraph 3 began with the words : " To ensure by extradition or otherwise punishment, etc." ; but, now that those words had been deleted, it would be preferable to maintain the word " or ".

M. DA MATTA (Portugal) thought that the phrase "*caractère international*" was better than "*élément international*".

M. STOYKOVITCH (Yugoslavia) asked why there were different definitions in sub-paragraphs 1 and 3 of the terrorist crimes it was proposed to punish.

M. PELLA (Roumania), Rapporteur, explained that sub-paragraph 1 referred to the preparation of acts of terrorism in the territory of the State itself, whereas sub-paragraph 3 referred to the preparation of such acts in the territory of another State—in which latter case the possibility of extradition, etc., arose. Sub-paragraph 3 therefore offered a wider field from the point of view of international collaboration. The case might arise, for instance, of an outrage committed in the territory of country A by a criminal who then took refuge in the territory of country B.

M. LACHKEVITCH (Union of Soviet Socialist Republics) supported the Chairman's proposal to put " and " in the place of " or ". The history of the question in the League of Nations showed that the idea had always been to punish terrorist acts of an international character, but it had never been intended to prepare a text whereby terrorist acts not having an international character would come within the scope of the Convention.

The CHAIRMAN explained that, if the word " or " were retained, a distinction would be drawn between two sorts of outrages—namely, outrages of a terrorist nature and outrages having an international element. In the latter case, there was no reference to the terrorist nature of the outrage ; but the terrorist nature must always be the first consideration. Certain Governments had clearly stated their opinion that the aim of the convention should be the repression of international terrorism. There was little fear, moreover, that States would not punish terrorist outrages committed in their own territory.

The Chairman's proposal to substitute " et " for " ou " in the French text of sub-paragraph 3 was adopted by twenty votes to thirteen, the English text being amended to read as follows :

" To ensure punishment of attacks of a terrorist character in the strict sense of the word which have an international character. . . "

M. CASSIN (France) observed that the decision reached by the Committee would make it necessary for the Committee of Experts to embark upon a wide survey. If the decision were an imperative instruction to the Committee, the Convention would be reduced to impotence, because a large number of outrages—in particular, the outrage which had led to the preparation of the Convention—could only come under the Convention in respect of their international character, inasmuch as they were not terrorist outrages.

The CHAIRMAN observed that the Committee of Experts enjoyed a very wide measure of independence even in regard to the Committee's resolution. He added that, if the present discussion had not taken place in the Committee, it would surely have taken place at the diplomatic conference.

M. PELLA (Roumania), Rapporteur, added that the practical result of the Committee's vote would be to impose a new task on the Committee of Jurists. The latter would be obliged to find a definition for acts of terrorism, so as to bring outrages that were not such as to cause public danger within the scope of the Convention.

Paragraphs 4 and 5 (Paragraphs 5 and 6 of the Final Text).

M. PELLA (Roumania), Rapporteur, contended that these two paragraphs did not give an accurate idea of the discussion in the First Committee. He suggested that they should be amended to read as follows :

" Notes that certain Governments have disputed the advisability of creating an International Criminal Court, but that the trial of persons guilty of such attacks by such a court is felt by other Governments to constitute an alternative which, in certain cases, would be preferable to extradition or to prosecution, and that on this ground the second Convention has been regarded by the latter Governments as valuable, even if it is not capable of securing general acceptance."

" Recommends that the Committee revise its conclusions regarding its two drafts in the light of the observations to be found in the Governments' replies or formulated in the course of the debates, in order that the Council may convene a diplomatic conference in 1937."

M. GORGÉ (Switzerland) thanked the Rapporteur for his suggestions. He would have found it rather difficult to have agreed to the original text.

M. KULSKI (Poland) thought that the wording now proposed by M. Pella gave a more accurate idea of the discussion. His Government attached particular importance to the insertion of the following words in the last paragraph but one: "and consequently the establishment of the International Criminal Court would not in any way affect the juridical position of countries which did not accept it". The point was to make it quite clear that only those countries which signed the second Convention would be affected by the creation of the Court.

M. DA MATTA (Portugal) associated himself with M. Gorgé's remarks. He thought that a reference to the Polish delegate's opinion in the Minutes or in the report should be sufficient.

M. PELLA (Roumania), Rapporteur, said he would take due account of M. Kulski's proposal in the report. The second Convention would not in any way affect the situation of countries which did not accede to it.

Mr. OFFICER (Australia) paid a tribute to the great efforts M. Pella had made to overcome the difficulties inherent in the institution of a Criminal Court. Those difficulties still subsisted for his Government, though it was quite prepared to facilitate the acceptance of a Convention for the Prevention and Punishment of Terrorism, and would accept the proposed text of the draft resolution, including the last paragraph in its unamended form.

The Australian Government was not, however, in favour of the creation of an International Criminal Court under the auspices of the League of Nations. Mr. Officer therefore felt that the right place for the last paragraph but one was in the report and not in the resolution. If, however, it was to remain in the resolution, he proposed to omit the words "and that on this ground the second Convention has been regarded by the latter Governments as valuable, even if it is not capable of securing general acceptance". The passage in question might or might not serve as a basis of agreement between the countries interested in the creation of a Criminal Court as between themselves; that was not a matter which concerned the Australian Government. But the Australian Government could not accept the creation of such a Court under the auspices of the League of Nations with certain States as Members of it and others not.

M. SKYLSTAD (Norway) reminded the Committee that his Government was also opposed to the creation of an International Criminal Court. He therefore supported Mr. Officer's proposal to transfer to the report the paragraph of the draft resolution relating to the creation of the Court.

M. PELLA (Roumania), Rapporteur, observed that it would not help the opponents of the International Criminal Court to confine that question to the report. He had endeavoured to display the utmost possible conciliation in the drafting of the text before the Committee. He was willing to indicate in the report that the text of the resolution did not in any way imply an undertaking on the part of the Australian delegation; but he felt that the text of the draft resolution should be left in the form proposed.

M. PARRA-PÉREZ (Venezuela) recalled that the attitude of the Venezuelan Government with regard to the two Conventions had already been explained. He shared the views of the delegations of Poland and Australia as regarded the creation of an International Criminal Court. But, since the text proposed by M. Pella was a compromise, and in view of the promise given by the Rapporteur to mention the Australian point of view in the report, M. Parra-Pérez felt he could accept the text proposed by M. Pella.

M. GAJARDO (Chile) said he had been a member of the Committee of Experts, and had there expressed an opinion which ran counter to the views of his Government on the subject of an International Criminal Court. His Government was in no way opposed to the desire of other countries to create such a Criminal Court, if it would be of any use to them in their mutual relations. He did not share the opinion of the delegation which was opposed to the creation of an International Criminal Court under the auspices of the League. It was almost impossible to expect that unanimity would be reached among the Members of the League concerning the present drafts. It was therefore necessary to allow certain Members of the League to reach an agreement between themselves on certain international matters.

The CHAIRMAN said that the acceptance of the last two paragraphs of the resolution raised little difficulty, because they merely stated that certain Governments thought it desirable to set up an International Criminal Court. Personally, he was not very favourable to the proposal, but he did not object to its being put forward.

Sir William MALKIN (United Kingdom) accepted M. Pella's revised text for the last two paragraphs of the draft resolution. He agreed with the Chairman in interpreting those two paragraphs as an account of the discussion which had taken place in the Committee, which did not in any way imply approval by the States of the creation of an International Criminal Court.

M. UNDÉN (Sweden) asked the Rapporteur to state in the report that a minority of the Committee had been in favour of a shorter resolution, making no proposal for a diplomatic conference in 1937 and not defining certain provisions of the Convention.

M. PELLA (Roumania), Rapporteur, noted M. Undén's suggestion.

M. KULSKI (Poland) withdrew his amendment. He would be satisfied with a reference in the report.

Mr. OFFICER (Australia) said that, if it were made quite clear in the report that acceptance of the text of the resolution did not in any way imply acceptance of the principle of the creation of an International Criminal Court under the auspices of the League of Nations, analogous to the Permanent Court of International Justice at The Hague, he would be able to accept the text.

M. CASSIN (France) proposed to vote for the draft resolution ; but he did not wish to rule out there and then the possibility of the proposed International Criminal Court being set up under the auspices of the League. The various States must maintain their entire liberty on that point.

M. DA MATTA (Portugal) shared M. Cassin's views.

The last two paragraphs of the draft resolution were adopted in the revised form proposed by M. Pella.

The draft resolution, as amended, was adopted as a whole.¹

NINTH MEETING.

Held on Wednesday, October 7th, 1936, at 10.15 a.m.

Chairman : M. LIMBURG (Netherlands).

23. Rules of Procedure of the Assembly : Proposed Amendments regarding the Composition of the General Committee of the Assembly, the Insertion of a Provision regarding the Agenda Committee and the Creation of a Nominations Committee.

The CHAIRMAN said that the Committee had to consider, in the first place, three proposed amendments, relating to the composition of the General Committee of the Assembly, the insertion of a provision regarding the Agenda Committee and of one relating to the creation of a Nominations Committee, Annex 5, page 81. The first was a draft Article 7 and 7(a) of the Rules of Procedure of the Assembly prepared by the Secretariat, the second was a draft Article 7 proposed by the French delegation and the third a draft Article 7(b) proposed by the Norwegian delegation. He suggested that these three amendments should be discussed simultaneously.

M. LANGE (Norway) did not think it necessary to go into the details of the proposals, as the question had been discussed in the previous year by the First Committee,² numerous delegations having expressed their views at that time. He would simply, therefore, make a few general observations regarding the relationship of the Norwegian amendment to the question as a whole. If the principle of the Norwegian amendment for the creation of a Nominations Committee were accepted, the French amendment would become unnecessary. In submitting its amendment, the Norwegian delegation had had in view the possibility of putting an end to the practice of lobbying for elections before the Assembly met. The elections had, of course, to be prepared ; but, since it was unavoidable, it should be done openly on the responsibility of the Assembly itself, by a body designated by it for the purpose. In certain Parliaments, such a body already existed ; in Norway, for instance, it was known as the " Election Committee ". The reform would certainly have a salutary effect. The Norwegian delegation did not, moreover, intend to be uncompromising as regards the method of carrying out the suggestion. It merely insisted on the basic proposal, which it considered as a progressive step that would enhance the dignity of Assembly procedure—a dignity which had been jeopardised by certain events that had sometimes accompanied past elections.

The SECRETARY-GENERAL said that his observations would simply be a recital of facts. He had no definite suggestions to make. He simply wished to throw light on the discussion, the subject of which was particularly important. There were two points to be considered : (1) the composition of the General Committee and (2) the method of electing the members of that Committee.

At the present time, the General Committee was rather heterogeneous. It was composed, first, of one elected member, the President, of six Vice-Presidents, who were the representatives of elected countries, and of five or six Chairmen of Committees, who were persons chosen respectively by those Committees. There was, therefore, one member elected by the whole Assembly, certain members nominated by the countries chosen by the Assembly and certain

¹ For the final text of the resolution, see Annex 7, page 85.

² See *Official Journal*, Special Supplement No. 139, pages 74 to 78 and 80.

members nominated by the Committees. For the last few years, it had been customary to add the Chairman of the Agenda Committee and the Chairman of the Credentials Committee, which were smaller Committees than the others, their Chairmen being practically nominated by the President of the Assembly, since it was he who made the proposals to the Assembly. The Secretary-General felt bound to admit that, from the outset, the Secretariat had played a considerable part in the formation of the General Committee. Its rôle had varied according to circumstances, and, personally, he had endeavoured to circumscribe it. The results had not always been very satisfactory, for, on some occasions, when no decisions had been taken beforehand, the results had been incoherent or even rather unfortunate.

As regarded the election of members of the General Committee, the Committee had before it the Norwegian delegation's proposal. The Secretary-General wished to say that he would welcome whatever method was adopted to relieve him of his present responsibilities, to which he had just referred.

There were certain difficulties in connection with the constitution of the General Committee; not, of course, in the matter of the election of the President, because the candidates were known beforehand, so that the President was elected by tacit consent. This election therefore generally took place quite normally. The difficulties began, however, when the question arose of allocating the other three categories of members which had just been mentioned. In the first place, representatives of the four permanent Members of the Council were always members of the General Committee. That arrangement had never been contested. Nevertheless, the question arose whether that custom should be embodied in a text or should be continued by tacit consent. Opinions differed on that point. There was a great deal of competition, on the other hand, for the four other posts occupied by the two other Vice-Chairmen and the Chairmen of the Credentials and Agenda Committees, who were nominated by the Assembly and who, though they enjoyed the same esteem and shared the same responsibilities, had less continuous work to perform than the Chairmen of the main Committees. The Chairmen of Committees (thanks to the fortunate continuity of the tradition which had grown up in most Committees as a result of the return to Geneva each year of the same delegates) were selected by their colleagues mainly on the ground of their technical ability to preside over the debates, independently of the fact that they would at the same time be members of the General Committee.

The General Committee had, therefore, been tending more and more to become the central committee, the political bureau of the Assembly, and it was called upon to propose all sorts of important resolutions which could not, by their nature, be referred to the main Committees. The difficulty of constituting the General Committee was the result of the heterogeneous sources from which its membership was drawn. It ought, of course, to reflect the political forces of the Assembly, and at the same time to be a group of persons of note though varying sufficiently from year to year to avoid the exclusion of some by the acquisition of permanent or solidly established positions by others.

That was the difficulty which arose each year. The aim of the Norwegian proposal was to discover a method by which all the members could be appointed openly in such a way as to ensure a harmonious whole. The Secretary-General was entirely in favour of the principle of the Norwegian proposal; perhaps for selfish considerations, but also for considerations of prudence. If, during the two or three weeks which preceded the meeting of the Assembly, he no longer found himself in the exceptional position of one who appeared to be distributing favours, he would be thankful, and his situation would be more normal.

As regards the method to be adopted, M. Lange had said that he would not insist on the details of his proposal, but it was just those details which interested the Secretary-General most. He thought that the Norwegian proposal did not perhaps take full account of the particular tradition and rather special nature of the League of Nations. Each year there were a number of changes in the Assembly which themselves determined the changes in the atmosphere of the Assembly—they were, in fact, a sort of breath of fresh air. Consequently, important electors, nominated for one year, would find themselves throughout the whole of the year in the unenviable position of the Secretary-General during the two or three weeks preceding the Assembly. Those electors themselves might change because countries rather than personalities would be chosen, so that at the end of the year there might be a considerable number of changes in the delegates concerned, and some of them might be only slightly known. Consequently, he wondered whether the appointment one year beforehand of a committee for the presentation of candidatures might not have great drawbacks.

The election of the President of the Assembly was, so to speak, a foregone conclusion and had not caused any difficulties for years. The Assembly must be allowed to choose, according to the considerations of the hour, the person most suitable to preside over its discussions. The President, therefore, received the full confidence of the Assembly. Why should he not be allowed, after his election, to consult the various groups in order to prepare a list of candidates who would faithfully reflect the feelings and tendencies of the Assembly? The Secretary-General was not making a proposal, but merely suggesting an alternative that deserved the Committee's consideration.

It must not be forgotten that, when the Rules of Procedure of the Assembly had been drawn up, the number of Member States of the League of Nations had not been more than forty-four or forty-five. The number of Member States was at present fifty-eight, fifty-two of whom participated regularly in the work of the Assembly. The proportion of the members of the General Committee compared to the total number of members of the Assembly had therefore decreased, so that it might be wise to contemplate a slight increase. Moreover, a General

Committee consisting of sixteen, seventeen or eighteen persons would be a much more cumbersome body than the present Committee of twelve or fourteen members. But, while allowing the Committees to choose their own Chairmen, it would be desirable to render the central Committee of the Assembly—namely, the General Committee—more elastic, by providing for the more adequate representation of the various tendencies within each Assembly.

The CHAIRMAN, on behalf of the Committee, thanked the Secretary-General for his explanations.

M. KULSKI (Poland) recalled that the Polish delegation had explained its views at the previous Assembly. Those views had not changed. The proposals made in the previous year had been put forward while the emotion caused by the incident that had occurred during the elections to the General Committee was still keen. It was possible, in the present year, to consider the suggested reform more calmly and to deal with it on broader lines. The question was whether the General Committee should reflect the main political tendencies of the Assembly or whether it should be allowed to be constituted in a haphazard fashion as a result of elections devoid of guiding principles.

M. Kulski did not think that the problem could be limited to the sole question of the representation on the General Committee of the permanent Members of the Council. Any such limited decision would be incomplete and of little value. The General Committee had become an important political organ of the Assembly, its duty being in many cases to prepare proposals for subsequent adoption by the Assembly. For many years now, at successive Assemblies, attempts had been made to discover a system by which the Members of the League could be adequately represented on the General Committee. It seemed that the moment had come when practice should be consolidated into a clear and definite rule that would preclude surprise elections and make it possible to remedy omissions in the composition of the General Committee.

The Polish delegation thought that the Norwegian proposal provided the best solution, because, though it did not expressly provide for privileges for certain Members of the League—privileges which would, for reasons of principle, be unacceptable to several delegations—it did allow the canvassing of candidatures in advance and eliminated, as far as possible, the element of chance in the elections. The Polish delegation therefore entirely supported that proposal. He only felt doubt on one point—namely, the number of the members of the Nominations Committee. He thought that Committee would enjoy greater confidence in the Assembly if it were not quite so small and were composed, for instance, of twelve members. It might be appointed by the Assembly in preparation for its ensuing session or on the same date as the election of the President. The Polish delegation also supported the Secretary-General's suggestions concerning the enlargement of the General Committee by increasing the number of Vice-Presidents. This would allow the various political tendencies in the Assembly to be more adequately represented.

M. CASSIN (France) said that the explanations given by the Secretary-General had considerably lightened his task. Like M. Kulski, he thought that the scope of the problem had widened since the previous year. Nevertheless, the events of the present year had proved that the proposals made were justified.

From a technical point of view, he had had occasion to draw attention to the situation which would arise if the President of the Assembly were obliged to absent himself during the session. Owing to the heterogeneous character of the General Committee, it would, in that case, be impossible to rely—as would be normal—on one of the Vice-Presidents to preside. The President was elected on account of his personality, but the Vice-Presidents were designated impersonally being representatives of certain selected countries. The General Committee of the Assembly had therefore peculiar features, since it consisted of personalities on the one hand and political forces on the other.

The obviously political character acquired by the General Committee was becoming more and more marked. In the past, a number of special committees had been set up; during the present year, the Assembly had referred certain matters to its General Committee. That was why it was suggested that that Committee should be so composed as to reflect the various political forces in the League.

In the General Committee, the rôle of the permanent Members of the Council could not be disregarded, but those members were nominated in the abstract, so that their representatives could not be called upon to assume the Presidency in the absence of the President. The French delegation had simply defined in greater detail the proposal put forward by the General Committee itself in the previous year. It was favourably disposed towards the principle contained in the Norwegian proposal, but he felt bound to ask one or two questions. If a Nominations Committee were set up, constitutional problems should not be allowed to arise such as those which formed the subject of discussions in connection with the composition of the Council. Moreover, how would the list of candidates be prepared, since the Norwegian proposal suggested the submission of two names at least for each post to be filled?

The French delegation was therefore in favour of the proposal that the General Committee should be enlarged by the nomination of a greater number of Vice-Presidents.

M. Wellington Koo (China) approved the Secretary-General's observations, which were the outcome of long experience and much thought. In particular, he shared the Secretary-General's view that the General Committee should be as representative as possible of the various tendencies in the Assembly. There were certain questions which it was desirable to discuss beforehand in committee and that was one of the functions of the General Committee. The General Committee was therefore responsible for the satisfactory working of the Assembly.

M. Wellington Koo was in favour of the enlargement of the General Committee with a view to making it as representative as possible of the composition of the Assembly. He noted, in that connection, that certain groups were at present represented in the General Committee by more than one member, whereas others were not represented at all. The result was that certain delegations were left in the dark as to what would take place at the next meeting of the Assembly, because the agenda and hours of meeting were often fixed at very short notice. Consequently, delegates belonging to no group were often obliged to enter into discussions without adequate preparation.

In principle, therefore, he was in favour of the Norwegian proposal, which would enable the Assembly to set up a more representative and well-balanced General Committee. He was in favour of increasing the number of Vice-Presidents to twelve. The presence of the Chairmen of the Committees was essential, but the number of Vice-Presidents might be increased by adding certain distinguished delegates.

M. FELDMANS (Latvia) agreed with M. Cassin that the so-called Vice-Presidents were, in reality, members of the General Committee. He thought it would be preferable to designate them as such. Each year the election to the General Committee of the representatives of the four great Powers, permanent Members of the Council, assumed the character of a sort of plebiscite, and the tendency was to interpret that plebiscite according to the number of votes obtained by each. It might be admitted that the great Powers should be *ex-officio* members of the General Committee as members and not as Vice-Presidents.

The Secretary-General's suggestion that the President of the Assembly should be asked to draw up the list of candidates for election as Vice-Presidents did not seem to him to be a very happy solution, because the President would find himself in that very situation of which the Secretary-General complained. Consequently, M. Feldmans preferred the Polish proposal to the effect that a special organ should be created consisting of eleven or twelve members.

M. POTEKINE (Union of Soviet Socialist Republics) said that the Soviet delegation was, in principle, disposed to agree with the proposal to abolish the element of surprise and chance which at present existed in the elections of the Assembly to the General Committee, and to institute a more stable and certain regime. One advantage of the Secretary-General's proposal was that it consolidated existing practice in the matter of the constitution of the General Committee without affecting anybody adversely and without raising any objection of principle. It possessed the further advantage of defining that practice in a perfectly clear text, seeing that there was some danger that uncertainty might give rise to regrettable fortuitous situations. The Secretary-General's proposal possessed yet another advantage, in that it did not necessitate any supplementary procedure for the election of the Vice-Presidents. He therefore thought that the solution suggested by the Secretary-General was the best one.

M. WESTMAN (Sweden) reminded the Committee that the Swedish delegation had, in the previous year, explained the doubts it felt in connection with the proposal to regard the great Powers permanent Members of the Council as entitled, *ipso facto*, to be members of the General Committee. Everyone agreed as to the desirability of the *de facto* representation of the great Powers on the General Committee, but certain delegations desired that the principle of democratic equality, which was the very foundation of the League of Nations, should be observed, and that all appointments to the General Committee should be made by means of elections.

M. Westman thought that the Norwegian proposal constituted a step forward: the Swedish delegation would therefore support it, subject to certain possible modifications of detail. The Swedish delegation thought that this proposal might be accepted as an experiment for one or two years, for example.

M. HIITONEN (Finland) said that the Finnish delegation approved the Norwegian proposal in principle. First, because it preferred that no privileged position should be accorded to the great Powers by a specific text, though it regarded it as perfectly normal that those great Powers should be members of the General Committee. Secondly, because Finnish parliamentary experience had shown that the existence of a special committee for nominations made it possible to avoid serious difficulties and facilitated the adequate representation of the various groups in question.

While not desiring to make any specific proposal, M. Hiitonen wondered whether it would not be possible to harmonise the Norwegian proposal with the Secretary-General's suggestions by deciding, for example, that the President of the Assembly should be *ex-officio* Chairman of the Nominations Committee. As this Committee would not, in that case, be able to meet before the Assembly, it would consequently meet immediately after the election of the President.

M. DA MATTA (Portugal) approved, in principle, the amendments of the French and Norwegian delegations. He must make a reservation regarding the composition of the Nominations Committee, in which he would have liked to see representatives of the permanent Members of the Council, representatives of the grouped States and representatives of the non-grouped States.

M. PELLA (Roumania) was in favour of the text suggested by the Secretary-General, with the addition of certain details contained in the French proposal—namely, that the permanent Members of the Council should be *ex-officio* members of the General Committee and should be represented thereon by their delegates if they were not already represented thereon in some other manner. Everyone acknowledged the necessity for the presence in the General Committee of the permanent Members of the Council; it would be well, however, that that fact should be laid down in a definite text.

Though he understood the reasons which had led to the submission of the Norwegian delegation's proposal, M. Pella could not accept that proposal—at any rate, as at present worded. The Assembly of the League of Nations could not be compared with a parliament. Moreover, many parliaments possessed no Nominations Committee and elections there took place freely in accordance with the currents of opinion prevalent at the time.

He was afraid that, as a result of the proposed procedure, the Assembly would become a managed organ. There would, moreover, be two sorts of candidatures : candidatures put forward by the Nominations Committee—that was to say, official candidatures—and, on the other hand, non-official candidatures. As the very basis of the League was the democratic principle of the equality of States, M. Pella thought it would be preferable not to accept that proposal. He was, on the other hand, in favour of increasing the number of members of the General Committee.

M. GORGÉ (Switzerland) did not attach any great importance to the question and would be perfectly content if the present system were maintained, even though it might not be the best possible one. He did not think that the presence of the great Powers was indispensable in the General Committee. As, however, their presence had become an established custom, he agreed that they should all be represented thereon. He would even go so far as to agree willingly that they should be members *ex officio*. Personally, he did not see the use of an annual plebiscite on the names of the great Powers. Switzerland was a great believer in democratic principles, but it must also be recognised—and the Federal Council had always done so—that the great Powers played a preponderant part in international relations.

The Norwegian proposal was perhaps an improvement on the present position, but it nevertheless raised difficulties—for example, that, mentioned by M. Cassin, of the submission of a list of names which would be double the number of the posts to be filled.

M. Gorgé found M. Westman's proposal that no final reform should be undertaken attractive. He was also in favour of conducting an experiment before any final decision was taken, but he thought that a two years' experiment would be preferable.

M. VILLA MICHEL (Mexico) thought it was so obvious that no privileged situations should be tolerated in the Assembly, which was the most democratic organ of the League, that he could not agree either with the Secretary-General's or with the French delegation's proposal. He realised how desirable it was that certain Powers should take part in the work of the General Committee, but it was just as important that the democratic character of the Assembly should be safeguarded by ensuring an equal right for all States to become members of the General Committee and to have a say in electing that Committee.

The Norwegian proposal seemed to him acceptable, but he thought a rider should be added to the effect that any State which wished to be represented on the Nominations Committee should be allowed to become a member if it made the request two days previously in the form of a letter addressed to the President of the Assembly. No State would do this, unless it was deeply interested in the question.

M. URBŠYS (Lithuania) agreed with M. Pella's arguments. The facts should be faced and not disguised. In the Council, the great Powers had a part to play which was not that of other States. He entirely agreed with the principle of the equality of States, but the proposals put forward did not tend to reinforce that equality, since, even if a Nominations Committee were established, the States which were permanent Members of the Council would certainly be the first to be nominated by that Committee.

M. ADLE (Iran) noted that all the members of the Committee agreed that the democratic nature of the Assembly must be preserved and the principle of the equal rights of States maintained. The delegation of Iran associated itself with the Norwegian delegation and with the suggestion submitted by the Secretary-General concerning the nomination of Vice-Chairmen. It did not, however, think that it was necessary to establish that usage by a text. The submission of candidatures by the President of the Assembly seemed to it to be the simplest and best method.

Count CARTON DE WIART (Belgium) said that the Belgian delegation was sufficiently alive to realities to realise that, when the classical question of the equality of States arose, there would be cases in which the principle of equality must yield to necessities. The Belgian delegation had therefore voted in favour of the creation of two new seats for non-permanent Members of the Council ; but the facts did not justify the institution of similar privileges in the Assembly. Consequently, the Belgian delegation accepted the Norwegian delegation's amendment.

M. LANGE (Norway) explained that the Norwegian delegation had not put forward its proposal as an ideal solution which would solve all difficulties. It was prepared to take into account all the amendments and suggestions proposed. It was of opinion, for instance, that the suggestion of the Swedish and Swiss delegations, to the effect that the solution adopted this year should be regarded as provisional, was an excellent one.

He had been glad to hear the approval accorded to the principles of the Norwegian proposal by the Secretary-General and by various delegations. That proposal had been the outcome of the very unsatisfactory impression left during the last few years, and particularly last year, by the procedure followed in constituting the General Committee of the Assembly. The desire had been to free the Secretariat from the responsibility of making occult preparations for the elections. M. Lange did not share the view expressed by M. Cassin and M. Pella that

the problem would only be transferred from one shoulder to another. Personally, he did not think that there was such keen competition as had been suggested for membership of the General Committee. That Committee had to deal not so much with questions of substance as with matters of personality and representation.

In reply to the questions which had been raised, M. Lange explained that he had proposed that the Nominations Committee should be appointed by the Assembly for its next session, because he believed that that procedure would save time. The preparation and adoption of a list by the President might take some time and might unduly prolong the Assembly's session. But, if the Secretary-General, with his great experience of such matters, thought that the risk of such prolongation might be run, the Norwegian delegation would have no objection to the suggestion that the Committee should only be set up at the opening of the Assembly. That procedure would have certain advantages, because circumstances might change from year to year.

The Norwegian proposal had provided that the number of candidatures should be at least double the number of posts to be filled. The object of that proposal was to ensure that the Assembly should be entirely free in forming its opinion. The Norwegian delegation, moreover, was not in any way uncompromising on that point, but thought that it would be distinctly advantageous to have a number of official candidatures greater than the number of posts to be filled.

The new article—Article 7(a)—sanctioned existing practice in the matter of the nomination of the Agenda Committee. For several years past, the Chairman of that Committee had been admitted as a member of the General Committee like the Chairmen of the main Committees. His presence *ex officio* in the General Committee was useful, in that it enabled that Committee to settle certain questions. It would be desirable that, in point 2 of the new article, provision should be made for the appointment by the Agenda Committee of a Vice-Chairman, who would replace the Chairman, if necessary. The latter was appointed by the Assembly for personal reasons, and if he were unable, for instance, to be present at the meetings of the General Committee, there could be no question of his sending another member of his delegation to represent him. He would be replaced by the Vice-Chairman.

Like many other delegations, the Norwegian delegation thought that there was no reason to accord, in the Assembly, to the permanent Members of the Council a privilege similar to that which they enjoyed in the Council. On that point, therefore, the Norwegian delegation was opposed to the French proposal.

M. Lange pointed out, moreover, that, in the text of paragraph 1 of Article 7(b) proposed by the Norwegian delegation, one of the Rules of Procedure—namely, No. 5—had been mentioned in parentheses. The present year's experience had proved that the composition of the Committee in question might be of exceptional importance. That was why he suggested that the parentheses to which he had referred should be omitted.

M. DA MATTA (Portugal) recalled that he had proposed that the Nominations Committee should consist of the representatives of the permanent Members of the Council, of the grouped States and of the non-grouped States. He asked the Chairman to be good enough to ascertain the opinion of the various delegations on that point.

The CHAIRMAN invited the Committee to vote on the questions which had been raised in the following order :

- (1) Should the permanent Members of the Council be, *ipso facto*, Members of the General Committee ?
- (2) Should the number of the members of the General Committee be increased ?
- (3) How should the members of the General Committee be elected ? Was the First Committee in favour of the Norwegian proposal concerning the procedure of election ?

The Chairman pointed out, in this connection, that M. Lange had agreed to amend the proposal in the sense that it would be provisional, and would be adopted as an experiment for two or three years.

The first proposal, to the effect that the permanent Members of the Council should, ipso facto, be Members of the General Committee, was rejected by twelve votes to seven.

The second proposal, concerning the increase in the number of members of the General Committee, was adopted by sixteen votes.

The principle of the method of election indicated in the Norwegian proposal as an experiment not to exceed three years was adopted by sixteen votes.

The CHAIRMAN asked whether any delegation wished to make a formal proposal to substitute in the first paragraph of the Norwegian proposal the word "President" for the word "Assembly" in the following phrase : " At the end of each ordinary session, the Assembly shall . . ." The President would then be responsible for preparing the list of the seven future members of the Nominations Committee, as the Secretary-General had suggested.

M. ADLE (Iran) said that the Iranian delegation wished to make that proposal, but it did not agree with the suggestion for seven members. The proposal of the Iranian delegation would be as follows :

Read at the beginning of the first paragraph of Rule 7(b) : " Every year, the elected President of the Assembly shall . . . "

The continuation of the discussion was adjourned to the next meeting, it being understood that the Bureau of the Committee would submit a revised text of the draft rules based on the discussion that had taken place in the Committee.

TENTH MEETING.

Held on Thursday, October 8th, 1936, at 10.15 a.m.

Chairman : M. LIMBURG (Netherlands).

24. **Rules of Procedure of the Assembly : Proposed Amendments regarding the Composition of the General Committee of the Assembly, the Insertion of a Provision regarding the Agenda Committee and the Creation of a Nominations Committee : Examination of the Texts prepared by the Bureau.¹**

Rule 7.

M. LANGE (Norway) noted that the Bureau's proposal with regard to Rule 7 contained two innovations : an increase in the number of members of the General Committee—a principle that had been accepted at the previous meeting—and the admission to the General Committee of the Chairmen of the Credentials Committee and of the Agenda Committee.

As the number of " other members " proposed by the Bureau was four, that would bring the total number up to nineteen, which M. Lange thought was too many. He proposed sixteen as a maximum, the number of " other members " being reduced to two, seeing that the second sentence of the first paragraph provided that the Assembly could elect other members, if necessary in exceptional cases.

The CHAIRMAN was willing to accept M. Lange's proposal to reduce the number of " other members " from four to two if the Committee so decided.

M. HIITONEN (Finland) considered that, in principle, it was hardly justifiable to have two categories of elected members—namely, the Vice-Chairmen and the mere " other members ". Moreover, in practice, would not two different categories of persons involve two different elections ? He proposed, therefore, that all the members of the General Committee should be on the same footing : that eight Vice-Presidents should be elected instead of six and that there should be no " other members ". In the matter of the total number of members, he agreed with M. Lange.

Mr. SKELTON (Canada) supported the Finnish delegate's proposals.

M. POLITIS (Greece) agreed, in principle, with M. Lange's view that the General Committee should not be too large. Personally, he was opposed to any change in the rules, and, if he had been present at the previous meeting, he would have opposed the proposals now before the Committee. He was sure that the number of members of the General Committee should not exceed fifteen. Was it not rather absurd to have eight Vice-Presidents, seeing that, in the whole of the League's history, not one of those Vice-Presidents had ever been called upon to replace the President ? M. Politis therefore proposed that the General Committee should consist of the President of the Assembly, eight elected members and the six Chairmen of the main Committees. If that proposal were adopted, it would be necessary to add a second paragraph to the effect that the General Committee would elect one of these members as Vice-President.

M. Wellington Koo (China) observed that the Assembly was the democratic body of the League, the Council being only a restricted body. Distant countries sent representatives to the Assembly, and those countries, if for many years they were not represented in the General Committee, would naturally take less interest in the Assembly. Certain surprises that had occurred in the previous year had possibly been due to the fact that the composition of the General Committee had been too restricted. In order that all groups might be duly

¹ The draft texts are not published. For the final texts, see Annex 6, page 83.

represented, he thought that a moderate increase would be advisable. At present there were fifteen members, but in the future it was to be hoped that new countries would become Members of the League and former Members would return. He did not think that it would be in any way out of place to increase the number of seats to seventeen.

M. LANGE (Norway) observed that M. Koo's desires were covered by the present proposal, particularly as the second sentence of paragraph 1 allowed the election of additional members.

M. KULSKI (Poland) said that one point to be elucidated was whether the Vice-Presidents were to be elected on account of their special competence, or because they represented certain nations or groups of nations. If they were elected on account of their personal qualifications, irrespective of their nationality, he would be inclined to agree with M. Koo. But, if nationality were taken into account, that would be another matter.

M. GAJARDO (Chile) had been glad to see confirmed the addition to the General Committee of the Chairmen of the Agenda and Credentials Committees. The experience of the last two years had proved the desirability of their presence in the General Committee. He thought, however, that the principle of equality should be established as between all Chairmen.

The CHAIRMAN noted that the Committee had two proposals before it. The first proposal was that of the General Committee amended as a result of the First Committee's discussions—namely :

“ The General Committee of the Assembly shall consist of the President of the Assembly, eight Vice-Presidents, the Chairmen of the main Committees of the Assembly, of the Agenda Committee and of the Committee for the Examination of the Full Powers.”

On the other hand, there was M. Politis' proposal, reading as follows :

“ The General Committee of the Assembly shall consist of the President of the Assembly, the six Chairmen of the main Committees of the Assembly and eight elected members.”

If M. Politis' proposal were accepted, another paragraph would have to be added concerning the method of electing the Vice-President.

On the suggestion of M. BASDEVANT (France), the Committee decided, for the purposes of the vote, to divide into two parts the first sub-paragraph of paragraph 1 of the Bureau's amended text for Rule 7.

M. Wellington Koo (China) said that he was prepared to vote if it were quite understood that a vote in favour of the first part of the Bureau's amended text would not mean that those who accepted it wished the number of members of the General Committee of the Assembly to be limited to fifteen.

The text proposed by the General Committee, down to the words “ main Committees of the Assembly ” was adopted unanimously.

The second part of the sentence was adopted by twenty votes to twelve.

Paragraphs 2 and 3 of the text proposed by the Bureau were adopted without modification.

Paragraph 4 of the same text was adopted with the omission of the words “ and of the other members of the General Committee who are appointed by the Assembly ”.

Rule 7 was adopted as a whole.

Rule 7(a).

The CHAIRMAN explained that the object of this rule was to give the Agenda Committee a place in the Rules of Procedure.

Rule 7(a) was adopted unanimously without modification.

On the proposal of M. POLITIS (Greece), the Committee decided that Rule 5, paragraph 3, of the Rules of Procedure should be brought into line with Rule 7(a), by the addition, after the first sentence, of a sentence worded as follows : “ The Committee shall appoint its own Chairman and Vice-Chairman ”.

Rule 7(b).

The CHAIRMAN observed that either of the resolutions proposed by the Bureau would only be adopted as an experiment.

M. HIITONEN (Finland) said that it was important that the Nominations Committee should begin its work as soon as possible after the opening of the Assembly. If it had to wait for the election of the President of the Assembly before it could function, its work would be unduly

delayed. Would it not, therefore, be better to say (in the second text proposed) that, instead of "the President of the Assembly", "the President of the Council", who was called upon to open the Assembly, who would also be entrusted with the duty of making proposals concerning the composition of the Committee in question?

M. KULSKI (Poland) proposed, instead of the seven members mentioned in the first proposal, and the nine mentioned in the second, to substitute the number eleven in both cases, to ensure more equitable representation. It would be unfortunate if candidates presented by the Nominations Committee were rejected by the Assembly.

M. VILLA MICHEL (Mexico) supported M. Kulski's proposal. It was essential that no one should be able to presume, even wrongly, that the Nominations Committee would be in a position to dictate to the Assembly.

Sir William MALKIN (United Kingdom) said that, as the Credentials Committee had to complete its task before the President of the Assembly was elected, he could not see how the second alternative proposal could work.

M. LANGE (Norway) proposed the addition of the words "and carried out by the Assembly" after the words "in Rules 5, 7 and 7(a)". He proposed this because all the elections provided for in Rules 5 and 7 were carried out by the Assembly itself. On the other hand, the Agenda and Credentials Committees elected their own Chairmen and Vice-Chairmen.

M. POLITIS (Greece) agreed with M. Lange on that point, although, in his view, it was simply a fiction to say that the main Committees elected their own Chairmen and Vice-Chairmen, because those Committees were composed of members of all the delegations to the Assembly. Consequently, whereas the small Committees were excluded, the main Committees should be included.

M. GAJARDO (Chile) thought that it should be for the President of the Council to make the proposals referred to in the first paragraph of the second alternative. For the reasons given by the Mexican delegate, he supported M. Kulski's proposal.

M. Kulski's proposal was adopted by nineteen votes to five.

The CHAIRMAN explained that Sir William Malkin's observation was correct only in theory, since, in practice, the credentials were almost always approved immediately. If any difficulty arose, the President could substitute another name later.

M. POLITIS (Greece) pointed out that, in any case, certain preliminary acts had to be accomplished. The proposed Committee could begin its work as soon as the Assembly met under the President of the Council. It would then be able immediately to nominate lists of members for the various Committees, including the Credentials Committee.

M. LANGE (Norway) admitted the force of M. Politis' arguments. He therefore withdrew his amendment concerning the insertion of the words "and carried out by the Assembly".

Mr. OFFICER (Australia) proposed the expression in the second alternative, "provisional President of the Assembly"; that would keep the terminology entirely within Assembly procedure.

M. POLITIS (Greece) observed that, while it was unnecessary in the first alternative to include the words "and carried out by the Assembly", the words "including the Chairmen of the main Committees" would have to be added after the words "Rules 5, 7 and 7(a)".

M. ADLE (Iran) wondered whether this phrase would not be in contradiction with Rule 14.

The CHAIRMAN replied that it would be a derogation from that rule.

M. HIITONEN (Finland) proposed (in the first alternative) the word "during", instead of the phrase "at the end of", though, personally, he preferred the second alternative—namely, that the Committee should be constituted at the beginning of each session of the Assembly; that was to say, at the time when all the countries would be able to make known their views through the delegates present, and when the composition of the various delegations was known and, consequently, the candidates who might be taken into consideration.

M. LANGE (Norway) agreed that no solution would be ideal. All that the present Committee could do was to weigh the disadvantages and advantages of each proposal, and choose that which embodied the fewest disadvantages.

M. POLITIS (Greece) was strongly opposed to the constitution of the Committee at the end of an Assembly, for, in such a case, the various delegations would be exposed over a long period to all that soliciting and canvassing into the unpleasantness of which there was no need to enter. It would be far better to hold the election when delegates arrived for the Assembly, just before the Assembly's work began.

M. GORGÉ (Switzerland) entirely agreed with M. Politis. He felt bound, nevertheless, to repeat that the League would probably find the drawbacks of the new system to be far greater than was at present realised.

M. PELLA (Roumania) said that, as he had been opposed to these changes from the outset, he agreed with M. Politis and M. Gorgé.

The CHAIRMAN proposed, in the second alternative, the words "for functions which carry with them a seat on the General Committee", instead of the words "the elections provided for in Rules 5, 7 and 7(a)".

The text proposed by the Chairman was adopted.

M. GORGÉ (Switzerland) asked the Committee to decide on the question whether the Nominations Committee should be constituted at the end or at the beginning of a session—that was to say, to choose between the first and second texts proposed.

Twenty-three delegations voted for the second alternative and five for the first.

The second alternative was adopted in the following form :

" 1. At the commencement of each session, the Assembly shall appoint a Committee of eleven members, whose duty shall be to nominate candidates for functions which carry with them a seat in the General Committee.

" 2. The provisional President of the Assembly shall submit proposals to it regarding the composition of this Committee.

" 3. The Members of the Assembly and the Committees shall retain the right to vote for persons other than those proposed by the above-mentioned Committee."

It was agreed that the Nominations Committee should be left to decide its own methods of procedure.

The Committee further agreed that the words "on the proposal of the President" should be deleted from paragraph 3 of Rule 5.

25. Rules of Procedure of the Assembly : Maintenance of the Rule relating to the Convocation of the Finance (Fourth) Committee of the Assembly before the Opening of the Session.

The Committee agreed that this experiment should be continued for the year 1937 (see Annex 6, Part I, page 82).¹

26. Rules of Procedure of the Assembly : Appointment of the Rapporteur to the Assembly.

On the proposal of the CHAIRMAN, M. LANGE (Norway) was appointed Rapporteur to the Assembly for this question.

27. Rules of Procedure of the Assembly : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.

The Committee decided that the simplified method of procedure should be applied to the report on this question.

28. Rules of Procedure of the Assembly : Examination and Adoption of the Draft Report of the First Committee to the Assembly.²

The Committee adopted the draft report and resolutions³ submitted by M. Lange (Norway) (Annex 6, page 82).

¹ For the text of the rule in question, see the first resolution submitted by the First Committee to the Assembly (page 83).

² The draft report is not published ; for the final text, see Annex 6, page 82.

³ The resolutions were adopted by the Assembly on October 10th, 1936.

29. **International Repression of Terrorism : Examination and Adoption of the Draft Report of the First Committee to the Assembly¹.**

M. PELLA (Roumania), Rapporteur, explained that the penultimate paragraph had been inserted to meet the wishes of the Australian delegation. Apart from that, he had only one slight addition to propose in that paragraph—namely, the words “ States which become ” before the word “ parties ” in the first line.

M. Pella's proposal was adopted.

The draft report and resolution² were adopted (Annex 7, page 84).

30. **International Repression of Terrorism : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.**

The Committee decided that the simplified method of procedure should be applied to the report on this question.

31. **Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Examination and Adoption of a Draft Resolution proposed by the Chilian Delegation.**

M. GAJARDO (Chile) said that the Chilian Government had really put forward its request on behalf of the Pan-American Union (document A.20.1936.V). As a result, however, of conversations with certain delegations, it proposed to modify its original suggestions that the League should invite States to become parties to this Convention and would instead submit the following draft resolution :

“ The Assembly,

“ Having examined the item of its agenda which relates to the Convention on Nationality, signed on December 26th, 1933, at the Conference of American States at Montevideo ;

“ Being conscious of the importance for many States of the question of naturalisation in the relation of States with one another :

“ Calls the attention of the Members of the League of Nations to the fact that the Convention of Montevideo is open to accession by all States.”

M. PARRA-PÉREZ (Venezuela) said that Venezuela had not signed this Convention and had made explicit reservations on the subject. In view, however, of the spirit of conciliation manifested in the text of the draft resolution now submitted to the Committee, the Venezuelan delegation would not oppose its adoption.

The Committee adopted the draft resolution proposed by the Chilian delegation.³

32. **Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Appointment of the Rapporteur to the Assembly : Delegation to the Rapporteur and the Bureau of the Preparation of the Report to the Assembly.**

On the proposal of the CHAIRMAN, M. GAJARDO (Chile) *was appointed Rapporteur to the Assembly for this question.*

The Committee conferred on the Rapporteur and Bureau full powers to prepare its report on this question for submission to the Assembly.³

33. **Convention on Nationality, signed on December 26th, 1933, at the Seventh International Conference of American States : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.**

The Committee decided that the simplified method of procedure should be applied to the report on this question.

34. **Close of the Session.**

After the customary thanks, the CHAIRMAN pronounced the session closed.

¹ The draft report is not published ; for the final text, see Annex 7, page 84.

² The resolution was adopted by the Assembly on October 10th, 1936.

³ For the final text of the report, see Annex 8, page 86.

ANNEX 1.

Series of Publications : 1936.V.3.

Official No. : A.9.1936.V.
[C.E.C.C.7(1).]
(Extract.)

COMPOSITION OF THE COUNCIL.

REPORT OF THE COMMITTEE APPOINTED TO STUDY THE COMPOSITION OF THE COUNCIL, ADOPTED BY THE COMMITTEE ON APRIL 28TH, 1936.

1. The Committee was set up under a resolution of the Council of September 26th, 1935,¹ for the purpose of reporting to the Council and the Assembly on two questions—namely :

(a) The question of the number of the Members of the Council, a question which was raised in 1933 in order to give satisfaction to the claims of those who have come to be known as the " non-grouped " States ; and

(b) The question of the representation of Asia on the Council, and, in particular, of the claim of China to re-enter the Council, as stated in the letter from the Chinese Government which is referred to below.

The Governments composing the Committee were represented as follows :

Argentine Republic : His Excellency M. RUIZ GUIÑAZÚ ; *Austria* : His Excellency M. Emerich PFLÜGL ; *Belgium* : M. Maurice BOURQUIN² ; *United Kingdom of Great Britain and Northern Ireland* : Viscount CRANBORNE (first and second sessions), Viscount CECIL OF CHELWOOD (third session) ; *Canada* : Dr. RIDDELL (first and third sessions), Dr. RENAUD (second session) ; *China* : His Excellency M. QUO Tai-Chi (substitute : His Excellency Dr. HOO Chi-Tsai) ; *France* : M. René MASSIGLI ; *Iran* : His Excellency M. SEPAHBODI (first session), His Excellency M. Mostafa ADLE (second session), His Excellency M. Mostafa ADLE and M. Nasrollah ENTEZAM (third session) ; *Italy* : M. Guido ROCCO ; *Latvia* : His Excellency M. Jules FELDMANS ; *Peru* : His Excellency Dr. Francisco TUDELA ; *Poland* : M. KULSKI (first session), His Excellency M. Tytus KOMARNICKI (second and third sessions) ; *Roumania* : M. N. HIOTT (first session), His Excellency M. Constantin ANTONIADE (second and third sessions) ; *Spain* : M. Juan TEIXIDOR Y SANCHEZ ; *Sweden* : His Excellency M. K. I. WESTMAN ; *Turkey* : His Excellency M. Cemal Hüsnü TARAY (first and second sessions), His Excellency M. N. SADAK (third session) ; *Union of Soviet Socialist Republics* : M. Boris STEIN (first and third sessions), M. HOERSCHELMANN (second session).

The Committee elected M. Guido Rocco (Italy) as Chairman and M. M. BOURQUIN (Belgium) as Vice-Chairman. Viscount CECIL (United Kingdom) was appointed Rapporteur.

2. The Committee has held three sessions : on September 28th, 1935 ; on January 24th, 1936 ; and on April 27th and 28th, 1936. In execution of its terms of reference, it twice (on October 1st, 1935, and again on February 13th, 1936) invited the Members of the League to send their observations and proposals to it. It received replies from the following Governments :

Union of South Africa, Argentine, Australia, Austria, Bulgaria, Colombia, Denmark, Estonia, Ethiopia, Greece, Guatemala, Haiti, Honduras, Hungary, India, Iran, Iraq, Irish Free State, Netherlands, Norway, Peru, Portugal, Spain, Union of Soviet Socialist Republics, Venezuela.

Other countries which were represented on the Committee had the opportunity of expressing their views in the course of the discussion.

3. The number of non-permanent seats on the Council which resulted from the resolutions adopted by the Council and the Assembly in 1926 is nine. Since 1928, two have always been held by the so-called " semi-permanent " Members of the Council—Spain³ and Poland⁴—and the remaining seven have been occupied by States belonging to five groups—viz., three seats by Latin-American States, one by a Little Entente State, one by a State of the group of the ex-neutrals, one by a British Dominion, and the remaining seat by an Asiatic State. The " non-grouped " States are those Members of the League which, as they do not belong to any of these groups, are not, in practice, able to secure election to the Council. A temporary remedy for this grievance was found in 1933 in the creation for three years only of a tenth non-

¹ See *Official Journal*, November 1935, page 1200.

² The representative of Belgium unfortunately met with an accident which prevented him from taking part in the work of the third session of the Committee.

³ Spain was elected on September 10th, 1928, and re-elected on September 14th, 1931, and September 17th, 1934.

⁴ Poland was elected on September 16th, 1926, and re-elected on September 9th, 1929, October 3rd, 1932, and September 16th, 1935.

permanent seat, to which one of the non-grouped States—Portugal—was elected. This measure left open the question whether a final solution should be sought in a modification of the system by which each group was entitled to one or more seats or in a permanent increase in the size of the Council. The seat in question ceases to exist at the date of this year's elections to the Council.

4. From 1926 to 1934, Asia was represented on the Council by a permanent Member—Japan—and by China (1926-1928, 1931-1934), or by Iran (1928-1931). In 1934, China failed to secure a declaration of re-eligibility and was thus disqualified for election, and Turkey was elected to the Council. In 1935, Japan ceased to be a Member of the League. In consequence of these events, the question of the representation of Asia was raised by China in the letter of May 21st, 1935, to the President of the Council.

5. After careful consideration, the Committee has been forced to recognise that the objections which, in 1933, stood in the way of a definitive solution of the questions connected with the non-permanent seats on the Council still exist, and, indeed, have become more acute. At a time when far-reaching issues have been raised as to the ultimate functions of the Council and the League itself, it seems undesirable to attempt permanent changes in the composition or mode of election of the Council. Accordingly, the Committee has sought to put forward for the two problems which have been referred to it a provisional solution which will involve the least possible immediate change in the *status quo* and will leave the maximum freedom of action in the future to the Council and the Assembly. This attitude has obliged it to pass over various suggestions, which might have been of great interest if measures of a permanent nature had seemed possible, and which contemplated fundamental changes in the group system or the method of election.

6. On the other hand, the Committee feels that it would be undesirable that a definitive solution of the problems connected with the composition of the Council should be postponed longer than is necessary. The provisional solution which it recommends is put forward, and should be adopted, on the understanding that, so soon as circumstances permit, the subject will be taken up again with a view to a final settlement.

7. Some members of the Committee maintained the view that even a provisional solution ought to be sought in a modification of the "group" system rather than in an increase of the size of the Council. In this connection, the representative of Sweden stated that, with the assent of Finland, the group of the ex-neutrals (composed of Denmark, Norway, Sweden, the Netherlands and Switzerland) agreed to take Finland into the group, and he asked if other groups would be willing to make adjustments in the same spirit. The other groups represented on the Committee did not find it possible, in present circumstances, to make a similar offer. The representative of Sweden did not concur in the Committee's proposals until this had been made clear.

8. The proposal made by the Committee, which, as already stated, is one aiming at a purely provisional solution and is subject to the observation made in paragraph 6, is that, for a limited period commencing with the elections of 1936, the number of non-permanent seats (which would otherwise once more fall to nine) shall be raised to eleven by appropriate resolutions of the Council and the Assembly acting under Article 4, paragraph 2, of the Covenant. Of the two seats which would thus be created, the Committee considers that one might provide representation for a group comprising the non-grouped European States, and that the Assembly might consider the other as attributed to Asia. The Committee was very favourably impressed by the application of China for representation on the Council at an early date and was unanimous in thinking that means should be found for acceding to this application and for doing so in 1936. It is clear that, in order to do so, the Assembly must declare China re-eligible, since she only ceased to be a Member of the Council in 1934.

9. As regards the period for which the temporary seats were to be created, the Committee decided that, if created, they must be given a provisional character, but they were not agreed as to the best method of doing this. The majority (nine members) favoured the creation of the two seats for three years, which is the normal period for membership of the Council, it being understood that, if a scheme for the reorganisation of the Council should be desired before that period ended, the existence of these seats should in no way be regarded as an obstacle to the adoption of such a scheme. The minority (five members) were of opinion that, in present circumstances, the better plan would be to create the two seats for one year only. They felt that it was desirable to propose the least possible modification of the existing position and that the adoption of a one-year period would give the greatest possible freedom of action to the Council and the Assembly in dealing with the question of the composition of the Council at an early date. This method would, at the same time, make it clear that it was the hope of the Committee that, before the end of the one-year period, a scheme for a definitive settlement would be adopted by the Council.

10. The opinion was expressed that, if the view of the minority was adopted, it would be necessary, in order to guard against possible injustice, to provide, further, that the State occupying either of the seats would not be precluded by the rule regarding re-eligibility from being re-elected to the Council at the close of its tenure of the seat, even without securing a declaration of re-eligibility.

11. One member of the Committee, having raised objections as to the desirability of taking a vote in a *comité d'étude*, abstained from voting on the question of the period for which the two seats should be created, and one member abstained from voting both on this question and on the question whether there should be a provisional increase in the size of the Council.

ANNEX 2.

Official No. : A.48.1936.

COMPOSITION OF THE COUNCIL.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. Henri ROLIN (Belgium).

1. By a resolution of September 26th, 1935,¹ the Council set up a Committee to report to the Council and to the Assembly upon two questions, namely :

(a) The question of the number of the Members of the Council, having regard to the position of States which do not belong to any group ;

(b) The question of the representation of the Far East, raised by the claim of China.

2. The Committee reported in favour of the maintenance of the seat provisionally created in 1933, for the purpose of affording representation to States which do not belong to any group, and in favour of the creation of an additional seat attributed to Asia and, in present circumstances, to China.

3. The First Committee accepted this proposal, although some delegations did so in a spirit of resignation. The claim of China regarding the representation of the Far East was very favourably received and, as in previous years, several delegations laid stress on the importance which they attached to adequate representation of the group to which they belonged ; a large number of delegates of South America, the Little Entente, the so-called group of ex-neutrals, and the group of the non-grouped States spoke in this sense ; a like aspiration was expressed with special insistence by the delegates of the States of the Near East. On the other hand, the delegate of Sweden recalled to mind that, with a view to facilitating the settlement of the question, the " ex-neutrals " had invited Finland to come to an understanding with them regarding the filling of one seat.

At the same time, however, the opinion was expressed by certain delegations that such an increase in the number of elected Members of the Council made its working more difficult and had, in fact, already had the consequence of reducing the influence which the elected Members could hope to exercise upon the Council's deliberations.

4. The remark was accordingly made, as a contribution to the final solution of the problem, that the legitimate desire of States to participate in the discussion of questions which are of interest for them, even if the interest is only indirect, might be satisfied by a wider application of Article 4, paragraph 5, of the Covenant, which provides for the admission of *ad hoc* representatives of States whose interests are affected and which would otherwise not be represented.

In this connection, the suggestion was, for example, put forward that, where political difficulties had to be dealt with, representatives of States whose territories are coterminous with those of the parties might be invited to sit. This method would provide a Council which, when sitting in its normal composition, would be small in numbers and which, on exceptional occasions, would be sensibly larger but at the same time have a membership calculated to give it a particularly high degree of authority.

5. The First Committee finally decided to support the proposals of the special Committee, but at the same time to express the desire to see appointed by the Council, so soon as circumstances should permit, a committee of experts which would put forward a final solution of the problem.

6. On one point the special Committee was not unanimous. Whereas the majority thought that the period of appointment to the two new seats ought to have the normal duration of three years, the minority would have preferred to see the appointment limited to one year, in order to avoid delaying the attainment of a final solution.

7. The First Committee has agreed with the opinion of the majority. It saw serious objections in placing on the Council Members whose situation would be inferior to that of their colleagues. It believed, further, that the proposal of the majority of the special Committee could not in any way retard the investigation which is called for, since the committee of experts would evidently have to take account, in any proposals which it made, of the possibility that an arrangement would be necessary in order to enable States represented on the Council to serve out their terms of office.

¹ See *Official Journal*, November 1935, page 1200.

8. If the Assembly shares the views of the First Committee, it will vote the proposals presented by it, which will then be submitted to the Council. If the Council also concurs, it will be for it to take, under Article 4, paragraph 2, of the Covenant, a decision which will then be confirmed by the Assembly before the elections are held.

9. The First Committee has the honour to submit to the Assembly the following resolution :

DRAFT RESOLUTION.

" The Assembly,

" Having considered the report of the Committee appointed to study the composition of the Council :

" Approves the recommendation of the Committee for the provisional creation of two new non-permanent seats on the Council and, accordingly, declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936, and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council should be provisionally increased to eleven ;

" And considering that, in the opinion of the Committee appointed to study the composition of the Council, with which the Assembly agrees, ' it would be undesirable that a definitive solution of the problems connected with the composition of the Council should be postponed longer than is necessary ' :

" Recommends that, so soon as circumstances permit, the Council will appoint and convene a small committee of experts to draw up proposals on the subject.

" The Assembly instructs the Secretary-General to bring this resolution to the attention of the Council."

(Adopted by the Assembly on October 1st, 1936.)

ANNEX 3.

Official No. : A.42.1936.V.

PERMANENT COURT OF INTERNATIONAL JUSTICE :
PROPOSALS OF THE COUNCIL CONCERNING THE ELECTION
OF MEMBERS OF THE COURT.

The Secretary-General has the honour to communicate to the Assembly in the present document a report which was made to the Council by its Rapporteur, the representative of Denmark, on September 25th, 1936,¹ and two resolutions which were adopted by the Council on that date. These resolutions contain proposals made by the Council to the Assembly on the following subjects :

I. Method of conducting the elections to the three vacancies resulting from the death of M. Schücking and the resignations of Mr. F. B. Kellogg and M. Wang Chung-Hui ;

II. The participation in the election of members of the Court of States which are not members of the League but are parties to the Statute of the Court.

Three States are in this position—namely, Brazil, Germany and Japan. The relevant provision of the revised Statute of the Court is the third paragraph of Article 4, which reads as follows :

" The conditions under which a State which has accepted the Statute of the Court but is not a member of the League of Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the Assembly on the proposal of the Council."

The second report of the Committee of Jurists, to which reference is made in the Rapporteur's statement, is annexed to the present document.

REPORT BY THE REPRESENTATIVE OF DENMARK.

The Council has before it a second report from the Committee of Jurists appointed by it on May 11th, 1936. The report has also been circulated to the Members of the League.

I.

The Committee deals, in the first place, with the method by which the elections to the three vacancies which existed when it was drawn up should be conducted. It considers that

¹ See *Official Journal*, November 1936, page 1155.

there should be two elections—one by *scrutin de liste*, for the two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg, and the other for the vacancy caused by the resignation of M. Wang. At each election, only the candidates who were nominated for the seats in question would be eligible.

Subject to the concurrence of the Assembly, I propose that this method should be adopted.

II.

In the second place, the report gives us the Committee's opinion as to the application of the last paragraph of Article 4 of the revised Statute of the Court. This paragraph provides that :

“ The conditions under which a State which has accepted the Statute of the Court but is not a member of the League of Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the Assembly on the proposal of the Council.”

This provision at present affects three States—viz. : Germany, Brazil and Japan.

The Committee has communicated to the Council in the Appendix to its report the information which it has received as to the attitude of two of the States in question—namely, Brazil and Japan : it has also mentioned in its report some of the reasons why these States consider that they should vote in the Council as well as in the Assembly. The Committee did not feel it to be within its competence to deal with the considerations thus invoked.

The Committee recommends that States in the situation described should be considered as entitled to vote in the Assembly if they ask to do so. They would not vote in the Council, unless they asked to do so, and their request was approved by the Assembly by a prescribed majority.

It would seem that the Council might at once propose that the Assembly agree to the principle of according a vote in the Assembly in accordance with the recommendation of the jurists.

On the other hand, according to the information which I have, it would, at the present moment, be difficult to secure agreement as to the final settlement of the question of a vote in the Council. In these circumstances, it appears desirable to propose to the Assembly a provisional solution which would not prejudice any question of principle and would affect only the three above-mentioned States. Those States, on addressing a request to that effect to the Secretary-General, would be admitted to participate in the voting in the Council at all elections anterior to a prescribed date, which might be January 1st, 1940.

The Council would, in due course, make proposals to the Assembly with reference to subsequent elections.

* * *

These suggestions are developed in detail in the two resolutions below.

RESOLUTIONS ADOPTED BY THE COUNCIL ON SEPTEMBER 25TH, 1936.

I.

The Council :

Proposes to the Assembly that the two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates nominated for those seats shall alone be eligible, and that there shall be a separate election to fill the seat vacated by M. Wang at which only the candidates nominated for that seat shall be eligible.

II.

The Council,

Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice :

(1) Proposes that the Assembly decide that, if a State which is not a member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly ;

(2) Further proposes that the Assembly decide, as a provisional measure and without prejudging any question of principle, that at any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not members of the League but are parties to the Statute of the Court, shall, if they notify their desire to do so to the Secretary-General, also be admitted to vote in the Council ;

And reserves the right to make subsequently to the Assembly a proposal regarding participation in the voting in the Council at elections of members of the Court which occur after January 1st, 1940 ;

(3) The Secretary-General would be instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not members of the League of Nations to participate in the elections.

Appendix.

C.293.M.178.1936.V.

Geneva, July 11th, 1936.

SECOND REPORT FROM THE COMMITTEE OF JURISTS TO THE COUNCIL.

In continuation of its report of May 13th, 1936,¹ the Committee² begs to give the following opinion upon the two questions which remained for it to consider :

A. METHOD OF ELECTION TO THE THREE VACANT SEATS.

Invitations to nominate candidates have been sent to the national groups on two separate occasions, with the result that they have been called upon to make two series of nominations. The first nominations, which have already been effected, relate to the seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg. The second series of nominations, which is now in process, will relate to the seat vacated by the resignation of M. Wang Chung-Hui.

It would seem to follow that, on the present occasion, two separate elections should take place. There will be one election by *scrutin de liste*, at which the two seats for which the first series of nominations was made will be filled from among the candidates on the list resulting from those nominations. There will be a second election for the third seat only, at which only the candidates nominated for that seat will be eligible.

B. PARTICIPATION IN THE ELECTION OF THE JUDGES OF A STATE WHICH IS NOT A MEMBER OF THE LEAGUE BUT IS A PARTY TO THE STATUTE OF THE COURT.

Article 4, paragraph 3, of the Statute of the Court provides :

“ The conditions under which a State which has accepted the Statute of the Court, but is not a member of the League of Nations, may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the Assembly on the proposal of the Council.”

Under the first paragraph of this article, the judges are elected by the Assembly and the Council. Participation in the election may thus relate to each of these two organs.

The Committee is of opinion that the Council, in exercise of the power given to it by Article 4, paragraph 3, of the Statute, might propose to the Assembly the following rules :

1. If a State which is not a member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in an election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly.
2. If the State indicates that it wishes also to vote in the Council, the Assembly, by a two-thirds majority, shall decide whether at the election in question the State shall also be admitted to vote in the Council.
3. The Secretary-General shall for each election take the necessary measures to allow States which, though parties to the Statute of the Court, are not members of the League of Nations, to give sufficiently early notification of their desire to participate and be able to participate in the election.

These rules would naturally apply only if the Assembly did not find itself in presence of a special agreement regulating the matter. At the present moment, no such agreements exist, since the protocol concerning the United States of America has not come into force.

A member of the Committee expressed the view that the Assembly's decision to confer the right to vote in the Council on a particular State should be taken once and for all, so as to give the right to vote in the Council at all subsequent elections, and not merely at a particular election as proposed in the present report. The latter system seemed preferable, since it leaves to a State which has not been given a vote in the Council at a particular election the possibility of having such a vote at subsequent elections.

* * *

For the information of the Council there are appended hereto two communications from the Governments of Brazil and Japan respectively. They are due to the Secretary-General's having asked the Governments of Brazil, Germany and Japan to be so good as to make known their point of view for the information of the Committee of Jurists.

¹ For the text of this report see *Official Journal*, June 1936, page 556.

² The members of the Committee were : M. Basdevant (France), M. Gajardo (Chile), M. Kulski (Poland), Sir William Malkin (United Kingdom), M. López Oliván (Spain), M. Perassi (Italy). M. Perassi did not attend any of the meetings of the Committee.

These communications were amplified by oral explanations from M. Muniz, Consul-General of Brazil, and M. Kiuchi, Consul-General *ad interim* of Japan. Each laid stress on the attachment of his country to the Permanent Court of International Justice. M. Muniz, in an interview with the Committee, referred more particularly to the fact that it was Brazil which originally secured the adoption of the *optional clause*.

Having a technical task to perform, the Committee did not feel that it was within its competence to deal either with these considerations or with other considerations of expediency which may exist in regard to particular States. The Council, if it sees fit, will be able to take account of them in the proposals which it has to make to the Assembly under Article 4, paragraph 3, of the Statute. The procedure recommended above is, moreover, in any case such as to make it always possible to take such considerations into account.

Sub-Appendix.

NOTE VERBALE TO THE SECRETARY-GENERAL FROM THE CONSUL-GENERAL OF BRAZIL,
DATED JUNE 24TH, 1936.

[Translation.]

The Consul-General of Brazil at Geneva has the honour to make the following communication to the Secretary-General of the League of Nations :

As provided in the last paragraph of Article 4 of the new Statute of the Permanent Court of International Justice, the Assembly of the League of Nations, on the proposal of the Council, has to lay down the conditions under which States which are not members of the League but are parties to the Statute of the Court may participate in electing the members of the Court.

Brazil, which has already accepted the new Statute, desires that when considering the procedure to be followed for the application of the last paragraph of Article 4 of the new Statute of the Court, the Council will be so good as to admit Brazil to participate in the election of the judges, not merely in the Assembly, but also in the Council.

LETTER TO THE SECRETARY-GENERAL FROM THE CONSUL-GENERAL AD INTERIM OF JAPAN,
DATED JUNE 29TH, 1936.

[Translation.]

In reply to your letter of June 10th, 1936, regarding Article 4, paragraph 3, of the revised Statute of the Permanent Court of International Justice, I have the honour, on instructions from my Government, to make you the following communication :

Since States which are not members of the League are included among the parties to the Court's Statute, the Japanese Government considers that it would be appropriate that the judges should be elected by an *ad hoc* electoral body not forming part of the League of Nations. In its view it would be desirable that the Statute should be amended in this sense.

Under present conditions, the Japanese Government considers that the situation which it should have as regards participation in the elections should be one which would not be inferior either to that which the signatories of the Court's Statute contemplated conferring on a certain non-member State or to the most favourable treatment which either the Assembly, in application of the present Statute, or the signatories of the Court's Statute, may accord to any other non-member State.

(Signed) Yoshitane KIUCHI,
Consul-General of Japan
ad interim.

ANNEX 4.

Official No. : A.49.1936.V.

PERMANENT COURT OF INTERNATIONAL JUSTICE :

- I. METHOD OF ELECTION TO THE THREE VACANT SEATS ;
II. PARTICIPATION IN THE ELECTION OF THE JUDGES
OF A STATE WHICH IS NOT A MEMBER OF THE LEAGUE
BUT IS A PARTY TO THE STATUTE OF THE COURT.
-

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency M. CAIERO DA MATTA (Portugal).

The Assembly referred two questions to the First Committee :

- I. That of the method of election to the seats on the Permanent Court of International Justice which were occupied by Mr. Kellogg, M. Schücking and M. Wang ; and
II. The question of the participation in the election of members of the Court of States which have accepted the Statute of the Court but are not members of the League of Nations.

The considerations and proposals which the Committee feels it should present to the Assembly on these two points are as follows :

I. METHOD OF ELECTION TO THE THREE SEATS.

The suggestion was made in the First Committee that the vacant seats might be filled by a single election by *scrutin de liste* for the whole of the three seats together, all the candidates presented by the national groups being eligible for any seat.

A comprehensive discussion took place on this point. Many delegations maintained that it would be more in conformity with the spirit of the Court's Statute for all three seats to be filled at a single election. Other delegations were of the contrary opinion and supported the system recommended in the Council's resolution of September 25th, 1936. Ultimately, by 16 votes to 10, the Committee pronounced in favour of this system.

Accordingly, the Committee submits to the Assembly the following draft resolution :

Draft Resolution.

" The Assembly, in agreement with the proposal of the Council, decides as follows :

" The two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates nominated for those seats shall alone be eligible, and there shall be a separate election to fill the seat vacated by M. Wang, at which only the candidates nominated for that seat shall be eligible."

(Adopted by the Assembly on October 3rd, 1936.)

II. PARTICIPATION IN THE ELECTION OF THE JUDGES OF STATES WHICH ARE PARTIES TO THE STATUTE OF THE COURT BUT ARE NOT MEMBERS OF THE LEAGUE OF NATIONS.

In pursuance of the provisions of Article 4 of the Court's Statute, the Council, by its resolution of September 25th, 1936, submitted to the Assembly proposals as to the conditions which the Assembly should lay down for the participation of States in the position above described in the elections.

According to the Council's proposals, those States should be admitted automatically to vote in the Assembly, but as regards participation in voting in the Council, it would be desirable, as a provisional measure and without prejudging any question of principle, to give a vote in the Council to Germany, Brazil and Japan at all elections anterior to January 1st, 1940.

Some members of the First Committee, without formally presenting counter-proposals, made objections to this system, urging, for example, that the system would be contrary to the principle of equality between States in that it involves a distinction between States, all States voting in the Assembly but only some voting in the Council.

In reply to these objections, it was argued that Article 4 obliges the Assembly to take a decision ; that in present circumstances, the Assembly could not reach a decision without taking account of the political requirements which led the Council to make the proposals of its resolution of September 25th, 1936, and that, moreover, the Council's proposals, so far as they deal with the disputed point—namely, the voting in the Council—have a purely provisional character.

The First Committee accepted the Council's proposals. It submits the following draft resolution to the Assembly :

Draft Resolution.

" The Assembly,

" Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice ;

" Having regard to the proposal of the Council :

" Decides that :

" (1) If a State which is not a member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly ;

" (2) At any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not members of the League but are parties to the Statute of the Court, if they notify their desire to do so to the Secretary-General, shall, as a provisional measure and without prejudging any question of principle, also be admitted to vote in the Council ;

" (3) The Secretary-General is instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not members of the League of Nations to participate in the elections."

(Adopted by the Assembly on October 3rd, 1936.)

ANNEX 5.

Official No. : A.69.1935.V.

RULES OF PROCEDURE OF THE ASSEMBLY.

PROPOSED AMENDMENTS ADJOURNED BY THE ASSEMBLY IN 1935
FOR DISCUSSION AT THE ORDINARY SESSION IN 1936.

A. DRAFT AMENDMENTS DRAWN UP BY THE SECRETARIAT (document A.49.1935.V).

Rule 7.

Present Text.

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.

Draft Amended Text.

1. The officers of the Assembly shall consist of a President, of . . . Vice-Presidents, and of the Chairmen of the main Committees provided for by Rule 14 and of the Agenda Committee, together with the first delegate of each of the permanent Members of the Council.

The Assembly may decide to elect to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members.

No change.

No change.

No change.

Rule 7a (New).

1. An Agenda Committee shall be set up at the beginning of each session. It shall consist of seven members, who shall be appointed by the Assembly on the nomination of the President.
2. The Committee shall elect its own Chairman.
3. The Committee shall consider applications for the inclusion of new questions in the agenda of the Assembly, and shall report to the Assembly thereon.
4. Proposals for the mere reference to one of the main Committees of portions of the Report on the Work of the League shall be decided upon by the Assembly without previous reference to the Agenda Committee.

B. DRAFT AMENDMENTS PROPOSED BY THE FRENCH DELEGATION.

Rule 7.

1. The General Committee of the Assembly shall consist of a President and of Vice-Presidents, together with the Chairmen of the main Committees of the Assembly and of the Agenda Committee, who shall be *ex officio* Vice-Presidents of the Assembly.
The first delegate of each permanent Member of the Council, which is not already represented in some other manner, shall be *ex officio* a member of the General Committee.
The Assembly may decide to elect to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members.

C. DRAFT AMENDMENTS PROPOSED BY THE NORWEGIAN DELEGATION.

Rule 7b.

1. At the end of each ordinary session, the Assembly shall appoint a committee of seven members whose duty shall be to nominate at the next ordinary session candidates for the elections provided for in Rules (5), 7 and 7a.
2. In the election of this committee, the voting-tickets shall be inscribed: "First delegate of . . .", and not with the names of persons.
3. The Committee for nomination of candidates shall meet two days before the opening of each ordinary session of the Assembly. It shall receive all proposals for or nominations of candidates and draw up in its absolute discretion lists of candidates for each of the elections above mentioned. These lists shall contain (at least) twice as many names as there are posts to be filled.
4. The Members of the Assembly shall retain the right to vote for persons other than those proposed by the committee.

ANNEX 6.

Official No. : A.75.1936.V.

RULES OF PROCEDURE OF THE ASSEMBLY.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : Dr. LANGE (Norway).

The First Committee has the honour to present the following report on the questions regarding amendment of the Rules of Procedure which were submitted to it :

I. MAINTENANCE OF THE RULE RELATING TO THE CONVOCATION OF THE FINANCE (FOURTH) COMMITTEE OF THE ASSEMBLY BEFORE THE OPENING OF THE SESSION.

This rule has been in force as an experiment in the year 1934 under the Assembly's resolution of October 11th, 1933, and in the present year under a resolution of September 24th, 1935. It will expire if not maintained by an express decision of the Assembly.
The rule has not been applied in practice.

The First Committee considers that the experiment might be continued for a further period of one year and submits a draft resolution in this sense to the Assembly (resolution I below).

II. PROPOSED AMENDMENTS REGARDING THE COMPOSITION OF THE GENERAL COMMITTEE, THE INSERTION OF A PROVISION REGARDING THE AGENDA COMMITTEE AND THE CREATION OF A NOMINATIONS COMMITTEE.

1. The question of the composition of the General Committee, which was raised by that Committee itself last year, is one of great importance for the proper working of the Assembly, and naturally gave rise to a comprehensive discussion in which a certain diversity of views became evident. The First Committee, by twenty votes to twelve, pronounced in favour of the following solution :

The General Committee of the Assembly shall consist of the President of the Assembly, eight Vice-Presidents and the Chairmen of the main Committees of the Assembly, the Agenda Committee and the Committee for the examination of the full powers.

The Assembly may decide to add to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members.

No other change is proposed in Rule 7.

2. The proposal to establish a committee to nominate candidates for important appointments in connection with the Assembly, which had been made last year by the Norwegian delegation, also gave rise to a very full discussion. Whereas some delegations were strongly in favour of establishing such a committee, others feared that the disadvantages of the change might, in practice, outweigh the advantages. Agreement was reached that some such system should be put into operation as an experiment for a period not exceeding three years. The system which the Committee, by twenty-three votes to five, ultimately decided to recommend to the Assembly is one under which the Nominations Committee is elected at the beginning of the session on the proposal of the President of the Council, acting in his capacity of provisional President of the Assembly. The Committee will make nominations for all offices which carry with them a seat on the Bureau.

3. The Committee was unanimously in favour of providing expressly in the Rules of Procedure for the establishment and functioning of the Agenda Committee.

The Committee's attention was called to the fact that, whereas the text which it adopted in regard to the Agenda Committee contains provision for the appointment of a Vice-Chairman, no such provision existed as regards the Credentials Committee (Rule 5, paragraph 3). It proposes that such a provision shall be inserted in the Regulations.

4. Draft resolutions in accordance with the above decisions of the Committee are set out below (resolutions II and III).

DRAFT RESOLUTIONS.

I.

"The Assembly decides that the rule relating to the convening of the Finance (Fourth) Committee, established as an experiment by the Assembly's resolution of October 11th, 1933, shall be maintained for the session of 1937—namely :

" ' The President of the Council, after consulting the Chairman of the Supervisory Commission, may convene the Finance Committee for a date preceding by not more than one week the first meeting of the ordinary session of the Assembly. The Committee shall be composed of the representatives accredited for the purpose by the Members of the League. It shall appoint its Chairman, who shall thereby become a member of the General Committee of the Assembly under the terms of Rule 7 of the Rules of Procedure. The establishment of the Committee shall be reported to the Assembly at the first plenary meeting of the Assembly.' "

II.

"The Assembly decides to amend its Rules of Procedure as follows :

" (1) Paragraph 3 of Rule 5 is amended to read as follows :

" ' 3. A Committee of nine members for the examination of the full powers shall be elected by the Assembly on the proposal of the President. The Committee shall appoint its own Chairman and Vice-Chairman. It shall report without delay.' "

" (2) Paragraph 1 of Rule 7 is amended to read as follows :

" ' 1. The General Committee of the Assembly shall consist of the President of the Assembly, eight Vice-Presidents and the Chairmen of the main Committees of the

Assembly, the Agenda Committee and the Committee for the examination of the full powers.

“ The Assembly may decide to add to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members.’

“ Paragraphs 2, 3 and 4 remain unchanged.

“ (3) A new rule, numbered 7(a), is inserted, reading as follows :

“ 1. An Agenda Committee shall be set up at the beginning of each session. It shall consist of seven members, who shall be appointed by the Assembly on the nomination of the President.

“ 2. The Committee shall elect its own Chairman and Vice-Chairman.

“ 3. The Committee shall consider applications for the inclusion of new questions in the agenda of the Assembly, and shall report to the Assembly thereon.

“ 4. Proposals for the mere reference to one of the main Committees of portions of the Report on the Work of the League shall be decided upon by the Assembly without previous reference to the Agenda Committee.’ ”

III.

“ The Assembly adopts as an experiment the following procedure which, unless otherwise decided in the interval, shall have effect down to the termination of the ordinary session of 1939 :

“ Rule 7(b).

“ 1. At the commencement of each session, the Assembly shall appoint a committee of eleven members whose duty shall be to nominate candidates for functions which carry with them a seat on the General Committee.

“ 2. The provisional President of the Assembly shall submit proposals to it regarding the composition of this Committee.

“ 3. The Members of the Assembly and the Committees shall retain the right to vote for persons other than those proposed by the above-mentioned Committee.’ ”

(Adopted by the Assembly on October 10th, 1936.)

ANNEX 7.

Official No. : A.72.1936.V.

INTERNATIONAL REPRESSION OF TERRORISM.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency Professor V. V. PELLA (Roumania).

The First Committee, which was entrusted by the Assembly with the study of the second report adopted in January 1936 by the Committee for the International Repression of Terrorism, and of the two draft Conventions annexed thereto, held a general discussion on the draft Conventions.

The First Committee was called upon to take a decision on a basic question—namely, the urgent necessity for an international agreement for the prevention and punishment of terrorism.

In view of the complexity of the problem, certain delegations considered it preferable for the Assembly not to take a decision this year as to the advisability of holding a diplomatic conference to conclude such an agreement but to confine itself purely and simply to referring the drafts to the Committee of Jurists for revision in the light of the observations submitted by Governments and the deliberations of the First Committee.

While recognising the necessity for revision of the drafts by the Committee in the light of the observations to be found in the replies from Governments or formulated during the discussions, the First Committee considered that the holding of a diplomatic conference should not be too long delayed. The serious complications to which acts of terrorism may give rise show how urgent it is to conclude an international agreement on the matter.

Starting from the principle that it is the duty of every State to abstain from all intervention in the political life of a foreign State, the First Committee deemed it expedient itself to indicate in the resolution set out below the main purpose of a convention for the prevention and punishment of terrorism.

Proposals were submitted with a view to the definition or specific enumeration of acts of terrorism, so as to avoid difficulties in regard to the interpretation or application of the Convention. The First Committee considered that it was for the Committee of Jurists and the diplomatic conference to find the appropriate formulas.

Certain delegations proposed that the punishment of persons instigating acts of terrorism should also be expressly provided for. While recognising the importance of this problem, particularly when the instigator does not reside in the territory of the same State as the perpetrator of the act, the First Committee considered that the task of framing provisions for the punishment of such acts, which, moreover, are covered by the draft prepared by the Committee of Jurists, should be left to that Committee.

The penultimate paragraph of the draft resolution as adopted by the First Committee summarises the main features of the discussion which took place regarding the proposal to create an international criminal court.

In order to avoid any misunderstanding regarding the effect of the acceptance by a certain number of States of the principle of the second proposed Convention relating to the creation of an international criminal court, the First Committee was unanimously of opinion that this acceptance must not and cannot in any way affect the position of other States which are unable to accept the principle of such a court.

The States which become parties to a convention for the creation of an international criminal court will not be able to take advantage of the existence of this court in their relations with States which are only parties to the first convention,—*i.e.*, that for the prevention and punishment of terrorism.

On behalf of the First Committee, I request the Assembly to be good enough to adopt the present report and the following draft resolution :

DRAFT RESOLUTION.

“ The Assembly,

“ Having taken cognisance of the second report of the Committee for the International Repression of Terrorism and of the two draft Conventions annexed thereto ;

“ Recognising the utility for the consolidation of peace of the conclusion of a convention for the prevention and punishment of terrorism ;

“ Considering, however, that the replies of the Governments regarding the draft drawn up by the Committee and the discussions in the First Committee have shown that certain Governments feel doubts which it is desirable to remove :

“ Expresses the view that the contemplated convention, founding itself upon the principle that it is the duty of every State to abstain from any intervention in the political life of a foreign State, should have as its principal objects :

“ (1) To prohibit any form of preparation or execution of terrorist outrages upon the life or liberty of persons taking part in the work of foreign public authorities and services ;

“ (2) To ensure the effective prevention of such outrages and, in particular, to establish collaboration to facilitate early discovery of preparations for such outrages ;

“ (3) To ensure punishment of attacks of a terrorist character in the strict sense of the word which have an international character either in virtue of the place in which preparations for them were made or the place in which they were carried out, or in virtue of the nationality of those participating in them or their victims ;

“ Notes that certain Governments have disputed the advisability of creating an international criminal court, but that the trial of persons guilty of such attacks by such a court is felt by other Governments to constitute an alternative which, in certain cases, would be preferable to extradition or to prosecution, and that on this ground the second convention has been regarded by the latter Governments as valuable, even if it is not capable of securing general acceptance ;

“ Recommends that the Committee revise its conclusions regarding its two drafts in the light of the observations to be found in the Governments' replies or formulated in the course of the debates, in order that the Council may convene a diplomatic conference in 1937.”

(Adopted by the Assembly on October 10th, 1936.)

ANNEX 8.

Official No. : A.74.1936.V.

CONVENTION ON NATIONALITY, SIGNED ON DECEMBER
26TH, 1933, AT THE SEVENTH INTERNATIONAL
CONFERENCE OF AMERICAN STATES.

REPORT SUBMITTED BY THE FIRST COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. GAJARDO (Chile).

By a letter of August 3rd, 1936,¹ the Government of Chile called the Assembly's attention to the Convention on Nationality which was signed on December 26th, 1933, at Montevideo during the Seventh International Conference of American States, the purpose of which is to regularise the situation of nationals of one country who become naturalised in another country.

The First Committee was in agreement to propose that the Assembly, in view of the importance of the question of naturalisation in the relations of States with one another, should call the attention of the Members of the League to the possible interest which the fact that the Convention in question is open to accession by all States may possess for them.

Accordingly, the First Committee, on the proposal of the representative of Chile, submits the following draft resolution to the Assembly :

“ The Assembly,

“ Having examined the item of its agenda which relates to the Convention on Nationality signed on December 26th, 1933, at the Conference of American States at Montevideo ;

“ Being conscious of the importance for many States of the question of naturalisation in the relations of States with one another :

“ Calls the attention of the Members of the League of Nations to the fact that the Convention of Montevideo is open to accession by all States.”

(Adopted by the Assembly on October 10th, 1936.)

¹ Reproduced in document A.20.1936.V.

INDEX

ABBREVIATIONS

Ass. = Assembly
 Conf. = Conference
 Conv. = Convention
 Cttee. = Committee

Govt. = Government
 Int. = International
 Resol. = Resolution

	Page		Page
Agenda Committee of Assembly		Council of League (continued)	
Provision concerning	62, 69, 82 (text), 84	European States, non-grouped : representation	17, 19
Agenda of First Committee		Near East, representation	15, 18, 19, 20
<i>See under</i> First Committee		Non-member States, representation in case of disputes	21
Asia		Permanent members, inclusion on the General Cttee.	65, 66, 67
Representation on the Council, proposals and discussion	11, 12-13, 17, 18, 19, 20, 74, 75	Resolutions, <i>see under subjects concerned</i>	
Assembly of the League		Smaller States, representation	13, 15
Committees, <i>see that title</i>		Term of office of members	12, 13, 16
President		Counterfeiting Currency, Conv. for Suppression of	
Choice of members of General Cttee. by, proposed	63, 65, 67-8	Provisions for extradition under	46
Rules of Procedure, <i>see</i> Procedure, etc.		Court of Int. Justice, Permanent	
Vice-Presidents, increase in number proposed and their representation on the General Cttee.	65, 68, 69	Accession of U.S.A. to, Protocol on	78
Brazil		Election of members	
Right to elect members of the Court		Candidates for	
Communication from Govt., 78, 79 (text)		Method of nominating	22
Discussion	25, 26, 28, 76, 77, 80, 81	Qualifications	23
Chairman of First Committee		Difference between open election and election to seats vacated	22
<i>See under</i> First Committee		Method of election to three vacant seats	
China		Cttee. of Jurists, recommendations and report	22, 23, 76-9
Representation on the Council, claim for and discussion	11-12, 13, 15, 16, 18, 20, 21, 73, 74, 75	Council resol.	22 (text), 24, 76, 77
Committees of the Assembly		Discussion	22-34
Agenda Cttee., <i>see that title</i>		Rapporteur, election	28
Credentials Cttee., <i>see that title</i>		Report and resol. of the First Cttee. to the Assembly	27-8, 34, 80-1
First Cttee., <i>see that title</i>		Participation in election of judges of a State which is not a Member of the League, but is a party to the Statute of the Court	
Fourth Cttee., <i>see that title</i>		Committee of Jurists, recommendations and report	77, 78-9
General Cttee., <i>see that title</i>		Communications from Govts. of	
Nominations Cttee., <i>see that title</i>		Brazil and Japan	78-9
Conf. of American States (1933)		Council resol.	25 (text), 27, 77
Conv. adopted by, <i>see under</i> Nationality		Discussion	25-7
Council of League		Rapporteur, election	28
Asia, representation on ; discussion	11, 12-13, 17, 18, 19, 20, 74, 75	Report and resol. of First Cttee. to the Ass.	28, 34, 80-1
China, claim for representation	11-12, 13, 15, 16, 18, 20, 21, 73, 74, 75	Provisions in Court statute conc.	23
Composition of,		Right of Ass. to admit by two-thirds majority, a State to vote in the Council	25, 26
Discussion	10-21	Statute	
General principles governing	13	Article 4	27, 78, 79
Group system	14, 18, 19, 20, 73, 74, 75	Article 9	23
Increase in number of non-permanent seats	11, 13, 16-17, 74-75	Article 14	23
Rapporteur, election	17	Covenant of League	
Report of the First Cttee.		Article 4, extension	21
Examination and adoption	18-21	Article 5, interpretation	14
Procedure for adoption by Assembly	17	Credentials Committee of the Assembly	
Text	75-6	Chairman, admission to the General Cttee.	68
Resol., examination and adoption	14, 16-17, 76	Crimes, Political	
Special Cttee. to study the composition of the Council		Definition	43, 45
Appointment and convening by the Council	18, 21, 76	Criminal Court, Int.	
Composition	73	Creation of, <i>see under</i> Terrorism	
Inclusion of question in agenda of the First Cttee.	10	Criminal Law, Int. Bureau for Unification of	
Report of	11, 18, 73-5 (text)	Enquiries into repression of terrorism	29

Page	Page
Criminal Police Commission	Nominations Committee of Assembly
Collaboration with Cttee. on repression of terrorism	Discussion 62, 64, 66, 67, 69-71
29	Method of application of States for re- presentation on, proposal 66
Extradition	Norwegian proposals 82 (<i>text</i>)
for Political crimes, <i>see under</i> Terror- ism, etc.	Report and resol. of the First Cttee. 84
Provisions for, in Conv. on Counterfeit Currency	Rule concerning, text and adoption 71
46	Passports
First Committee	Use of forged passports by terrorists 29
Agenda, text and adoption 9, 10	President of Assembly
Chairman 6	<i>See under</i> Assembly
Close of session 72	Procedure of Assembly
Members 6-8	Rapporteur, appointment 71
Publicity of meetings 10	Resol. and report
Reports and resolutions, <i>see under</i> <i>subjects concerned</i>	Procedure for adoption by the Ass. Text 71
Vice-Chairman, election 10	Rule 5, to be brought into line with rule 7a 69
Fourth Committee	Rule 7, amendment to
Convocation before opening of the Assembly 71, 82	Adoption by Cttee. 69
General Committee of the Assembly	Discussion 63-71
Election of members	Report of the First Cttee. 82-4
Present method of 62-3	Texts 81-82
French proposal 82	<i>See also</i> General Cttee.
Norwegian proposals 63, 65, 66, 67	Rule 7(a), <i>see</i> Agenda Cttee.
Functions 63	Rule 7(b), <i>see</i> Nominations Cttee.
Increase in composition : proposed amendments to Rule 7 of Rules of Procedure	Terrorism, International Repression of
Discussion 62-71	Civil war, exclusion from operation of conv. 30-1, 38
Report and resol. of the First Cttee. Procedure for adoption by As- sembly 71	Collaboration of int. organisations 29
Text 83, 83-4	Cttee. of Experts
Text of amendment 81	Activities and proposals 29-30, 36, 47
Inclusion of great Powers permanent members of the Council 65, 66, 67	Appointment 29, 36
Political character 64	Further work 41, 43, 53, 54, 84
Germany	Conference, diplomatic
Right to elect members of the Court 25, 26, 28, 76, 77, 80, 81	Proposals and discussion 30, 35, 37, 39, 40, 41, 42, 43, 44, 48, 50, 52, 53, 56
Institute of International Law	Request for credits for 56
Rule of elimination laid down by 45	Convention, draft, for Prevention and Punishment of Terrorism
Japan	Council resol. 35-6
Right to elect members of the Court	Discussion 28-33, 34-49
Communication from Govt. 78, 79 (<i>text</i>)	French proposals 29
Discussion 25, 26, 28, 76, 77, 80, 81	Provisions 29-30, 40
Law, Criminal	Council resol. of Dec. 10, 1934 53-4
<i>See</i> Criminal law, Int. Bureau, etc.	Criminal Court, Conv., draft, for esta- blishment of
Law, Institute of International	Discussion 28, 39-40, 41, 42, 43, 49-52
Rule of elimination laid down by 45	French proposals 29
Nationality	Individuals to be tried by 29
Convention, signed Dec. 26th, 1933, at the 7th Int. Conf. of American States	Definition of the term 32, 37, 48
Ratifications : Conv. open to acces- sion by all States, resol. 72, 86	Exchange of information between States conc. persons guilty of acts of ter- rorism 29
Rapporteur, appointment 72	Extradition for acts of 33, 37, 38, 39, 40, 41, 42-3, 44, 45, 46, 47, 48, 51, 54, 59
Report of First Cttee. Procedure for adoption by Assem- bly 72	Freedom of opinion, suppression on the pretext of suppressing terrorism 38
Text 86	Non-intervention of States in the politi- cal life of a foreign State 42, 57-8, 85
	Passports, forged : prevention of use 29
	Political crimes, definition of 43, 45
	Rapporteur, appointment 56
	Replies of Govts. on proposals 28, 29, 30, 35
	Resol. and report of the First Cttee.
	Adoption by Cttee. 72
	Examination 52-6, 56-62
	Procedure for adoption by Assembly 72
	Text 84-5
	Turkey
	Representation on Council 20
	United States of America
	Right to elect members of the Court 25

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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

SECOND COMMITTEE

(Technical Questions)

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	4
AGENDA	6
FIRST MEETING, September 23rd, 1936, at 10 a.m. :	
1. Publicity of Meetings	7
2. Election of Vice-Chairman	7
3. Adoption of Agenda	7
4. Appointment of Rapporteurs	7
SECOND MEETING, September 25th, 1936, at 3.30 p.m. :	
5. Appointment of Rapporteur for the Work of the Communications and Transit Organisation	7
6. Health Organisation : General Discussion	7
THIRD MEETING, September 26th, 1936, at 3.30 p.m. :	
7. Nutrition : General Discussion	14
FOURTH MEETING, October 1st, 1936, at 3.30 p.m. :	
8. Nutrition : General Discussion (<i>continuation</i>)	23
FIFTH MEETING, October 3rd, 1936, at 3.30 p.m. :	
9. Nutrition : General Discussion (<i>continuation</i>) : Report of the Second Committee to the Assembly and Draft Resolution : Discussion and Adoption	27
10. Nutrition : Request for Credits for the Work of the Mixed Committee	36
11. Work of the Health Organisation : Draft Report of the Second Committee to the Assembly and Draft Resolution : Discussion and Adoption	36
12. Proposal for a Conference on Rural Hygiene for American Countries : Adoption of Draft Resolution	36
SIXTH MEETING, October 5th, 1936, at 10.30 a.m. :	
13. Economic and Financial Questions : Appointment of Rapporteur : General Discussion	37
SEVENTH MEETING, October 6th, 1936, at 10 a.m. :	
14. Economic and Financial Questions : General Discussion (<i>continuation</i>)	47
EIGHTH MEETING, October 6th, 1936, at 3.30 p.m. :	
15. Economic and Financial Questions : General Discussion (<i>continuation</i>)	55
NINTH MEETING, October 7th, 1936, at 10 a.m. :	
16. Economic and Financial Questions : General Discussion (<i>continuation</i>)	64
TENTH MEETING, October 8th, 1936, at 10 a.m. :	
17. Constitution, Procedure and Practice of the Committees of the League of Nations : Appointment of Rapporteur	71
18. Economic and Financial Questions : General Discussion (<i>continuation</i>)	71
19. Tribute to the late M. Robert Haas	76
20. Work of the Communications and Transit Organisation during the Year 1935/36 : General Discussion on the Basis of the Secretary-General's Report on the Work of the League	76
ELEVENTH MEETING, October 8th, 1936, at 3.30 p.m. :	
21. Work of the Communications and Transit Organisation during the Year 1935/36 : General Discussion on the Basis of the Secretary-General's Report on the Work of the League (<i>continuation</i>)	78
22. Constitution, Procedure and Practice of the Committees of the League of Nations : Draft Report by the Second Committee to the Assembly and Draft Resolutions : Discussion	79
TWELFTH MEETING, October 9th, 1936, at 10 a.m. :	
23. Economic and Financial Questions : Examination of the Draft Resolutions and Draft Report	83
THIRTEENTH MEETING, October 9th, 1936, at 3 p.m. :	
24. Constitution, Procedure and Practice of the Committees of the League of Nations : Draft Report by the Second Committee to the Assembly and Draft Resolutions : Adoption	86
25. Work of the Communications and Transit Organisation during the Year 1935/36 : Draft Report by the Second Committee to the Assembly and Draft Resolution : Adoption	86
26. Economic and Financial Questions : Draft Report and Draft Resolutions : Discussion (<i>continuation</i>) and Adoption	86
27. Close of the Committee's Proceedings	87

LIST OF ANNEXES.

1. Report on the Work of the Health Organisation	89
2. Report on Nutrition	95
3. Report on Economic and Financial Questions	97
4. Declaration by the Government of the United Kingdom regarding Currency Readjustment .	101
5. Report on the Work of the Communications and Transit Organisation during the Year 1935/36	101
6. Report on the Constitution, Procedure and Practice of the Committees of the League of Nations	106

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<i>Irish Free State :</i>	Mr. Denis DEVLIN. Mr. Francis T. CREMINS (substitute).
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<i>Netherlands :</i>	M. Guillaume VAN LANSCHOT. Baron E. O. VAN BOETZELAER (substitute).
<i>New Zealand :</i>	The Honourable Sir James PARR, G.C.M.G. Mr. R. M. CAMPBELL (substitute).
<i>Nicaragua :</i>	—
<i>Norway :</i>	M. Jon SUNDBY. M. Einar MASENG (substitute). Mlle. Johanne REUTZ (substitute).
<i>Panama :</i>	His Excellency M. Antonio BURGOS.
<i>Paraguay :</i>	—
<i>Peru :</i>	M. José-Maria BARRETO.
<i>Poland :</i>	His Excellency M. Adam ROSE. M. Tadeusz LYCHOWSKI (technical expert). Dr. Apolonjusz ZARYCHTA (substitute). M. Władysław KULSKI (substitute). M. Jan FRYLING (substitute). M. Kazimierz TRĘBICKI (substitute). Mme. Stanisława ADAMOWICZ (substitute).
<i>Portugal :</i>	Dr. Fernando Emygdio DA SILVA. His Excellency Dr. Jorge SANTOS.
<i>Roumania :</i>	His Excellency M. Victor BADULESCO. M. Dino CANTEMIR (substitute).
<i>Salvador :</i>	—
<i>Siam :</i>	His Excellency Phya RAJAWANGSAN. Khun Bibidh VIRAJJAKAR (substitute).
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<i>Venezuela :</i>	His Excellency M. M. AROCHA. M. Carlos Eduardo FRÍAS (substitute).
<i>Yugoslavia :</i>	His Excellency Dr. André GOSAR. Dr. Ivan SOUBBOTITCH. Dr. Ivo ANDRITCH. Dr. Slavko STOYKOVITCH (substitute).

SECOND COMMITTEE.
(TECHNICAL ORGANISATIONS.)

AGENDA.

1. WORK OF THE HEALTH ORGANISATION.
 2. NUTRITION.
 3. WORK OF THE COMMUNICATIONS AND TRANSIT ORGANISATION.
 4. ECONOMIC AND FINANCIAL QUESTIONS.
 5. CONSTITUTION, PROCEDURE AND PRACTICE OF THE COMMITTEES OF THE LEAGUE OF NATIONS.
-

FIRST MEETING.

Held on Wednesday, September 23rd, 1936, at 10 a.m.

Chairman : M. VAN LANGENHOVE (Belgium).

1. Publicity of Meetings.

The Committee decided to hold its meetings in public.

2. Election of Vice-Chairman.

The Committee appointed M. VEVERKA (Czechoslovakia) Vice-Chairman.

3. Adoption of Agenda.

The Committee adopted its agenda—namely :

1. Work of the Health Organisation.
2. Nutrition.
3. Work of the Communications and Transit Organisation.
4. Economic and Financial Questions
5. Constitution, Procedure and Practice of the Committees of the League of Nations.

4. Appointment of Rapporteurs.

The Committee appointed M. VAN LANSCHOT (Netherlands) Rapporteur for the work of the Health Organisation, and M. QUEUILLE (France) Rapporteur for nutrition.

SECOND MEETING.

Held on Friday, September 25th, 1936, at 3.30 p.m.

Chairman : M. VAN LANGENHOVE (Belgium).

5. Appointment of Rapporteur for the Work of the Communications and Transit Organisation.

The Committee appointed M. SOUBBOTITCH (Yugoslavia) Rapporteur for the work of the Communications and Transit Organisation.

6. Health Organisation : General Discussion.

M. VAN LANSCHOT (Netherlands), Rapporteur, submitted a preliminary statement¹ on the work of the Health Organisation during the past year.

Sir V. T. Khrisnama CHARI (India) congratulated the Rapporteur on his excellent summary of the work of the Health Organisation. India was deeply interested in that work, with which it had been associated continuously since 1926. In recent years, keen interest had been taken in health problems in India ; it was recognised that co-operation and the maximum degree of continued and co-ordinated effort between the Central and Provincial Governments was essential, and active steps were being taken to establish a Central Public Health Advisory Board for the entire country.

He would first refer to some aspects of the Health Organisation with which India was specially concerned and then touch on the two important questions of rural hygiene and nutrition.

¹ The substance of this statement is contained in Sections I to II of the final report on the work of the Health Organisation (Annex 1).

India regularly supplied to the Eastern Bureau of the Health Organisation information relating to the health situation in the Indian seaports and provinces. In addition, the two wireless stations of Madras and Karachi retransmitted the epidemiological messages broadcast by the Bureau.

The work of the Malaria Commission was of very special importance for India. Since 1929, the Malaria Survey of India had been intimately associated with that Commission. He need not refer to the work done by Colonel Sinton, with which the Committee was familiar. In India, international malarial courses were held twice a year at the Ross Institute in the Punjab, while the Government also co-operated in the malarial courses for the Far East held under the auspices of the League. At the third international course in malariology held in Singapore in April and May 1936, Major Mulligan, Assistant Director of the Malaria Survey, gave special lectures, and two medical men from India also attended the course.

The Pan-African Health Conference held at Johannesburg had been attended by Major-General Sir Cuthbert Sprawson as an observer on behalf of the Government. The Government of India was seriously apprehensive of the danger of entry by aeroplane through the airport of Karachi, from Africa, of persons or mosquitoes infected with yellow fever. This apprehension was chiefly felt in respect of the large Indian population which was non-immune to yellow fever ; but another important aspect was that, from the point of view of air traffic, India was the gateway of the further East, and the countries beyond India were therefore also interested in the protection of India. The Government was appointing a special health staff at the airport of Karachi as distinct from the seaport. But this one barrier was insufficient, and India earnestly hoped that the measures recommended to the Conference by the Indian observer for ensuring protection against yellow fever would be put into effect.

As regards biological standardisation, the Conference on that subject had recommended that each country should have a national centre, or centres, to serve as a recognised scientific authority in that field. The Government of India had accordingly established the following centres to advise on international standards : Nutritional laboratories at Coonoor for vitamin standards ; Colonel Chopra's laboratories at the Calcutta School of Medicine for hormones and drug standards.

The Government was further considering the opening of a section of the All-India Institute of Hygiene and Public Health at Calcutta for pharmacological and biological assay of drugs as an initial stage in the formation of a central laboratory for the control and standardisation of drugs.

A subject in which India had shown the keenest interest since 1932 was that of rural hygiene in the East. It was therefore very gratifying to learn that a preparatory commission had studied conditions in the Far East with a view to preparing a useful programme of work for the Conference to be held in Java. Liberal grants had been made by the Central Government to the provinces for the purpose of rural reconstruction, so that the proposed Conference at Java came at a most opportune time.

India was also keenly interested in the problem of nutrition. The Governor-General, speaking in the Legislative Assembly, had said : " The problem of nutrition is at all times one of vital concern to any country, and on its solution hinges essentially the future of India as a whole ". Problems of human nutrition were being investigated by Dr. Aykroyd as Director of the Nutrition Research Laboratory at Coonoor. Data had been collected from investigations in that laboratory on deficiency disease, vitamin standards and analysis of foodstuffs. A section of biochemistry and nutrition had been opened at the All-India Institute of Hygiene and Public Health at Calcutta, where several aspects of the problem were being tackled, in co-ordination with the Coonoor Laboratory, by Dr. Ellis C. Wilson, Professor of Nutrition and Biochemistry. Preliminary tables of the nutritive value of about 200 common Indian foodstuffs were at present being prepared by Dr. Aykroyd and would be published on completion. A Nutrition Advisory Committee of the Indian Research Fund Association had recently been set up and had examined the investigations in progress and made various proposals for new work. The most important of these were recommendations for a survey of the state of nutrition in relation to dietary habits throughout India, for a survey of food production in India, and for liaison between human nutrition work and crop production.

That was merely the beginning of a series of investigations, which were to be continued for a number of years. The Government had read with interest the reports by the committees engaged in that work and would be glad to assist with any special research work in its laboratories.

There was one point which he would like to stress. The work carried out in Europe could not be applied to Eastern countries without making allowance for differences in climate, physique, economic conditions and social and other customs. Consequently, there were distinct features of the problem to be investigated in India. He was therefore glad that the subject of nutrition had been included in the agenda of the Conference on Rural Hygiene in the Far East.

Similar considerations applied in the East to housing, and more particularly to rural housing. The studies now in progress in that field should be supplemented by special studies of Eastern countries, where conditions were widely different.

In conclusion, he wished to express India's appreciation of the excellent work carried out by the Health Organisation.

Baron VAN BOETZELAER (Netherlands) emphasised the interest which his Government attached to the work of the League of Nations in connection with health, and drew the Committee's particular attention to the activity shown in the Far East. The Singapore Bureau, set up as a branch of the Health Section and subsequently recognised by the Paris Institute as a Regional Bureau in the sense of Article 7 of the 1926 Convention, was doing work which, year after year, justified its existence and had rendered it indispensable. Both Governments and private individuals made use of the copious data at the Bureau's disposal; though the Bureau was not only a centre of information, but an observation post fulfilling a preventive function of the greatest importance.

He stressed the value of the international malariology course which, since 1934, took place every year at the King Edward VII College of Medicine in Singapore, under the auspices of the League of Nations. Foreign malariologists were invited to deliver courses and lectures, and scholarships were granted to doctors nominated by Governments. Courses on theory and laboratory work occupied five weeks; they were followed by practical work designed to acquaint those taking part with epidemiological conditions and measures adopted against malaria in Eastern countries. In preceding years, the practical work had been done in the Malay States and the Netherlands Indies; in 1936, it had also been carried out in French Indo-China. Eighteen doctors from eight different countries had taken part in the courses.

With the same purpose of obtaining reciprocal information on difficulties to be overcome and on measures taken to that end, a Conference on Rural Hygiene had been convened for August 1937. The Government of the Netherlands Indies had been happy to collaborate by offering to act as hosts to the Conference, which had been suggested by India and strongly supported by China.

As the delegate for India had just recalled, a Preparatory Committee had recently visited India, Burma, Siam, the Malay States, Indo-China, the Philippine Islands, Ceylon and the Netherlands Indies. The agenda suggested by that Committee covered the following points: Medical assistance and public health in rural districts; personnel; collaboration of the public; sanitation; nutrition; special diseases; finance.

It would be seen that the agenda included a question which was to be debated at length by the Second Committee—namely, the problem of nutrition. In Eastern countries, that problem could be briefly stated: How to improve the diet without increasing its cost.

As the Rural Hygiene Conference would examine, not only the health question, but everything bearing upon rural reconstruction and included in any action to improve medical and sanitary services, it was to be desired that the delegations appointed by the various countries should include, not only doctors and health experts, but also representatives of the other competent services.

The health principles which should be followed by the populations of the Far East were clear and easily defined. But those who knew the Far East would recognise how faithful those populations remained to their habits; they knew by experience that the best course was not always to attempt to enforce the principles which prevailed in the West. Experiments recently carried out in certain villages in Java had shown that it was easier to teach the inhabitants that slight changes in their habits might eliminate the danger of infection than to secure an immediate application of modern methods.

In conclusion, he repeated that the Government of the Netherlands Indies would be happy to offer hospitality to the Rural Hygiene Conference and to put at its disposal all the experience they had acquired.

M. WUNSZ KING (China) wished to associate himself, on behalf of his delegation, with the previous speakers in their tribute to the excellent work carried out by the Health Organisation in the past year. He also congratulated the Rapporteur on his interesting report. China welcomed and attached great importance to any international effort to study health problems in various countries. He had been interested to learn that a conference on rural hygiene would meet at Bandoeng in Java. His delegation would not fail to inform the Chinese Government of the convening of that Conference, to which he wished every success.

M. VON STOCKENSTRÖM (Sweden) expressed the Swedish delegation's appreciation of the work carried out by the Health Organisation of the League. His delegation attached special importance to the studies on urban and rural housing referred to in the Secretary-General's annual report. The studies of technical housing questions from the point of view of health carried out in recent years by the Health Section, in co-operation with technical experts in many countries, represented one of the most important tasks of the technical organs of the League. Though the practical results might not seem to be very great at first sight, they were undoubtedly, in the long run, of considerable importance for the development of social policy in the various countries.

The work of the Health Section in the field of technical housing might give even better results if it were placed on a wider basis and formed part of research work embracing all aspects of the housing question under modern social and economic conditions.

In 1935, the Second Committee had discussed nutrition from social and economic as well as from hygienic aspects. Since that time, interesting research work had been carried out on a wide basis. He thought it would be extremely useful to examine also the housing problem in its relation to economic, financial, administrative and social problems.

Sweden had carried on an extremely active housing policy in recent years—a policy which had been, on the whole, independent of party opinion. In that respect, he would mention the grants for the improvement of housing conditions in country districts, credits to workers' small holdings, credits and subsidies for improving the housing conditions of large families, the creation of housing inspection in country districts, changes in public health laws affecting both town and country. Sweden would be glad to put her experience in that field at the disposal of an investigation of the kind which he suggested. She also hoped to be able to benefit from the experience of other countries. The research work of the League would make it possible to collect and compare methods and experiences from different countries, thus permitting a rational development of the housing policy in each country.

If it was the general desire that studies of the housing questions should also comprise the economic, financial and social aspects of the problem, he would suggest that they should, in future, be carried out by co-operation between the Economic and Financial Sections, the Health Section, and the International Labour Office.

M. QUEUILLE (France), on behalf of the French delegation, supported M. von Stockenström's proposal that the Health Organisation's studies on the important problem of housing should be pursued, not only from the health point of view, but also on the economic, financial and social plane, thus following the method adopted in the nutrition enquiry, which had already given valuable results.

A study of the immense task accomplished by the Health Organisation, and of the very important data it had collected, made it clear that the Organisation had succeeded in securing, not only the interest, but also the active collaboration of a steadily increasing number of countries; for the housing problem was everywhere claiming attention. It was equally clear that that work had not been guided solely by considerations of health and of domestic sanitation, but that account had been largely taken of the economic and financial aspects of a problem which was above all a social one. In that spirit there had been drawn up, in the early stages of the investigations, special monographs dealing with the progress accomplished, with the various solutions adopted in connection with town-planning, town dwellings, and rural industrial settlements, by the Governments co-operating in the work of the Health Organisation.

The Financial Section and Economic Intelligence Service of the Secretariat had already drawn up a preliminary memorandum which bore witness to the practical frame of mind, resulting from present conditions, in which the studies on housing could be pursued. M. von Stockenström's suggestions, to which M. Queuille desired to associate those of the French delegation, would therefore confirm the direction which the work had taken and afford it additional support when it came to cover a much wider field.

The extensive work undertaken in the matter of rural hygiene revealed more and more clearly a determination to link up the social and the economic points of view closely with the health point of view. The study of rural hygiene, although initiated before the start of the period of activity which the Committee was now called upon to examine, should be considered as a whole, and not only in relation to the results achieved in the course of the last three years. It was now possible to appreciate at its true value the marked influence exerted—to the great benefit of rural populations—by the European Conference held at Geneva in 1931. France had made her contribution at that time, and had since then closely followed the successive supplementary stages of the work, in the execution of which she had taken a large part. He himself, at that time Minister of Public Health, had been happy to undertake an enquiry covering all the agricultural departments, in response to the Health Organisation's action to improve agricultural housing conditions. He therefore particularly welcomed the opportunity of giving a still more convincing proof of the French Government's interest in the work, by announcing its recent decision to accede to the request of the Health Committee regarding the International Rural Housing Exhibition proposed by the Committee. The exhibition was to be given a place worthy of its great social importance in the 1937 International Exhibition to be held in Paris.

The French delegation, desiring a further widening of the scope of the enquiry in order to cover the whole field of rural health and social conditions, also wished to emphasise the importance of the Conference which was soon to bring to Far-Eastern countries guidance and benefits similar to those resulting from the European Conference held in 1931. Preparatory work for the Far-Eastern Conference was already well in hand, and gave good hopes that that Conference would be successful. Here, again, French territories overseas were ready to take an active part; the best proof of that readiness lay in the importance attached to the Indo-China delegation to the Conference. Led by His Excellency Hoang Trong Phu, Tông Dôe of the Province of Hagong, it included highly qualified representatives of the public administration, the special rural medical service, the Pasteur Institute, the sanitary engineering service and the agricultural and rural health services in Indo-China.

He understood that, as regards physical training, a scheme for an enquiry was ready to be carried out by the Health Organisation. He fully realised its importance and hoped it would soon be put into effect. He would welcome a simultaneous enquiry into a problem of the hour—namely, the rational use of leisure, especially with a view to the promotion of health and mental activity on sound lines. Here, too, the co-operation of suitable organisations such as the International Labour Office, which had already published a large number of studies on the subject, appeared to be particularly desirable.

Finally, he wished to draw attention to the study tours in the United States at the end of 1935, and in the Union of Soviet Socialist Republics in June-July 1936, at the invitation of the Soviet Government. Such tours, through the pooling of all the experience gained, were of the highest importance to the cause of progress in all countries.

The CHAIRMAN said that the Committee would gratefully take note of the French Government's offer of space for the Rural Housing Exhibition at the 1937 International Exhibition which was to be held in Paris.

Mr. MCDUGALL (Australia) said that Australia had always taken a keen interest in health work. Personally, he had for the last fifteen months been closely associated with the work at Geneva. He felt that it was impossible not to be impressed by the excellence of that work.

His participation had related to nutrition, a subject with which the Committee would deal later ; but, when discussing the health work of the League, it should be remembered that it was owing to the initiative of the Health Section that the question of nutrition had obtained international recognition. The report by Dr. Burnet and Dr. Aykroyd was still one of the fundamental documents on the scientific basis of nutrition.

He would like to refer to the Second International Pacific Health Conference, held at Sydney in September 1935, which was attended by representatives of the League and by delegates from the United Kingdom, China, Japan, the Netherlands East Indies, New Zealand, the Commonwealth of Australia and its dependencies, and some of the Australian States.

The value of the Conference had consisted in the interchange of opinion and experience on many problems common to the geographical section which had been designated since the First International Pacific Health Conference in 1926 as the " Austral-Pacific Zone ". There were two matters of primary importance to which it had been suggested administrations should devote continued attention : they were the medical education of natives and dietetic deficiency.

With reference to the Epidemiological Intelligence Service developed in the Austral-Pacific Zone as one result of the First Conference of 1926, there was general agreement as to its value. The service had been maintained through the Commonwealth Department of Health at Canberra, with the continued active co-operation of the Eastern Bureau at Singapore. The Commonwealth Government greatly appreciated the co-operation afforded by the maintenance of this service throughout the zone, and was prepared to continue the receipt and distribution of the epidemiological information as indicated in the resolutions of the First Conference of 1926.

The Second Conference met at the School of Public Health and Tropical Medicine which had been established by the Commonwealth Government at the University of Sydney as one result of the First Conference of 1926. The staff and equipment of that school would, as far as possible, be made available with a view to furthering the advancement of co-ordinated or special research within the Austral-Pacific Zone.

A proposal had been made to the Conference and generally agreed upon, though without formal resolution, that it might be profitable to hold further International Pacific Health Conferences at such centres as Suva, Noumea, Rabaul, Auckland and Sydney. The Government of the Commonwealth of Australia would welcome any such arrangement which, it was felt, would promote co-operative effort in the Southern Pacific for the prevention of disease, the cessation of depopulation and the maintenance of the social and economic welfare of the native races.

Mrs. WATERWORTH (Australia) had been extremely interested to hear that the League proposed to start a campaign against maternal morbidity and mortality. She represented a group of lay women who had been dealing with the question in Australia for the last eight years. The medical expert of the group, Dr. Morris, was at present making a tour with the assistance of the Health Organisation and would no doubt bring back valuable information. That particular problem was one which could profitably be dealt with by lay women. There was naturally a professional side of the question into which she did not propose to enter. She appealed to all the delegates present to bring this most important matter to the attention of the women in their countries. There was too great a tendency to leave the problem of maternal morbidity and mortality to the experts and to regard it as a matter which only concerned doctors, nurses and hospitals. These could, however, only deal with the woman as they found her—that is to say, in many cases with defects due to sickness at an earlier age, malnutrition, etc. The lay women workers covered a wider field ; their work extended to infancy, school age and adolescence, and their aim was to place the woman in such a condition that she could safely face maternity.

Mrs. Waterworth then read some extracts from an appeal addressed by lay women to the Prime Minister of Australia to the effect that mothers had been overlooked and neglected; they had lent themselves to this neglect, for the normal mother often disregarded herself, so long as her children were safe; maternal mortality in Australia was high and, in consequence the children suffered through loss of care and training; there was also a falling birth rate, and that implied a falling intelligence rate, since many people who could give their children sound minds and bodies were deliberately restricting their families.

Australian women had submitted a scheme to the Prime Minister for the improvement of conditions. The scheme included the following main points:

(1) A survey of the country's children, a campaign against under-nutrition and malnutrition, and medical and nursing supervision with provision for medical treatment.

(2) Training of all primary-school girls from 12 to 14 years, at least in the principles of dietetics, food values, nutrition, feeding of children and plain economical family cooking.

(3) Prevention of overstrain in girls in their 'teens studying for examinations. The information available showed the part such overstrain played in causing difficult childbirth and preventing mothers from feeding their children.

Moreover, in an enormous, sparsely populated country like Australia, it was of great importance to extend the system of nursing to the most outlying districts. The aftercare of mothers was often inadequate. Very frequently women started work too soon after childbirth, obtained unsuitable food and lacked medical supervision.

In conclusion, Mrs. Waterworth was glad to state that the lay women's movement had received much sympathy and support from the British Medical Association.

Mme. KOLLONTAI (Union of Soviet Socialist Republics) said, on behalf of her delegation, that the Soviet Union highly appreciated the excellence of the work accomplished by the League's Health Committee, further proof of which was provided by the very interesting statement made by M. van Lanschot and by the documents published by the League.

The Soviet delegation was happy to be able to inform the Second Committee that there existed close contact and collaboration between the Health Organisation and the competent institutions of the Union of Soviet Socialist Republics, to their mutual advantage.

She reminded the Committee that the Bureau of the Health Committee had met at Moscow in June. The members of the Bureau had made a study tour throughout the countries of the Soviet Union from Leningrad to the Black Sea and the Caucasus, visiting towns, factories, collective farms, and so on. The report of the Bureau was published in the "Report on the Work of the League, 1935/36", Part II.¹

The Rapporteur, M. van Lanschot, rightly held that "a healthy life is a vital factor in social rehabilitation". There was no need to recapitulate all the facts recorded in the Bureau's report, which showed the progress that had been made by the Soviet Union in the domain of health. The Soviet Union delegation highly appreciated the impartial way in which the Bureau of the Health Committee judged that progress. The Union was acting on new principles, born of collaboration with the Health Committee. For its part, as would be noted in the report, the Bureau of the Health Committee had received the full support of the savants, scientific institutions, municipalities and public organisations interested in health work in the Soviet Union.

The Soviet Union possessed numerous institutions engaged in biological standardisation. With regard to their work, the report of the Bureau of the Health Committee said: "The output of these institutes is very large, as may be seen from the impressive number of preventive inoculations against typhoid fever, dysentery and diphtheria. This attempt at mass prophylaxis deserves to be closely watched." In that connection, she reminded the Committee that, under the former regime, Russia had been a source of great epidemics and had thus been a danger to Europe. Thanks to the work of the biological institutions and the progress achieved in public health in the Soviet Union, these epidemics had disappeared from the country, as they had from all other civilised countries.

In the campaign against malaria, the Soviet Union had displayed an activity the results of which had been commented upon by the Bureau as follows: "The malariologists of the Union have made a very large number of clinical observations, and their results amplify the material for the Malaria Commission's new report".

In the sphere of nutrition also, the Soviet Union had introduced great innovations which were referred to in the report of the Bureau. "The collective kitchens and factory restaurants, which provide special diet for certain pathological conditions, deserve study on the spot." She was happy to note that the women of the Soviet Union were working hard to render these "factory restaurants" more hygienic and to ensure a better preparation of the foodstuffs.

¹ See document A.6(a).1936 (Ser. L.O.N. P. 1936.6), pages 48 et seq.

After the question of nutrition, that of housing played a prominent part in the urban and rural hygiene of a country. The Soviet Union had made gigantic efforts to build hygienic houses for its 170 million inhabitants. "Factories and blocks of flats are being constructed; great arteries are being pierced, and a new plan of expansion has been drawn up." Those were the words of the report. But the efforts made in rendering towns more healthy and building lifeblood of the Soviet Union. To put a healthy life within the reach of all its 170 million inhabitants was the aim of the Soviet Union.

The Committee was aware that rural hygiene was the weak spot in most countries. It had also been the weak spot of Tsarist Russia. The Soviet delegation was therefore particularly pleased to note that the Bureau, in its report, stated that it was mainly owing to innovations in country life in the Union that the progress of hygiene was being promoted. There had been remarkable changes in the villages; an entirely new way of living in conformity with the principles of hygiene had been created in the country districts. Each "kolkhoze" was a miniature village with healthy dwellings, babies' playrooms, medical organisation, gardens, etc. It was encouraging to read in the Bureau's report that "thanks to the action of the 'kolkhozes', hygiene is penetrating farther into the rural districts".

In the domain of school hygiene, also, the Soviet Union had made undeniable progress. There were at present more than ten million young persons enrolled in the sports organisations of the Union—a new and healthy generation.

She drew attention to the immense interest which the institutions of the Union were taking in the work of the Health Organisation. They were, furthermore, actively participating in that work. The Soviet delegation paid a tribute to the further successes obtained by the Health Organisation for the great benefit of all collaborating countries. She was glad to be able to assure the Health Organisation that it could in the future, as in the past, rely on the help of the Soviet Government in its campaign on behalf of the health of the people.

Dr. GIE (Union of South Africa) desired to associate himself with the tribute paid to the Health Organisation of the League.

With regard to the Pan-African Health Conference held at Johannesburg in November 1935 under the auspices of the League Health Organisation, he wished to express the thanks of his Government to the Health Organisation, the Office international d'Hygiène publique and the participating States for their invaluable co-operation. The Union earnestly hoped that similar Pan-African conferences would be regularly held in future. The Union Government was strongly in favour of holding such a conference every four years. That information was conveyed to the League in a letter from the Union Minister of External Affairs of July 7th, 1936, together with a number of suggestions for the next conference. He need scarcely add that the Government's suggestions were intended to further the great human interests which received such competent attention at the Johannesburg Conference.

Mme. ADAMOWICZ (Poland) agreed with Mrs. Waterworth's observations and said how interested the Polish Health Services were in the problem of the death rate and morbidity rate among mothers. Intense propaganda had been conducted on that subject in Poland, mainly in the rural districts, where numerous women's organisations, and in particular peasants' associations, were very active.

M. BENAVIDES (Uruguay) paid a tribute to the Rapporteur's work, adding that the South-American countries attached great importance to the League's activities in the field of health.

The South-American countries in general, and Uruguay in particular, were keenly interested in what was for them the very serious problem of nutrition. The basis of the Uruguayan country population's diet was meat, which was the cheapest product. That diet was necessarily incomplete, as the inhabitants of the country districts were not accustomed to eat vegetables. In order to meet the situation, intense propaganda had been undertaken on the initiative of the Ministry of Public Health and through the various services to teach the rural population the principles of a more rational diet. Progress had already been made in that direction.

The problem of housing was also of great importance to Uruguay. The *ranchos* in which the rural populations lived were warm in winter and cool in summer, but were not hygienic. Studies had therefore had to be made and a type of hygienic rural dwelling created. In that domain also progress had been made, but further effort was required.

In the cities, the problem was easier to solve, but the solution was invariably bound up with the economic resources of the population. The Government had promulgated more than twenty years previously a law under which State officials were allowed to build modern dwellings with credits based on their retiring pension and life insurance. By that system, if the official died before the sums due had been wholly paid, the heirs became owners of the house without having to make any payment.

That system could not be followed in the case of workmen, and the Government had prepared a vast plan for building workmen's dwellings. Millions had already been spent for that purpose. The Government was continuing its action and encouraging construction with State aid.

He expressed his country's gratitude to the League of Nations Health Committee and the whole Health Organisation.

M. CHRISTIANI (Denmark) wished to thank Mrs. Waterworth for her remarks. In Denmark, also, a decreasing birth rate was feared, though the problem was not so imminent as in some other countries. The Government had, however, set up a commission to investigate the means of meeting the menace. The problem was closely connected with two essential points—*i.e.*, the care of children, which should be improved by every possible means, and the care of mothers during the period of childbirth.

There was a further matter to which he would refer. During the last twenty years, a number of schools had been opened in Denmark for the purpose of interesting girls in domestic work rather than in office work. These schools taught cooking, house keeping, care of children and of the sick, etc. The schools worked in conjunction with the hospitals at Copenhagen. The course lasted one year and could be taken by girls between the ages of 18 and 25.

THIRD MEETING.

Held on Saturday, September 26th, 1936, at 3.30 p.m.

Chairman : M. VAN LANGENHOVE (Belgium).

7. Nutrition: General Discussion.

M. QUEUILLE (France), Rapporteur, made the following preliminary statement :

" In the course of his survey of the work of the Health Organisation in 1936, my colleague M. van Lanschot had occasion to refer to the work of that Organisation in connection with nutrition.¹ He reminded you that the first investigations were begun some ten years ago. As you have been able to see, those activities were extremely fruitful, and did much to arouse that keen interest which found expression in the discussions of the 1935 Assembly.

" The Assembly was thus led to pass a resolution² with the object of enlarging the field of enquiry sufficiently to embrace all the aspects of the problem, collecting as much material as possible, and finally entrusting the work in contemplation to a Committee of agricultural, economic and health experts.

" The Committee has held two sessions in 1936, under the chairmanship of Lord Astor. Its report³ forms the first volume of a series embodying the results so far arrived at. Volume II contains the ' Report on the Physiological Bases of Nutrition ' ⁴ drawn up by the Health Committee's Technical Commission. The Rapporteur on Health Questions has explained to you the conclusions reached by that Commission. Volume III⁵ contains a digest of the material supplied to the Committee on the subject of nutrition in various countries, together with the most important of the information collected by the Secretariat through enquiries of numerous Governments. Volume IV⁶ contains interesting statistics of the production, consumption and prices of foodstuffs, which have been compiled by the International Institute of Agriculture. Nor must I omit from the list of documents the remarkable work published by the International Labour Office on ' Workers' Nutrition and Social Policy ' .⁷

" An ample harvest of information and studies was thus placed at the Committee's disposal. The Comm'tee had, moreover, the advantage of having as its chairman—if Lord Astor will forgive me for referring to it here—a man whose qualifications are of the highest, and who has always taken a keen and active interest in these questions.

" It is not my intention to analyse the report at length. As you will have noticed, the Committee lays stress upon its preliminary character. The problem is indeed so vast, and has so many and such various aspects, that at the present stage in its work the Committee has endeavoured to place chief emphasis on the influence of adequate nutrition on public health, and has been content merely to outline the economic and agricultural aspects. That is, after all, the natural starting-point ; it is the question that has become in one form or another a concern to every State, the point at which both the interests and the duty of the community

¹ See footnote, page 7, and Annex 1, Section 5.

² See *Official Journal*, Special Supplement No. 138, page 125.

³ " The Problem of Nutrition. Vol. I : Interim Report of the Mixed Committee on the Problem of Nutrition " (document A.12.1936.II.B—Ser. L.o.N. P. 1936.II.B.3).

⁴ Document A.12(a).1936.II.B (Ser. L.o.N. P. 1936.II.B.4).

⁵ Document A.12(b).1936.II.B (Ser. L.o.N. P. 1936.II.B.5).

⁶ Document A.12(c).1936.II.B (Ser. L.o.N. P. 1936.II.B.6).

⁷ " Workers' Nutrition and Social Policy ", 1936. International Labour Office (Studies and Reports, Series B Social and Economic Conditions, No. 23).

take their rise. The ultimate object of the work that had been undertaken in this field is, by appropriate governmental initiative or action within the limits set by political, social and economic conditions, and, so far as the available resources permit, to indicate the dietary habits that science recommends men to acquire in order to improve the general standard of physical health. We have but to imagine the progress that might be made along this line, and we shall at once grasp the consequences of every kind to which it might lead. Apart from the greater social contentment which always goes hand-in-hand with health and well-being, no one will deny that the forces thus set in motion may gradually, by the slow and imperceptible processes of adaptation peculiar to the life of man, bring about far-reaching changes in the forms of production, trade and consumption. Thus, having once started the movement towards rational nutrition in ever wider sections of the people; having, in a word, come to realise the part it can play in educating the masses in the principles of scientific nutrition, the State will have to be careful not to impede but on the contrary to facilitate the economic changes to which I alluded a moment ago.

“ In the present phase of their researches—which, indeed, must be carried further—scientists have laid down certain principles and certain rules; they have shown the havoc wrought both on individuals and on the community by certain dietary errors. It is the duty of the State to further the progress of such scientific investigations, and to bring its economic and social policy into line with their results for the greater good of the people.

“ What the Committee was particularly anxious to emphasise was therefore the need for a nutritional policy in every modern State. The reasons for this conclusion are fully set out in its report. It considered that at the present juncture its immediate task was to co-ordinate the most recent data, to compare the results of the experiments already made here and there and to bring out and publish the conclusions to which they point. Such, I venture to suggest, is the proper function of an organ of the League of Nations.

“ Many of you could no doubt bear witness to the considerable interest which the Committee's activities have aroused in the Press and among the public of various countries. You will, I am sure, agree that such interest should give us great encouragement. Nothing could be more favourable to the achievement of the aim we have set ourselves than the knowledge that the masses of the people are in sympathy with our efforts. In the same connection, I would also venture to draw your attention to the fact that, since the Committee was set up, some ten countries have set up National Nutrition Councils or Committees. It is greatly to be hoped that their example will be followed elsewhere. At its very first session, in February 1936, the Committee made the creation of such bodies the subject of an express recommendation. It considered, indeed, that if studies and researches designed to raise the standard of health through improved nutritional hygiene were to be continued, if the results of scientific progress in the various countries were to be more fully known, it was essential that national bodies should be set up under government authority and in contact with scientific institutions. So numerous are the questions it involves, that a systematic and effective nutritional policy would appear to be impossible without the existence of some such centre; a centre of research, studies and propaganda; a centre at which the recommendations and principles laid down by experts can be adapted to national conditions, where Government decisions with regard to production and trade can be adjusted, and where the interests of producers and consumers can be reconciled. These national bodies, whose structure and methods should be in keeping with the administrative practice and traditions of each country, have an essentially national purpose. Even so, they would, if set up in a sufficiently large number of countries, make a useful contribution to international co-operation. Later on, it will probably be found desirable to co-ordinate the activities of these National Committees on the international plane, and to afford their responsible chiefs an opportunity of comparing their several experiences in the pursuit of common ends.

“ The Mixed Committee, as I told you just now, chiefly concentrated during the past year on that part of its task connected with the effects of better nutrition on public health. But although it only submitted observations of a provisional character on the economic and agricultural aspects of the problem, the Committee was unanimous in considering that, in these fields, as in many others, fruitful studies could be undertaken and might lead to valuable conclusions. The Committee considered that they might be dealt with in a later report, a sort of framework for which is provided by the substance of the recommendations¹ submitted to the Assembly by the Committee in its preliminary report.

“ I should also like to draw your attention to two important resolutions adopted by international bodies on the questions with which we are concerned. One was adopted by the last Conference of the International Labour Organisation,² which did not hesitate to declare that workers' nutrition must be regarded as among the most important problems which the International Labour Office had to solve. The other was adopted by the recent General Assembly of the International Agricultural Commission,³ and testifies to the considerable interest taken by agricultural circles in the problem of nutrition. It shows that agriculture is alive—as it should be—to the adjustments which changes in alimentary habits might necessitate and is prepared cautiously to advance in this direction.

“ The campaign for improved nutrition launched by the 1935 Assembly has aroused throughout the world an interest which it is for us to maintain and spread to wider circles.

¹ See document A.12.1936.II.B (Ser. L.o.N. P. 1936.II.B.3), pages 97 and 98

² See *Official Bulletin* of the International Labour Office, Vol. XXI, No. 3, pages 144 and 145.

³ See document Comité mixte/Alimentation/60 and document A.II.3.1936.

I have no doubt that your debates, by throwing fresh light on the problem and by giving prominence to the particular aspects which should be studied, will give a fresh impetus to the movement which has already been started and to the work now being done."

The CHAIRMAN said he was glad to see in the Committee the Chairman of the Mixed Committee, an account of the work of which had just been given by the Rapporteur. Lord Astor's assistance would be greatly appreciated during the discussions on nutrition. Naturally, Lord Astor would himself be the best judge of the most suitable time for him to take part in the debate.

Mr. SHAKESPEARE (United Kingdom) recalled the interesting discussion in the previous year on nutrition initiated by Mr. Bruce on behalf of Australia and supported by Earl De La Warr on behalf of the United Kingdom; on that occasion, the Assembly had authorised the technical organisations of the League to undertake expert enquiries into various aspects of the subject and set up a Mixed Committee to submit a general report. As a result, several very informative reports had been prepared; a report on the physiological basis of nutrition, in which, for the first time, physiologists of international repute had got together and agreed on the fundamental principles and the quantitative requirements for well-balanced diets—a notable achievement in view of the complexity of the subject; secondly, a report by the International Labour Office on workers' nutrition and social policy; thirdly, a summary of the steps taken by various Governments to improve diets and nutrition in their own countries; fourthly, a survey by the International Institute of Agriculture on the statistics of food production, consumption and prices in various countries;¹ finally, the report by the Mixed Committee under the chairmanship of Lord Astor which discussed the whole problem of nutrition in simple lay language and concluded by making fifteen recommendations for the consideration of the Assembly and, if approved, of Governments concerned. Everyone must be impressed by the quality and the quantity of the output of the various Committees; it was to be hoped that that liberal diet of first class protein would be well digested and form the basis of nutritional policies in many countries. The United Kingdom Government welcomed the recommendations, endorsed their general purpose and would co-operate in any future activities.

The United Kingdom Government sincerely hoped that, after the valuable interim report by the Mixed Committee, the Assembly would instruct it to continue its labours and provide a final banquet equally nourishing. To show the interest the report aroused in the United Kingdom, he could state that it became a best-seller, vying with recent detective fiction and thrillers, and the first edition was soon sold out.

There were some passages in the report of the Mixed Committee to which he would like to draw special attention. It showed clearly that ignorance was an important contributory factor in malnourishment. It used to be thought that if the stomach was full, the owner of the stomach was well fed. It was now known that quantity was not everything and that malnourishment occurred in all classes of the community.

The United Kingdom Government had long recognised the important part that nutrition must play in the field of public health. A sufficient and well-balanced diet helped to create a happy and healthy citizen; a faulty diet might make him discontented. It might make him a prey to disease. He was thinking especially of the diseases associated with malnourishment, such as tuberculosis and rickets. By improvements of diets and in other ways it had been possible to reduce the incidence of these diseases sharply in recent years.

In 1931, the Minister of Health had set up a strong Committee of Experts to advise the Government on the application of the knowledge of nutrition. The Committee had since been strengthened by the addition of representatives of the various Government Departments directly or indirectly concerned with the problem, so that there had been for some time past in existence in the United Kingdom such a co-ordinating machinery as was recommended by the Mixed Committee. The Advisory Committee was providing the Government with valuable material as a basis for the development of its nutritional policy. From time to time, valuable reports had been issued by the Committee, in particular one which had received a considerable amount of notice in the United Kingdom, calling attention to the nutritive value of milk. That led him to draw the Committee's attention to the active steps taken in recent times by His Majesty's Government in the United Kingdom to encourage by assistance from State sources the provision of free and cheap milk to school-children. Those steps were fully described in Volume III of the Mixed Committee's reports.² As a result, nearly three million children in schools in Great Britain were getting a daily supply of milk either free or at half the ordinary price. The Committee would perhaps be interested to know that since last year's discussion in the Assembly, His Majesty's Government in the United Kingdom had passed further legislation extending the period of State assistance. There was ample evidence to show the beneficent effects of that policy in the better attendance and the improvement in health of school-children.

¹ Document A.12(c).1936.II.B (Ser. L.o.N. P. 1936.II.B.6).

² See document A.12(b).1936.II.B (Ser. L.o.N. P. 1936.II.B.5), pages 88-90.

In addition, milk was provided in the United Kingdom free or at cheap rates, by the maternity and child welfare authorities for mothers and children under school age. His Majesty's Government was awaiting the report of an important commission on the organisation of the milk industry and, as part of the Government's review of this question and in the light of experiments at present being conducted in selected areas, would consider the possibility of extending the scope of cheap-milk schemes on those lines.

Finally, a great deal of research on the general question of improvement in diets was being conducted under the auspices of the Medical Research Council and other bodies with the encouragement of the Government. Moreover, there had been extensive publicity given to the vital importance of the question, and every day the newspapers contained articles by experts instructing the public on the importance of protective foodstuffs for the enjoyment of better health. A great deal of propaganda was taking place in schools and through voluntary bodies, whose activities were now co-ordinated by the Central Council of Health Education. Indeed, it might be said that the nation was becoming "nutrition conscious".

- The Government recognised that, great as the results to be achieved in all these special ways might be, a satisfactory nutritional policy must be founded on a sound economic basis. Its efforts to create employment, to increase purchasing power, and generally to raise the standard of living were playing an essential part in improving the nutrition of the people; it was trying through the organisation outlined above to secure the wiser use of improved resources.

While it was recognised that nutrition, like charity, began at home, the Government had not neglected its wider responsibilities as a colonial Power. There were far greater gaps in the knowledge of such problems in tropical countries than at home. It was hoped that the Mixed Committee would devote its attention to this problem. At the beginning of 1936, the Secretary of State for the Colonies had asked the British colonial dependencies to collect information as to the state of nutrition in their territories, and a strong Committee was being set up, under the chairmanship of Earl De La Warr, to review and co-ordinate the information and to advise the Government how best to promote the discovery and application of knowledge in this field. In setting the enquiry on foot, one of the recommendations of the Mixed Committee had been anticipated.

In conclusion, he wished to congratulate all concerned and express the hope that on the foundations which had been so securely laid, a worthy edifice of scientific knowledge and sound policy would be erected; the Assembly should show its gratitude to the Mixed Committee by sentencing it to a further year's hard labour. If that was agreed, he hoped there would be an opportunity of hearing from Lord Astor how he envisaged the further stages of his task.

M. VAN LANSCHOT (Netherlands) said his delegation had noted the Mixed Committee's report with the greatest interest. The report clearly showed that the problem of nutrition was not only a problem of the day, but that it was universal and exercised a considerable influence over the life of the peoples, so that it had a permanent value. That problem would, no doubt, continue to attract attention long after the Mixed Committee had finished its work. The method of presentation and the contents of the Mixed Committee's report showed that merely a preliminary examination of the problem had been made and that many enquiries would be necessary before final conclusions could be reached.

As a contribution to that work, he thought it advisable to give some information on the question in the Netherlands. That country undoubtedly occupied an important place among all other countries from the point of view of the production of foodstuffs. Lord Astor's report said, "Milk is the nearest approach we possess to a perfect and complete food, and no other single food is known than can be used as a substitute".¹ The same report said that "a land flowing with milk was the ideal of pastoral tribes in ancient times".² It was not untrue to say that the Netherlands was not far from that ideal. In order to judge of the state of nutrition of the Netherlands population, either the direct method—*i.e.*, individual inspection—or the indirect method offered by statistics could be used.

As far as the direct method was concerned, important investigations had already been made in the Netherlands, but they were not yet sufficiently far advanced to permit of adequate conclusions being drawn. The investigations were being continued.

As regards the statistical method, it should be observed that morbidity statistics were insufficient, because only communicable diseases were notifiable in the Netherlands. The only endemic diseases of that kind were scarlet fever and diphtheria, while all the other infectious diseases were sporadic. In general, it could be said that the state of health in the Netherlands was not such as to cause anxiety. The general death rate, which had been 9.63 per 10,000 inhabitants in 1931, had dropped to an average of 8.71 for the years 1932-1935. The death-rate among children under one year had dropped from 4.3 to 4, and mortality from tuberculosis had been reduced from 5.4 per 10,000 inhabitants in 1934 to 5.2 in 1935.

¹ See document A.12.1936.II.B (Ser. L.O.N. P. 1936.II.B.3), page 58.

² *Ibid.*, page 57.

As a result of the measures taken in the Netherlands for protecting mothers and children, the number of deaths among infants was the lowest in Europe. That was a proof that the state of nutrition of mothers and children was satisfactory.

An important part in nutrition should be attributed to the distribution of water of good quality. The problem had not been difficult to solve in the large towns, but the position was different in small towns and in country districts. A solution had been found, however. Throughout the country there were companies supported by the State which provided for regional distribution extending to country districts; that system had already proved effective.

Since 1919, the Netherlands had had a law regulating the control of foodstuffs with the exception of meat, which came under special veterinary control.

As regards milk, he thought it would be of interest to enter into some details. Thanks to the health measures taken by the Government to prevent the production of contaminated milk from the time of milking, the situation had considerably improved. Apart from the veterinary control exercised over milking, there were a number of modern dairies in which the rules of hygiene were observed as strictly as possible. In order to give an idea of the effort of those precautionary measures it might be stated as an example that, in the city of Amsterdam, there had been 29 cases of typhoid fever in 1933 as against 627 cases in 1929; typhoid fever was the most dreaded of the diseases spread by milk.

He would also mention the existence of committees which gave instruction both in town and country to housewives as to the most effective means of obtaining food products and preparing meals which complied with the needs of modern hygiene while being at the same time sufficiently appetising.

The rural courses arranged for that purpose had received the greatest possible support from the persons taking part, so that the work retained an intimate character; the women who took part in the courses already showed interest in their organisation.

It could be said without exaggeration that that enterprise had succeeded, although it had been begun at a time which was not propitious on account of the work in the fields—*i.e.*, in March 1935. Nevertheless, thousands of women had followed those courses in the smallest villages.

He then turned to the problem of agrarian production in the Netherlands. The discussions in the Mixed Committee had brought out the importance of malnutrition and insufficient nutrition. Those discussions had shown in particular that the consumption of protective foodstuffs still left much to be desired among the lower classes of the population. As a result, it was proposed to undertake energetic propaganda work in all countries in favour of a greater consumption of protective foods, and, in general, of better and more rational nutrition.

The Mixed Committee had accordingly recommended the formation in all countries of committees consisting of representatives of agriculture, economics and health for dealing with the various questions. As a result of that recommendation, a Netherlands Nutrition Committee had been set up on the initiative of the Ministry of Agriculture and Fisheries. That Committee was an interdepartmental body, which included officials of the Departments of Agriculture and Fisheries, Social Questions, Commerce, Industry and Navigation, Education, Science and Arts. It was to be expected that such national nutrition committees would be set up also in other countries, so that knowledge would be increased throughout the world as to the importance of protective foodstuffs. That would certainly contribute to a greater consumption of such foodstuffs; but it could not be stated in advance when and how far the result would be attained.

While it was possible from the economic point of view to speak in general of over-production, the question was in particular one of inadequate consumption from the point of view of health and public nutrition. The studies carried out by Stiebeling and Ward showed that if all the inhabitants of the United States of America were fed like the privileged classes, it would be necessary to cultivate a further area of 40,000,000 acres.

An Australian representative had drawn attention to the advisability of an international division of labour in food production. In general, the oversea countries should be placed in a position to supply the world with wheat, while the countries with dense populations should confine themselves to intensive cultivation, the main character of which was the production of protective foodstuffs. The agrarian protectionism of a great number of European Powers was the cause of a considerable increase in the cultivation of wheat to the disadvantage of oversea countries.

From the point of view of the interests of Netherlands agriculture, it would doubtless be possible to agree to those considerations and desiderata, since the establishment of free international relations and of the international division of production would lead to the recovery of the main branches of agrarian production in the Netherlands—namely, live-stock and the cultivation of vegetables. As a result of natural and economic factors, Netherlands agriculture had developed particularly in those two branches. Most of the live-stock products had to be exported; similarly, the market-garden products were exported in considerable quantities. Those exports were compensated by imports of cereals necessary for feeding human beings and animals.

In that connection, he would draw the special attention of the Committee to Nos. 8 and 11 of the recommendations made by the Mixed Committee. He should point out that the

Netherlands was obliged to destroy large stocks of agricultural and horticultural products because they could not be exported on account of the obstacles to trade raised by neighbouring countries. The quantity of vegetables destroyed in 1935 had been 37,891 tons. It seemed unnecessary to prove that in the interest of good nutrition it should be possible to distribute foodstuffs as far as possible freely throughout the world. Propaganda and the efforts made to stimulate the production and consumption of foodstuffs would be of little use so long as it was impossible for the producing countries to export those products at a reasonable price. It was therefore necessary to study, not only the problem of production and consumption, but also that of distribution. So long as food products were not distributed as freely as possible, the other measures proposed would have very little result.

He thought it advisable to draw the Committee's attention to that aspect of the problem. In his opinion, it was only the policy of the open door which could bring about the improvement so keenly desired in that sphere too.

M. SUNDBY (Norway), as a member of the Norwegian delegation and in particular as a Norwegian farmer, wished to pay a tribute to the excellent work done by the Committee on Nutrition. At the Congress held at Oslo by the International Committee of Agriculture during the summer, M. von Bülow, of the International Labour Office, had given an account of the work in that field; the need for liaison between nutrition work on the one hand and agriculture on the other was universally realised.

In Norway, as in many other countries, an official committee had been established in 1936 to co-operate with the League Committee on nutrition questions. The present Committee might be interested to hear a short summary of the attempts previously made in Norway with a view to improve nutrition. As a result of a donation from the Rockefeller Foundation, Norway had been fortunate enough to obtain the establishment of an Institute for Public Health attached to the university. Under the leadership of Professor Schjøtz, much good work had been done for a number of years by that Institute, especially with regard to improve nutrition for the people in general.

It was now, however, with the scientific side of that undertaking with which he proposed to deal. But if scientific work in that field was to obtain the desired result, information must be disseminated among the public; in other words, there must be organised propaganda. Effective propaganda called for a good deal of expenditure, and it was in that respect that agricultural interests could be of assistance. Hence, as President of the Norwegian Dairy Associations, he had been concerned with the propaganda side of the nutrition problem. Those organisations were fairly powerful, and had means at their disposal for educational purposes; they had been eager to undertake the work, since by promoting better nutrition they were obviously increasing the consumption of milk.

Three years previously, the first great Milk Fair had been opened at Oslo in co-operation with the Norwegian Housewives Union and also with leading men in hygienics and dentistry and with school medical officers. Accordingly, the Fair was not planned on narrow lines solely as propaganda for milk, but as a broad demonstration of better nutrition in general. The best authorities in household science, with a number of trained assistants, demonstrated wholesome dishes, which were tasted by over 70,000 visitors, to whom full information was given. During the Fair, the newspapers contained much useful information regarding nutrition. Similar Fairs were subsequently held in most Norwegian towns.

In addition to the regular Press reports on the Fairs, the newspapers were methodically supplied with articles on nutrition, most of which were written by health authorities. That journalistic work was, of course, supported by advertising. Recently, an attempt had been made to utilise the interest taken by young people in sport. The Norwegian Olympia winners had freely given statements, together with their photographs, for use as advertisements in order to attract public attention. It was well known that good nutrition and in particular plenty of milk was the alpha and omega of success in sport.

After the conclusion of the milk fairs, school demonstrations were started in 1935. About 65,000 school-children had already spent one day each with the "Journey to Healthland", in most cases accompanied by their mothers. The school medical officers, the local health officers, the teachers, mothers and children themselves took a keen interest in these demonstrations, which would continue until all the schools in the country had been covered. The work could then start afresh.

Educational work in that field was based on a magazine called *Life and Health*, edited by Professor Schjøtz, who was assisted by practically all the Norwegian authorities on matters of health. The magazine was supplied free of cost to most of the schools in the country, including household schools.

Some years previously, the school medical officers had initiated a school breakfast, provided free of charge for all children desiring it. It consisted of milk, dark bread, butter, cheese—in particular, the Norwegian sweet cheese—together with fruit or raw carrots. That breakfast, which was known as the "Oslo breakfast", had been a great success and had recently been placed on the menus of the Oslo restaurants. It was not only wholesome but very cheap.

In 1935, the propaganda in favour of better nutrition had been backed up by the Government, which had given financial support to large nutrition fairs with the object of promoting a more national kind of living. The first big fair of this kind was held in the spring of 1935 at Oslo and was now going the round of other towns.

The result of propaganda of that kind was naturally not immediately obvious, especially in its effects on public health. Considerable results had, however, already been attained in respect of milk consumption, for which exact statistics were available. In Oslo, for instance, milk sales had risen by about 20% in the last two years. That was a very satisfactory result, as the former milk consumption per individual was one of the highest in the world.

The next step which it was hoped to take was the establishment of wide co-operation with the Health Insurance Fund. That would be a considerable step forward, as that institution was closely connected through its officers in every town with almost every adult in the country. It was naturally to the interest of the Health Insurance Fund to promote healthier nutrition with a view to preventing illness. He felt sure that valuable co-operation would be established with the Norwegian Nutrition Committee recently created in connection with the League of Nations, of which Professor Schjötz, of the Rockefeller Foundation, and M. Mark, the leading expert of the dairy organisations, were members.

In recent years a number of countries, such as the United Kingdom and the Netherlands, whose representatives had already spoken, had taken up milk propaganda on a large scale, usually in connection with the health authorities. It was with a view to organising that co-operation on a wider basis and thus creating possibilities of obtaining the necessary funds for educational work that he had thought an account of the work done in Norway might be of interest.

M. FRIAS (Venezuela) wished to inform the Second Committee of the keen interest felt by Venezuela in the League's work on nutrition.

Chile, to which Venezuela was bound by strong historic and cultural ties, had recently requested League experts to undertake a study of public nutrition which would take into account all the local conditions of the country.

The Venezuelan Government was not indifferent to the problem, and attached special importance to the conclusions which the Mixed Committee would reach. It was hoped that that work would be as complete and comprehensive as possible for the benefit of all countries concerned.

M. MOMTCHILOFF (Bulgaria) recalled that in 1935 he had drawn the attention of the Second Committee to an evolution which appeared to be taking place in certain economic aspects of the problem of nutrition.

That evolution had since continued. The use of mechanical traction and of improved implements, the development of regions hitherto little cultivated, Government protection in certain large consuming countries and other general economic factors had led to such price and investment conditions in agriculture, and more particularly in the production of cereals, that complete dislocation had resulted and real distress had been caused in that essential activity of many producing countries. The depression had become particularly acute in countries where rural property consisted of small holdings and where the use of improved methods was consequently impracticable.

All kinds of trade restrictions, imposed by the great majority of consuming countries, had certainly helped to aggravate the situation and to make its effects more generally felt.

In 1929, it was already clear in Bulgaria that a gradual modification of the actual structure of agricultural production was becoming necessary. The production of tobacco was first intensified and its quality improved; but the general crisis of 1931 and the accompanying fall in prices soon showed that, in that sphere too, it was useless to make further improvements or to increase production.

Attention and effort were then centred on another branch of agriculture, which until recent years had been considered of secondary importance—the cultivation and export of fruit. The markets of Western Europe, which formed the principal outlets for Bulgaria, did not at first offer attractive prospects; consumption seemed stationary and the habit of always obtaining supplies from the same countries was a serious obstacle.

Though, from the first, the causes were not altogether clear, an increase in the demand for fruit became noticeable in 1932, and it gradually became obvious that consumption was tending to increase, and that, too, among sections of the population which previously had consumed only small quantities of fruit, and that only occasionally.

That change had been closely followed in Bulgaria. Experiments—sometimes hasty and risky experiments—had been made. There had been systematic efforts to improve the quality and appearance of exported fruit, and particular care was devoted to their export; but on the whole, there had been no large-scale sinking of capital in equipment, in land, or for financing purposes.

Nevertheless, results had been very satisfactory, as some of the figures would indicate: the export of wheat, which, before the war, amounted to 75% of the total goods exported by Bulgaria, had fallen to 25%. The export of table grapes, after a very small beginning, had reached the large figure of 34,000 tons, worth 2.48 million leva—that is, about 7% of the total

exports. The export of plums had increased from 246 tons in 1932 to 4,162 tons, worth 105 million leva, in 1935. A similar advance could be noticed in the case of other fruit, nuts, tomatoes and some early vegetables and early fruit.

According to exporters, one of the chief reasons for the improvement was that consumption was extending to an increasing number of the population. They also thought it was due to the more reasonable price of fruit and early vegetables on certain markets, and to a definite change in the tastes, or rather in the habits, of consumers. Shortage of foreign exchange in certain consuming countries must also have contributed by causing fruit importers to obtain supplies through markets where it was possible to buy without paying in gold currencies.

It would no doubt be premature to draw from these few observations general conclusions as to a radical change in the consumption of fruit and early vegetables. It would seem, however, that there were fairly clear signs of a growing tendency to make more use of these food products, particularly among large town populations and in industrial centres. Useful guidance might, in particular, be obtained from those observations regarding the true possibilities of gradually but quite rapidly adapting the economic activity of a producing country to changes in markets and in demand, without making unduly heavy material sacrifices, and without having recourse to severe coercive measures or hampering regulations. In that connection, it was desirable that the study of available statistics in the great consuming countries should show the present state of affairs and the changes which had taken place within the last few years. That study would make it possible to determine what might be expected from the efforts which the Committee proposed to direct and as far as possible to co-ordinate.

M. KAMPE (Latvia) was happy to note that the Mixed Committee's report fully confirmed the remarks made in 1935 in the Second Committee by the Latvian delegate.¹ As an essentially agricultural country, Latvia was ready to give full support to the recommendations made by the Mixed Committee, both in the national and in the international sphere. In that connection, M. Kampe wished to inform the Second Committee that the public authorities in Latvia were making constant and unwearying efforts to inculcate sound ideas as to rational and hygienic nutrition. The teaching of that special subject not only figured in the curriculum of schools of domestic economy, but also in that of girls' secondary schools.

The Ministry of Agriculture employed a large number of women agricultural experts to lecture and give practical advice on household matters and the hygiene of nutrition. The wireless stations of the country very frequently gave broadcast talks on those subjects.

The Latvian Government still believed that not only the peasant, but the workman, the clerk and the civil servant should receive the best type of food in their own homes; not so much perhaps from the point of view of the observance of the principles of rational nutrition as from the point of view of the other needs of social and national life, in particular, the stability of the family and the home. Nevertheless, the competent services had arranged for the founding and organising of workmen's refectories and popular kitchens, which met the requirements of national life and the principles of scientific nutrition. The competent authorities still believed that natural foods must not be replaced by substitutes which had been forced upon the attention of the public by modern advertisement and which, though sometimes cleverly contrived in their way, were certainly of less nutritive value.

He then gave information about the way in which the "milk campaign" had been conducted in Latvia. It was not a campaign to increase production: Latvia had plenty of milk and its pastures allowed it to increase production considerably. It was merely a campaign for the increased consumption of milk.

As a contribution to the work of the Mixed Committee, he wished to point out the results of that action. The Government had already established model dairies and *crémeries*; it had organised supervision of production, and of the quality of products sold inside the country or exported; it had carried on intensive propaganda in favour of the hygienic production of milk under the control of agricultural inspectors. That task had been pursued with optimism and confidence. A modern and hygienic system of distributing milk to urban populations had been organised; direct steps had been taken to include milk in the diet of the army, the navy and the employees and workers who received their food from the public authorities. The "milk campaign" was a new and additional measure.

The Government had wished to deal first of all with bad habits. It had opened "milk restaurants". It might be said that those were nothing new and were only *crémeries*. But *crémeries* had their customers who came regularly and on principle; they were not patronised by the general public. Recourse had therefore to be had to a kind of camouflage. The milk "restaurant" was made to look like an ordinary restaurant, a café or a brasserie, or even an American bar. People went to it just as they went to cafés, to chat, listen to music and take their meals. There was even a dancing-hall where nothing but milk was drunk. In those restaurants, all dishes were prepared with milk; the national milk dishes of every country in the world appeared on the menu.

The experiment had met with magnificent success, primarily for psychological reasons. The general public had only had to make a partial change of habit; the place was the same, the

¹ See *Official Journal*, Special Supplement No. 140 (1935), pages 20 and 21.

atmosphere was the same, and the music was even better than usual. The only difference was that instead of an *apéritif* you drank a glass of milk. The second reason for success was the support of the public authorities. These restaurants and bars, managed by the Central Dairies Union, were so cheap as to defy all competition. Tax remission and other fiscal facilities allowed them to sell at exceptionally low prices. Finally, the third cause of success had been propaganda. The departments concerned had invited to these restaurants people who were well-known in the political, artistic and financial world. Long accounts had appeared in the Press. The Head of the State himself had been more than once to these restaurants, thus setting an example.

M. Kampe concluded by congratulating the Mixed Committee on its report. After reading that report, which had placed the problem of nutrition on a practical footing, he had felt bound to mention the results of the practical measures carried out in his own country. The figures were shown in Volume III of the report.¹ He had merely described those measures, which were in complete accordance with the great ideal of improving the food of the peoples of all countries and all social classes, especially those who, in the past, had suffered most in that respect.

M. QUEUILLE (France), Rapporteur, expressed his pleasure at having heard all the speakers support the suggestions of the Mixed Committee and some of them propose that the Committee presided over by Lord Astor should continue its work for another year. He wished, however, to point out a danger. He had noted that M. van Lanschot had, in the course of his observations, considerably widened the scope of the discussion by declaring that a free-trade policy should be followed with the object of solving the problem of nutrition, and by suggesting that some kind of revision of the world production map should be made. That idea had already been met with in the Mixed Committee. The assertion had been made that, if means were found to transfer the surplus from countries where there was over-production to countries where food products were lacking, the problem of nutrition would largely be solved. As those who had taken part in that discussion would remember, the French representative had remarked that, to ensure the free distribution of agricultural products, the farmers of all countries would have to be placed under the same conditions, which at the present time was far from being the case. Moreover, it had been pointed out that, if surplus products from countries where there was over-production were transferred to other countries, the question of who was to pay for them would arise. It would be seen that the complicated questions connected with transfers, foreign exchange and so on would at once come up, questions which were outside the scope of the present debate.

With regard to M. van Lanschot's suggestion concerning a rearrangement of the world production map, M. Queuille would like to remind the members of the Committee of the work of various conferences in which he had himself taken part, especially the Wheat Conference, which had tried to work out a system for limiting production. Mr. McDougall, who had himself taken an active part in that Conference, would be able to say how strenuous the work had been, and to acknowledge that the results, however appreciable they might be, were not yet final.

M. Queuille thought that it was not desirable to extend the scope of the discussion in that way, because otherwise the debate might go on for ever. In his opinion, the Mixed Committee had acted wisely in limiting its recommendations to pointing out which of the many desirable objects were possible of achievement. In dealing with the problem of nutrition, the Mixed Committee had started from scientific information with regard to a rational dietary. Its first conclusion had been that it was necessary to popularise that information. If production had to be reorganised inside the countries concerned, producers and consumers in each country would be able to agree so as to reconcile the interests affected. That was the object for which the Mixed Committee had been working and that, in his opinion, was the method which the Second Committee should follow in this debate if it wished the conclusions of the discussion to be other than negative.

Mr. McDUGALL (Australia) was not quite sure of the significance of the Rapporteur's remarks. If M. Queuille thought it undesirable to go over the whole ground of quotas, Customs barriers, etc., with which the Committee would have to deal at a later meeting, he was in agreement; but a discussion of nutrition also involved the effect of nutritional policy on agricultural policy. While agreeing in general that the Committee should not consider all the economic aspects of the work, he hoped the Rapporteur did not propose to check all discussion regarding the consequences on agricultural policy of the fact that the population obtained more information regarding foodstuffs and desired to obtain more protective foods.

M. QUEUILLE (France), Rapporteur, said that he agreed with Mr. McDougall in that he thought the repercussions of the problem of nutrition on economics and agriculture should be studied, but he still thought that to wish to draw further conclusions from that study, and to use it as a means for raising all the problems of world economy, would be to go beyond the scope of the present discussion. The conditions of trade between countries should form the subject of another discussion. In the present debate, the Committee should take note of the great progress embodied in the conclusions of the Mixed Committee; it could ask the Committee to continue the study of the effect of nutrition policies on the agricultural situation; but, as far as the problem of nutrition was concerned, it should go no further.

¹ See document A.12(b).1936.II.B. *passim*.

The CHAIRMAN said that there were no differences of opinion with regard to the limits which should be set to the discussion of the problem of nutrition. The present discussion exchanges came under another item on the agenda and could be examined when the Committee was called upon to discuss economic and financial questions.

FOURTH MEETING.

Held on Thursday, October 1st, 1936, at 3.30 p.m.

Chairman: M. VAN LANGENHOVE (Belgium).

8. Nutrition: General Discussion (continuation).

Sir JAMES PARR (New Zealand) agreed that the study of nutrition was really an attempt to marry health to agriculture. If the consumption of agricultural foodstuffs could be increased, not only would the standard of living be improved, but the existing world depression in agriculture would also be relieved. New Zealand, the most distant country of all from Geneva, was peculiarly fitted by nature to supply all the products of the soil required for a full and sound human diet. She was already the largest exporter in the world of butter and cheese, mutton and lamb, and she therefore welcomed the good work of the League and its Committees. But New Zealand, he hoped, took a much broader view than that of selfish interest. The reports before the Committee confirmed previous impressions and showed the extent to which demand remained unsatisfied.

He joined in congratulating the members and staff of the Mixed Committee, the Technical Committee and the compilers of the third and fourth volumes of "The Problem of Nutrition". The work achieved reflected credit on its authors and there was ample justification for its continuance.

The fourth volume recorded the consumption of foodstuffs in about a score of countries, and in two of its tables a conspicuous place was given to New Zealand. It showed that New Zealand was not only the largest exporter, but also a very large consumer of foodstuffs. The tables showed that the average consumption of butter per head during the last five years ranged from 38 pounds per year in New Zealand to 2 pounds in Italy, while the average consumption of meat during the same period ranged from 236 pounds in New Zealand to 35 pounds in Italy. He naturally intended no criticism of Italy, but was merely stating the highest and lowest figures contained in the tables. This large consumption of good foodstuffs by New Zealanders was bound to have its effect on health and on mortality rates. Indeed, New Zealand possessed the lowest death rate in the world, while the figures of infant mortality were particularly favourable. The Netherlands delegate had stated that the infant death-rate in his country was the lowest in Europe with 4.7. The corresponding rate in New Zealand was 3.2.

Despite the relatively satisfactory condition suggested by the New Zealand figures, the Government and people of that country were far from feeling complacent on the subject. Even in the most favoured of countries, the securing of better nutrition in the interests of health still represented a great, unsolved problem, to which his Government was giving close attention. Hence the value attached to nutrition work at Geneva.

Turning to another aspect of the question, he pointed out that low wages were obviously the root causes of inadequate nutrition. Sir John Orr had given some significant figures. He had divided up the population of Great Britain according to income groups and shown that the consumption of meat in the lowest and the highest groups ranged from 23.1 to 49.4 ounces per week, the corresponding figures for butter being 3 ounces to 11 ounces. He had reached the tentative conclusion that 22½ million people in Great Britain—i.e., nearly half the population—were obtaining food short of the optimum in quantity or quality to ensure health. Similar investigations in other countries would undoubtedly reveal conditions which were equally bad or even worse, and no country could afford to be complacent on that subject. How could that immense and appalling evil be remedied?

There could be no doubt that the most satisfactory attack on the problem of nutrition was along the line of increasing purchasing power. Fortunately, New Zealand was able to report progress in that direction. The new Government had, within the present year, restored salaries, wages and pensions up to or above the pre-depression level; unemployment relief rates had been increased, while the numbers of unemployed had been reduced. At the same time, the general working-week was being reduced to 40 hours and provision was being made for annual holidays on pay. Another point was that food was dearer than it should be on account of inefficient distribution. In the New Zealand fruit and milk trade, there were too

many transporters and unnecessary middlemen. There was the classic case of seven individual milk purveyors distributing milk to seven different householders in a single street. Why should the New Zealand fruit farmer receive less than a penny a pound for apples which were sold retail in Europe for 8 or 9 pence? There was no doubt that a faulty system of distribution was at the root of high prices.

In conclusion, while commending the work achieved and endorsing the need for its continuance, as far as it could usefully be continued by the League, he thought there were limits to the work which the League could do in regard to nutrition. The preliminary reports were admirable in their way. The League could collect and make widely available information on the measures adopted in various countries: it could be a clearing-house for information. But for the most part, Governments must themselves take the responsibility for action in their respective countries; it would be the reverse of helpful if Governments found an excuse for delaying practical action owing to the fact that the League of Nations was active in Geneva.

It was therefore, on the whole, a fortunate circumstance that the work undertaken at Geneva was in the hands of *ad hoc* Committees which must necessarily be bound by time-limits in their work. He hoped the work of the Nutrition Committee would continue, since it arose from a widespread interest in the subject and had stimulated and sustained a still wider interest in that problem.

M. VOIONMAA (Finland) associated himself with the previous speakers in regarding the study of nutrition as one of the happiest initiatives taken by the League of Nations. The fact that that study was directed by such a competent organ as the Mixed Committee, which had moreover received the co-operation of the technical departments of the League, the International Labour Office and the national institutions concerned, inspired confidence in the success of that enterprise which would, no doubt, result in practical measures on international lines. In addition to the results already achieved by this study in the scientific field as recorded in the preliminary report and in the report on the physiological bases of nutrition, there was an even more important result—namely, the reawakening of interest in questions of nutrition in numerous countries. For instance, in Finland, the initiative taken by the League had attracted the attention of a great part of the population. The Government, for its part, had appointed a Committee of experts for the study of popular nutrition. That Committee, with the assistance of the medical profession, had undertaken an enquiry throughout the country, the results of which were not yet published. It could, however, already be stated that the problem of nutrition had become a permanent factor in the social policy of the country.

The problem was, moreover, not new. The work already achieved in that field was recorded in Volume III of the Mixed Committee's Report. Various organisations had taken or were contemplating measures for the improvement of the nutrition of young children, school-children, forest workers, soldiers, etc. But the most important work to be carried out was the improvement of the standard of nutrition of the working and peasant classes. A valuable contribution to that work could be given by the co-operative organisations of the agricultural producers and consumers. In that connection, interesting particulars had been furnished in a recent publication by the International Labour Office called "Workers' Nutrition and the Social Problem".

As an example, he referred to the activities of the great consumers' co-operative society of Helsinki, which had succeeded in bringing about a considerable reduction in the price of foodstuffs in the capital while paying more remunerative prices to the producers. The co-operative societies could also make a most effective contribution to the education of the masses in respect of rational nutrition.

The ignorance of the masses had often been referred to as one of the causes of the defective nutrition of the population. In that connection, he wished to mention certain prejudices and bad habits which constituted serious obstacles to the progress of nutrition. He was thinking particularly of alcoholism; he expressed the wish that the competent organisations should not lose sight of the problem in the course of their studies.

Mr. McDougall (Australia) expressed the thanks of the Commonwealth to the Mixed Committee and the Technical Commission appointed by the Health Organisation of the League for their reports. The reports had been very highly appreciated by the medical profession and the public generally in Australia, and had received wide notice throughout the Commonwealth. They had been unanimously approved as having a high intrinsic value and as contributing greatly to the study of that important subject.

The Commonwealth Government also, like so many of the Governments whose delegates had already spoken in this debate, had already taken certain action based on the recommendations of the Mixed Committee. An Advisory Council on Nutrition had been appointed and provided with adequate financial resources to enable it to carry out investigations. The Director-General of Health was the Chairman and the members consisted of leading experts in that field in Australia. This Council had already prepared a preliminary report which showed that a detailed and comprehensive enquiry had been commenced with the object of determining the quantity and nature of the food usually consumed by representative sections of the people of the Commonwealth. The results of the enquiry would point to other avenues of enquiry, which would make in Australia—as, no doubt, in other countries—for a comprehensive improvement in the standard of nutrition.

While, generally speaking, nutritional standards in Australia were relatively high, it had been found that, in certain districts, obvious deficiencies existed which could easily be remedied by adequate nutrition. The new Advisory Council had already expressed the view that the people of Australia were not consuming as much milk as would be physiologically beneficial and there was also room for increased consumption of fruit and vegetables. The Advisory Council considered it imperative that means should be found for ensuring to the people of land districts more adequate supplies of fruit and vegetables. The Advisory Council was also charged with the duty of considering the relationship of nutrition to health among the natives in Papua and in the mandated territory of New Guinea. The Australian delegation was, therefore, delighted to hear of the initiative taken by His Majesty's Government in the United Kingdom in drawing the attention of the Governments in all the British non-self-governing territories to the importance of nutrition and in setting up a Committee under the chairmanship of Earl De La Warr, the Rapporteur of the Second Committee on the subject in 1935, to bring about improvements in nutrition in the colonies. The work which the Colonial Office had thus undertaken would certainly prove of the greatest value to the Australian Advisory Council as it would also do to all countries responsible for administration of tropical territories.

The remarkable progress that had been made both in Geneva and elsewhere on the problem of nutrition since the Australian delegation had had the honour of raising the question at the Assembly of 1935 was naturally a source of much gratification to the Commonwealth Government. It would, he thought, be of interest to the Committee to consider for a moment how great that progress had been. At the Assembly of 1935, the main document on which the discussions were based was the report of Dr. Burnet and Dr. Aykroyd. While that report remained of great value, it had been internationally reinforced by a number of other reports and by admirable and most important studies carried out nationally.

He was sure the Second Committee would desire to express its gratitude to the International Labour Office for the report entitled "Workers' Nutrition and the Social Problem", which undoubtedly represented the most valuable contribution yet made to the general study of the problem of nutrition in its social aspects. Since, as a member of the Mixed Committee, he shared with Lord Astor and his other colleagues a measure of responsibility for Volume I of the report presented by the Mixed Committee, he would make no comment on the quality of that report. He would merely anticipate a view which he was sure Lord Astor would place very clearly before the Committee—namely, that the work had only been begun and that a very great deal remained to be done. It was impossible to exaggerate the importance of the report of the technical experts entitled "The Physiological Bases of Nutrition". These distinguished experts, working in the closest association with the Director of the Health Organisation and his staff, had for the first time placed before the world a quantitative standard of the requirements of food for health.

The Second Committee would also desire to pay a tribute to the co-operation of the International Institute of Agriculture, whose report, issued as Volume IV of the documents before the Committee, represented an important contribution to the study of food production and consumption in many countries. The inadequacy of national statistics in those matters had made the task of the International Institute extremely difficult, and he would venture to suggest that one of the ways in which Governments could assist the nutrition campaign was by taking measures to secure and publish much fuller statistics in regard to food and especially in regard to protective foodstuffs.

Outside the international field, admirable work had been carried out during the past year in many countries. That was particularly the case in the United States, where both the Departments of Agriculture and of Labour had published very valuable information. He would, however, particularly draw the attention of the Committee to the report on nutrition in the United Kingdom prepared by Sir John Orr.¹ That report, based on all the published family budget surveys made in the United Kingdom, though admittedly inadequate in number for complete accuracy, had established a new and progressive technique for enquiries into the state of nutrition in any country.

There was thus no doubt that very valuable progress had been made, and the Second Committee should consider for a moment just what the problem of nutrition could now be seen to mean. In the first place, there was, of course, the national health aspects of the problem, which had been dealt with at considerable length in the interim report of the Mixed Committee. The picture presented in the report was confirmed by the clearly expressed opinions of physiological experts and the medical profession of almost every country. In view of the interest which the Governments, the Press and the general public were taking in the subject, it was being gradually realised in all quarters that, through the adoption of more satisfactory and adequate diets, improvements in public health could be brought about comparable with those of the nineteenth century, when the science of bacteriology enabled mankind to control infectious diseases and to bring about a fall in the death rate, which profoundly affected the whole course of civilisation. Sir J. Arthur Thomson said that "as peace is more than the absence of war, so positive health is more than the absence of disease". Modern developments of science now offered to mankind, not only a decrease in the incidence of all the diseases associated with malnutrition, including such scourges as tuberculosis and probably malaria, but also a better and a fuller life. The effect of adequate nutrition especially from the pre-natal stage to

¹ "Food, Health and Nutrition", by Sir John Boyd ORR (Macmillan).

adolescence would be *mens sana in corpore sano*. It was indeed no exaggeration to claim that through its effect upon the mental outlook of people, adequate nutrition would make an important contribution to the conditions necessary for the maintenance of world peace. It was perfectly true so far as the adult was concerned that "no man by taking thought could add a cubit to his stature", but if the expectant and nursing mother, the infant, the pre-school and the school-child and the adolescent received adequate supplies of protective foods, it would be possible to add inches to the height of the rising generations, pounds to their weight and render them far happier as well as more efficient citizens.

While it was already possible to see thus far into the problem, there remained much to be done and to be enquired into. Public conscience in many civilised countries was gravely disturbed at the incidence of maternal mortality, a subject to which his colleague, Mrs. Waterworth, had already drawn the attention of the Second Committee. Sir Robert McCarrison, in his lectures before the Royal Society of Arts, had suggested that here also nutrition played a most important part and that an inadequate supply of certain vitamins probably affected such mortality.¹ That was one of the many fields for further research and enquiry.

Again, throughout the tropical world, the difference in the resistance of the well-nourished and the under-nourished sections of the population to malaria, sleeping-sickness, tropical ulcers and other diseases all tended to confirm the claim that nutrition was the major political problem of the tropics. Here the field for research and for large-scale tests carried out on a sound statistical basis was immense.

Fortunately, most Governments had become aware of the importance of these problems and nothing could be more encouraging to those concerned with the problem of nutrition than to hear delegate after delegate assure the Committee that his Government had already accepted the proposal of the Mixed Committee, a proposal for which the present Rapporteur was himself responsible, and had set up a national commission or council to deal with nutrition in all its aspects.

So much for the public health aspects. The Assembly of 1935, however, had invited the Council to arrange for the full examination of the problem of nutrition, not only in relation to public health, but also in regard to the effects of improved nutrition upon the world's agricultural and economic problems. He entirely agreed with the Rapporteur that the discussion on nutrition was not the time to go into problems of agricultural protectionism nor of the general effects of commercial and economic policy upon agriculture. The discussion would, however, be quite inadequate if it were not recognised that the adoption of adequate standards of food consumption in many countries would have profoundly beneficial effects both on national agriculture and upon world trade. Here the starting-point must be the fact that all nations of the world, whether primarily agricultural or industrial, were determined for sound social, political or economic reasons to maintain prosperous agricultural communities. That determination had led, especially during the depression, to severe restrictions upon world trade because, during that period, the consumption of food had been static or had in some cases even declined; and the Governments of certain countries, particularly those of Europe, had found it necessary to defend the interests of their farmers by having recourse to many forms of restrictions upon imports. If, however, the problem were approached from the standpoint of nutrition, it resulted in a far more favourable prognosis of the prospects of agriculture and world trade.

It was only necessary to consider the list of the protective foods which all scientific experts throughout the world agreed in regarding as essential to proper health and which in every country were under-consumed by a proportion of the population rarely falling below 50% and often exceeding that figure, to realise the truth of that statement. These protective foods were, first and foremost, fresh liquid milk, fresh fruit and vegetables, eggs and dairy products; while it was also clear from the researches of the International Labour Office and the reports of such authorities as Sir John Orr and Stiebling and Ward in the United States that, with normal food habits, large masses of the population consumed too little meat.

It so happened that a large proportion of these protective foods were particularly well-suited to the conditions of agriculture in the more densely populated countries of Europe. Indeed, the conditions of transport almost required that the most important of these protective foods should be produced within a relatively short distance of the place where they were consumed. What, therefore, might be expected to be the effect of a striking increase in the demand for protective foods in any one of the industrial countries of Europe? The farmers would find a growing market for milk, eggs, fresh vegetables and fresh fruit. They would desire to increase the numbers of their cows and to devote more land to the production of fodder. They would increase their poultry-keeping and become more interested than at present in vegetable and fruit production. That would inevitably mean that they would gradually and naturally become less concerned with the maintenance of excessively high prices for such commodities as wheat and sugar. They would also find it necessary to obtain from abroad larger supplies of animal feeding-stuffs.

Thus the Committee was entitled to look forward with confidence to the nutrition campaign as it developed in many countries, bringing about a gradual reorientation of production.

¹ See *Journal of the Royal Society of Arts*, September 11th, 1936 (No. 4373), pages 1101 and 1102.

That reorientation would be carried out by the farmer in his own interests and would be encouraged by Governments in the interests of public health and of national economy. Such a reorientation would improve agricultural conditions within the country concerned, and yet at the same time would allow for a great increase in the volume of external trade in agricultural products. It had been estimated that, if the countries of Europe were to raise their consumption of milk to the levels regarded as desirable in the interest of public health, that would necessitate a doubling of the number of milch cows in Europe. The Committee could imagine the profound effects upon both agriculture and trade of the realisation of such an objective.

The Mixed Committee, in its interim report, had only made a tentative beginning in the examination of these agricultural and economic problems. One of its major tasks in its final report must be to carry the enquiries further and present to the next Assembly a much fuller and clearer picture of the repercussions of nutritional policy upon agriculture and trade.

There was another aspect of the problem of nutrition to which he must finally refer—namely, the methods whereby the adequate consumption of protective foods was to be brought about. That again was a problem which the Mixed Committee had not yet fully faced. It was, of course, perfectly true that a considerable proportion of the malnutrition in the world was due to ignorance, and it was therefore clear that educational campaigns could be of the greatest importance. No one, however, could study the report of the International Labour Office on "Workers' Nutrition and Social Policy" nor the work of such authorities as Orr and Stiebling and Ward without becoming convinced that poverty was the main cause of malnutrition. The Mixed Committee itself definitely came to that conclusion.

That being the case, it was clear that the achievement of sound nutritional standards could not be wholly brought about by education, but that steps must also be taken to bring about a more satisfactory relationship between income and nutrition, either through improvement of the purchasing power of the masses, through social provision or by cheapening the retail cost of food.

The many reports received from Governments, and published as Volume III of the reports before the Committee, indicated a widespread awareness of the nature of this problem; but it was also clear that a great deal of work still required to be done and many fresh enquiries must be undertaken before it would be possible to claim that the world had made much progress towards ensuring better health through improved nutrition.

The Australian delegation, therefore, strongly supported the proposal that the Assembly should invite the Mixed Committee to continue its work for another year, and trusted that the many countries who had already shown their intense interest in the problem would do everything in their power to assist the Committee in its heavy task of placing before the next Assembly a full and clear picture of the general implications of the problem of nutrition.

FIFTH MEETING.

Held on Saturday, October 3rd, 1936, at 3.30 p.m.

Chairman : M. VAN LANGENHOVE (Belgium).

9. Nutrition: General Discussion (continuation) : Report of the Second Committee to the Assembly and Draft Resolution (Annex 2) : Discussion and Adoption.

M. DA SILVA (Portugal), after paying a tribute to the Rapporteur, emphasised the interest taken by the Portuguese Government and by public opinion in his country in the problem of nutrition.

The Portuguese Government had directed its attention simultaneously to the question of educating the people and to economic questions connected with the problem of nutrition. It had done its utmost to bring about considerable improvements in both those directions.

As everyone knew, education played a highly important part in the problem of nutrition. The lower the educational level of the population, the lower would be the standard of nutrition. Appalling dietetic mistakes were sometimes made, especially by rural populations.

Advanced studies which might never succeed in determining a perfect standard diet were not sufficient. It was not that he failed to appreciate the value of the efforts made in that connection, but it seemed to him that, in many cases, no attempt was made to teach the different social classes how to choose the right food. In that case again, the consumer was neglected.

Unfortunately, the educational curriculum was overloaded nearly everywhere, and pupils usually left school without being able to distinguish between essentials and superfluities. It was of the highest importance that the principles of nutritional hygiene should be inculcated in the primary school and enlarged upon in the secondary schools, because, unless those principles were applied, life itself might be endangered. The Portuguese Government had a very clear idea of the nature of the problem; if educational curricula were considerably simplified, those vital questions would be given the place they merited.

In the case of the rural population, however, action similar to that taken on behalf of the wheat campaign would have to be organised. Mobile squads would have to be formed to educate the masses. It would be their duty to explain in simple language to the backward sections of the community what foodstuffs they should eat for preference, while observing the special rules to safeguard the health of expectant and nursing mothers, babies, children and adolescents.

Turning to the second aspect of the problem—the economic factor—M. da Silva pointed out that it was not sufficient to tell people what they should eat ; they must also have the food to eat.

During the depression, Portugal had been faced with the same difficulties as other countries. To avert its most dangerous consequences, she had been obliged in the first place to endeavour as far as possible to produce essential foodstuffs herself. Under the wise leadership of M. Salazar, Portugal had adopted a policy of moderate economic nationalism, and when, from time to time, she was obliged to depart from it, she did so reluctantly and to the smallest extent possible. Nevertheless, in the matter of nutrition, since Portugal had considerable natural resources, an immense effort had been made to safeguard public health. The trade balance in foodstuffs, which had often been very adverse, had for some years past been distinctly favourable. Portugal no longer imported any wheat and hardly any rice. The cod-fisheries had for the most part been nationalised. The importation of potatoes had been reduced to the quantity required for sowing purposes. The whole of the sugar consumed in the country was Portuguese. The Portuguese Government had thus accomplished the first part of its task by endeavouring to eliminate any risks a blockade might involve and all exchange risks as regards the country's food-supplies.

The economic aspect of the problem of nutrition upon which the greatest stress should be laid was that which concerned the adaptation of a wholesome diet to the economic resources of the small consumer. That was less difficult in Portugal than in certain other countries, as the climate was favourable and the Portuguese was a frugal race.

Moreover, the solution of the economic problem in Portugal was greatly facilitated by the fact that the coefficient of unemployment was very low. There were at the most some 40,000 unemployed, as the financial recovery brought about by M. Salazar since 1928 had made it possible to undertake important public works.

Notwithstanding those favourable circumstances, the country was having a hard struggle to feed itself. To that end, not only the whole weight of Government authority and intervention, but also active private initiative, had been required to mobilise the sense of human solidarity, which was the only effective factor that would hold society together. It was with legitimate pride that he asserted that neither of those factors was lacking in Portugal.

M. da Silva then enumerated the measures which, in his opinion, should be taken to obtain in the matter of nutrition similar results to those achieved in Portugal in the campaign against tuberculosis by increasing the number of clinics. The Portuguese Government had considered that that action should take the form of supervision of the quality and prices of foodstuffs. After solving the problem of drinking-water at Lisbon and practically eliminating typhoid fever, the Government was to-day exercising much more effective supervision over milk, meat, fish and fruit.

As regarded prices, the Portuguese Government was pursuing its difficult task with unflagging energy. He thought that, in that connection, the only immediate practical solution was to select, according to the circumstances of each country, three or four staple foodstuffs over which supervision should be exercised by the public authorities. There was, of course, a fiscal side to the problem, because the Government could not yet do without certain revenues which formed an important item in the budget, such as the revenue obtained from colonial sugar. But in addition to the fiscal problem, there was, *inter alia*, the question of middlemen, and further enquiries should be instituted to ascertain to what extent their intervention was necessary and how far their profits were legitimate. For instance, thanks to the development of the road system and means of transport, Portugal had succeeded in supplying fresh fish to all parts of the country, but it would not be right to allow a parasitic organisation to make the bulk of the profits on what were the gifts of nature. The Portuguese Government was devoting special attention to that question.

Lastly, he would like to mention a recent measure that had led to the establishment of an organisation which, under the name of " Joy in Work ", was engaged in various activities, one of the chief being to supply workmen and employees belonging to the trade unions with wholesome food at very low prices.

In conclusion, he said that it was largely due to those measures that there had been an appreciable decline in the death rate, and particularly in the infant mortality rate. He was glad to see that, in spite of the rumours of war with which the world was filled, the members of the Committee were quietly devoting their attention to the most precious thing on earth—namely, human life.

Viscount ASTOR, Chairman of the Mixed Committee, was very glad that the Chairman of the Second Committee had ruled on the first day of the discussion that malnutrition should be separated from other health aspects. He thanked M. Queuille for his lucid summary of the question of nutrition. He was also personally grateful to M. Queuille for his statement on the economic and agricultural aspects of the question at an earlier meeting, when he had helped to explain some of the practical difficulties of the problem. He also desired to convey the Mixed Committee's thanks to the Secretariat. The success of the Conference must depend

on the Secretariat's work between the meetings. The Secretariat had done invaluable work in collecting information and arousing the public's interest in the problem of nutrition.

It was generally recognised that the Mixed Committee had not failed in its duty by presenting an interim report. Its terms of reference had been very wide. There was moreover a diversity of interests on the Committee which comprised representatives of agriculture, economics, medicine and social affairs. The Committee had also included representatives of the International Labour Office, the International Institute of Agriculture at Rome, the Committee of Technical Experts and the Child Welfare Committee. He was glad the latter body had been represented, since it indicated the close relation between nutrition and child welfare. The Committee had dealt with questions of health, labour, agriculture and trade. It had been, in every sense of the word, a "Mixed" Committee. Though it had only submitted a preliminary report on that occasion, he hoped a final report could be prepared next year. The Committee had endeavoured to achieve four objects—*i.e.*, (1) to explain the new conception of nutrition and the effects of malnutrition; (2) to stimulate Governments to adopt definite nutrition policies; (3) to collect as much data as possible; (4) to indicate the economic and agricultural aspects of the question.

With regard to the new conception of nutrition, the Committee had in mind an optimum state of health which could not be improved by any substantial change in dietary, and it had studied the consequences of malnutrition. For a long time, certain diseases such as tuberculosis and rickets had been associated with malnutrition; but the effect of malnutrition was more far-reaching than this. For instance, in connection with maternal mortality, to which reference had already been made in the Second Committee, it was known that some cases of death were caused by malformation of the pelvis, which was due to malnutrition. Moreover, malnutrition affected the mental outlook, and the signs of it might be hyper-excitability or lethargy. Those effects increased the problems of government, so that a good nutrition policy would tend to simplify those problems.

When previous generations had adopted improved methods of sanitation, they had had no conception of the benefit it would bring to their descendants. Similarly, it was difficult to realise the immense future possibilities of the present nutrition work.

With regard to the nutrition policies of the Governments, it was not for the Committee to dictate. All it could do was to put facts and suggestions before the Governments. The Mixed Committee had been fortunate in being backed by the great authority of the Committee of Experts. The international experts had agreed unanimously on the existence and nature of the problem, the remedy for dealing with the evil and the proper standard of nutrition. The Mixed Committee had urged Governments to set up commissions or to co-ordinate national efforts taken by different departments. The debate in the present Committee showed that great progress had been made in that respect. He hoped, however, that no one would feel satisfied with the present result, as very much still remained to be done. He agreed with the members who had stressed the importance of education. The Mixed Committee had pointed out that it was not only necessary to educate the public, but that the medical profession should also be given an opportunity of acquiring the new knowledge. He hoped it would be possible, in the course of the year, to bring the National Committees together for a meeting at Geneva. Such a Conference would have invaluable results. It would enable the participants to exchange views and information, and would, no doubt, bring a greater response to the request for information. It might be the first step towards permanent co-operation after the Mixed Committee had finished its work.

With regard to the collection of data and material, much work had been done and great assistance had been received from the International Institute of Agriculture at Rome. He would like to stress the value of the information contained in Volume IV of the Report on the Problem of Nutrition, which was full of data on food production, consumption and prices. A great deal of information had also been collected by the International Labour Office and its Nutrition Committee. That Committee and the Joint Committee had had practically the same terms of reference and had worked most harmoniously together. Though much material had been collected, there was still much to be done in that direction in different countries. For instance, there were such questions as family budgets, the spread between wholesale and retail prices, the international comparison of prices and so on.

Before proceeding to deal with the economic aspect of nutrition work, he would like to interpolate some remarks on the Far East. The Health Organisation of the League was continuing the arrangements initiated some time ago for the proposed investigations. A Preparatory Commission had visited India, Burma, Java, Malaya, Siam, the Philippines and the Netherlands Indies, and discussed with the competent authorities what documentation should be collected for a Conference to be held in 1937. One of the main commissions composed of experts from the participating countries, would—he understood—consider the problem from the medical, public health, educational, agricultural, social and economic aspects. It would make a technical study of dietaries and staple foodstuffs of Eastern populations and of diet and disease in the East, and would also study the allowance for food in family budgets at different income levels. The question of nutrition loomed large in the minds of the

authorities, the public and the Press in the countries visited, as well as in China and Japan, where similar preparations were being made for the Conference.

With regard to the economic aspect of nutrition, many speakers in the present Committee had stressed the importance, the diversity and the difficulty of the economic aspect. He was very glad of the support received from the Conference at Oslo. It was a matter for satisfaction that the Conference approved the line taken by the Mixed Committee. It was not easy to foretell the exact effect of an expanding nutrition policy on agriculture. Obviously, agriculture must benefit if the consumption of foodstuffs increased. But there were different types of agriculture. For instance, some countries were self-supporting, others depended on the export of agricultural products, while others again were obliged to import. Undoubtedly a reorientation was already taking place in some countries. In that connection, he referred to the interesting statement made by the Bulgarian delegate. But those responsible for agricultural policy would be well advised to show caution in their advance. Agriculture was passing through a difficult period on account of the new methods which had been introduced. Every revolution, even a scientific revolution, was apt to be disturbing, and it was therefore advisable to temper zeal with wisdom.

The International Labour Office report emphasised the price factor and pointed out that poverty was a serious consideration ; many people could not buy the proper food on account of lack of means. It was therefore essential that food should be cheap. That factor had repercussions on agriculture. Some countries were favoured by soil and climate and could produce cheaply, while other were obliged to import cheap foods. In all countries, however, agriculture could be extended in some direction by means of a wise nutrition policy.

He had made those remarks in order to show the complexity of the problem. In general, it could be stated that as the standard of living rose, agriculture must expand and that expansion would result in an ever increasing exchange of foodstuffs between different countries. The results could not but be beneficial.

From the foregoing remarks, it was evident that much more work remained to be done by the Mixed Committee. Though there was an increasing consciousness of changes which had taken place in nutritional habits, as the result largely of the gradual spread of the new knowledge about nutrition, no exhaustive study of these changes had yet been made. It was necessary to know the extent of the changes and the extent to which agriculture had automatically adapted itself to meet them. Above all, it was necessary to know how far such changes in demand had been impeded by controllable factors and how far, for one reason or another, agriculture had failed to adapt itself. It was only after obtaining a clear picture of all those processes—the forces of evolution and the impediments to it—that appropriate policy could be seriously considered.

It was in no way the function of the Mixed Committee to dictate policy either on economic or on any other phase of the problem. But it was its function to lay before Governments as fully and as clearly as possible the various facts and considerations upon which policy should be built. That could only be done by studying the recent course of development, by showing how progress had been achieved and where serious malnutrition existed and by indicating wherever possible the impediments which had prevented greater progress. The problem of nutrition was no new one, and the raising of nutrition standards was no new phenomenon. What was required to-day was consciously to direct what had been in the past largely an unconscious and unrecognised process. But such conscious direction must necessarily depend on a fuller knowledge of the present situation and of the gradual development that had led up to it. He trusted that, in the course of 1937, the Mixed Committee might be in a position to throw much light on the whole question.

Lastly, he would turn to the financial aspects of the question. An estimate of the expenditure required in 1937 for completing the study had been distributed. That estimate would be scrutinised in due course by the competent Committees. He had examined the figures carefully. They provided for meetings of the Mixed Committee, for certain technical committees on the health side and for a conference of members of national commissions. Those expenses were inevitable. In addition, there were relatively low estimates for a small temporary staff and the cost of travelling. Those items were necessary if the required information and contacts were to be achieved. The estimates appeared in every way reasonable, and he would only add that the full value of the work which had been done in the past would not make itself felt, unless it was completed on the lines now proposed.

He had spoken at such length because he thought he owed it to the Committee to report on what the Mixed Committee had done, the reasons for its action and its proposals for the future. The first duty of the League was the maintenance of peace. In that respect, it could not be said that the League's efforts had been successful, and pessimism was felt in many quarters. If anything could be done by a nutritional policy to turn attention away from war and to endeavour to improve the well-being of the people, it would inevitably lead towards peace. It would moreover be coupled with increased prosperity in agriculture and trade, so that that relatively small effort might provide a substantial contribution to world peace.

Mme. BEGRUP (Denmark) said the problem of nutrition occupied the Danish public to an increasing degree. The fact that infant mortality in Denmark was higher than that of some other countries with a similar standard of living had been a source of disquietude to Danish women.

That that fact was, to a great extent, due to ignorance on the part of the mothers had been proved by the experiment carried out on the initiative of the Health Committee of the League of Nations—namely, the appointment of health visitors in some parts of the country, which had resulted in a considerable decrease in the death rate of children under one year.

Those results had induced the women's organisations to press for the appointment of health visitors all over the country. It was to be expected that the Government, which was fully aware of the importance of the question, would introduce a Bill in Parliament for that purpose in the near future.

In addition, women were taking a more active part in all activities concerned with national health.

Under the leadership of the Danish National Council of Women, a number of women's organisations in collaboration with the State Household Council, the Health Committee of the Medical Association, the Red Cross, associations of teachers and of parents, etc., were starting an intensive health campaign under the title: "The Health of our Children".

About November 1st, that joint committee would send out a kind of health caravan, which would tour all provincial towns and many rural districts throughout the country for more than six months.

In each place, a meeting would be held. A standard lecture, prepared by the association of children's doctors, would be given by a local doctor. The lecture advocated, not only principles of nutrition, but also recommended certain dishes for the various ages of the child with a view also to a better use of the products of the country.

Those dishes would be demonstrated by a teacher of domestic economy for the special benefit of the mothers and housewives present; but experience had shown that the men were generally just as interested in such questions as the women.

Finally, in order to stimulate interest still further, a baby-feeding film would be shown. The film had been specially prepared for the purpose with the collaboration of specialists in the subject.

Since the health of the child depended very largely on the health of the expectant mother, the film started by showing the foodstuffs most important for building up the new organism; it urged the importance of breast-feeding, if possible exclusively for a certain period. If for various reasons that was not possible and artificial feeding became necessary, the film showed the proper method, emphasising the necessity of a pure-milk supply and habits of cleanliness and accuracy in the preparation of the milk.

The film only showed the feeding of babies, whereas the lecture and demonstration dealt with the whole question of the feeding of children. It was proposed later to produce films dealing with the nutrition of children of other ages.

The film had been acted, not by professional actors, but by mothers, housewives, midwives and doctors.

The cost of the film had been met by an official institution "Dansk Kulturfilm", which received part of the surplus of the film tax.

Interest in all those problems had developed greatly in recent years, with the assistance of the Press and wireless, and it was to be expected that the work, which had been initiated by the women's organisations, would be continued and intensified by their branches all over the country, in collaboration with local authorities, doctors and teachers, and become of real importance for the health of the nation.

Mrs. WATERWORTH (Australia) said that, in view of the growing world knowledge on the subject of nutrition, and its influence upon national health and destiny, the part which women must play throughout the world in the practical application of that knowledge was of great importance. Knowledge was not enough. Though all the people of a country might know exactly what foods, and what quantities of those foods they should eat, unless these were provided day by day in an acceptable way, the knowledge was merely a source of irritation.

It was agreed that nutrition was a matter of national economics. But it was also a very important matter of home economics. Not many years ago, a council of doctors, anxious to get to the root of the causes of under-nutrition, malnutrition and general bad conditions in children, carried out a seven years' exhaustive investigation in Scotland—city, suburban and rural. They found that a most important factor in the well-being of children was maternal efficiency—whether the mother knew how to lay out the family income, what to buy and how to prepare it, and whether she was informed on the right care of children. Everyone knew homes where the income was adequate and where the food pleased the palate but did not provide the requisite constituents for building body and mind.

Therefore, while the economists and scientists were carrying on their work, it was necessary to put into practical use the knowledge that had been and would be gained. That could not be done in a hurry, in fact it would be a slow progress. It was the women who fed the people, and they must be led to feel that it was almost a crime to fail in giving their families the

essential foods, if they could obtain them. They must be trained to regard that as their sacred duty. In the reports on the research on nutrition, poverty and ignorance were continually linked as causes of undernutrition and malnutrition.

The training of girls in every country in good housewifery and mothercraft had never yet been given its due importance. In a few countries, every girl got such a training; yet it was doubtful if, even in those countries, its full implications were realised. In many other countries it was simply a side-line of girls' education. No girl should escape it. That training lay at the root of good national health; child welfare; safe maternity—for a healthy well-built body was the first necessity in safe maternity; national efficiency (an animal badly fed in its earliest stages was not expected to give good service, yet that was expected of human beings); happy home life, which ensured attractive surroundings, good food, contented, good-tempered children. Possibly even by that means the infant death rate through congenital causes, which had proved such an obstinate problem, might be somewhat reduced.

If this training of girls were faithfully carried out, the expenditure on hospitals, sanatoria, gaols, unemployment relief and the rest would be materially reduced.

Loss of time through sickness, the number of unemployables, marital unhappiness, drinking, separations and divorces would also be reduced.

Last but by no means least, a world of mothers knowing exactly what food their children should be given, knowing the importance, not only to those children, but to their country of this matter, and finding they could not give it, would look outside their homes for the reasons for this, and would be an enormous force for the establishment of proper standards of living, friendly relations with other countries and world peace.

Mrs. Waterworth offered a practical suggestion. During the last two years of compulsory school life, which in most countries ended at 14, every girl should on one day in each week receive theoretical and practical instruction in housewifery and mothercraft, and that should be regarded as an essential part of education, in the same manner as reading, writing and arithmetic. If they could get further instruction, so much the better. She emphasised the need for formation of habits of mind and action. At that impressionable time of a girl's life, thinking of a thing, and doing a thing in the right way, week after week for two years, established a disposition to regard any other method of thought and action as impossible. That simple scheme was put forward to the Directors of Education of Australia by women, many of whom were themselves mothers of girls, who had a knowledge of the capabilities of girls of 12 to 14 years. Domestic science teachers were a little doubtful about the success of the venture; but at the end of the first year, the exhibition of the work the girls had done in housewifery and cookery was a surprise to citizens and a source of pride to Director and teachers.

The attention of Australian women was called to the need for practical knowledge on nutrition by the Health Report to which she had referred at a previous meeting. Its references to the condition of school-children and men offering themselves for military service brought the realisation that a better preparation for home-making and motherhood was needed and that immediate supplementary feeding must be undertaken. It would be readily understood with what enthusiasm the present research work on nutrition had been received. It was essential to lay the foundation aright. The girls who would need that training most in their future life might never attend a secondary school; it was certain that, however the years between school and marriage were spent, habits well learned would be re-assumed almost automatically when needed. There would be less experimenting on husbands and children—a cause of ill-health and unhappiness.

Mrs. Waterworth had been glad to hear the delegates of Denmark, the Netherlands, Norway and Portugal bring the housewife into the picture. The activities mentioned by those delegates would fit in well with the scheme she proposed. Australian women took a stern view of the responsibility which had been placed upon the shoulders of women by nature—the care and nurture of the young. They wanted to see every girl imbued with a sense of that responsibility, and made fully aware of the fact that the health and well-being of her family were in her hands. They wanted the women of the world to be called upon to give the help they were quite able to give in minimising the suffering and privation caused by present difficult conditions.

Mme. KOLLONTAI (Union of Soviet Socialist Republics), on behalf of the Soviet delegation, thanked the Rapporteur for his interesting report and the Health Committee for its documents on scientific research published in the *Quarterly Bulletin*. The June number of volume 4, published in 1935, contained a valuable statement of the methods of public nutrition in the Union of Soviet Socialist Republics. Though some figures in that survey were now out of date and some institutions had been replaced by others, the survey gave an objective and true picture of the principles on which nutrition was organised in the Soviet Union.

The nutrition question was generally studied from two aspects—first, the hygienic point of view, which implied an abundance of good healthy food for the population, and, secondly, the economic point of view, which involved, first, the question of the purchasing-power of the urban and rural population—a vital question for the labouring masses—and, secondly, the

study of the problem of nutrition from the point of view of agricultural resources, commerce and so on. That involved two conflicting interests—namely, the consumers' desire for low prices of foodstuffs and the agricultural producers' desire to obtain high prices. Many of the documents published by the League, and other studies on the question of nutrition, stated that if the masses consumed more and if they were able to buy the quantity of nutritive food really needed, there would be no agricultural crisis. It had often been stated that there was no real over-production of foodstuffs in the world, but that the under-consumption was due primarily to economic difficulties, such as low wages, unemployment and so on. The urban population was underfed, while the rural population suffered from an unsaleable surplus of food supplies; that problem affected in particular the food-exporting countries, and resulted in all the calamities of the agricultural crisis. Malnutrition of the masses—one of the main results of unemployment—together with the agricultural crisis, made it extremely difficult to find a solution which would not affect the social and economic foundation of a country.

She was therefore glad to state that the Soviet Union, thanks to its system of production and distribution, did not encounter the economic phenomena which prevented the solution of the nutrition question in other parts of the world. The Soviet Union, which had in recent years achieved a highly industrialised state of production in industry and agriculture, was an exporter of agricultural produce to the world markets. It had no experience of the economic difficulties which complicated the problem of nutrition in other countries. There was no over-production of agricultural produce, nor was there any lack of buying power on the part of the population. All were no doubt aware that the Soviet Government based its State economy on Five-Year Plans which regulated the production of all goods, whether industrial or agricultural, on a fixed scheme. In such circumstances, over-production in a particular branch could not take place and could not produce harmful social effects. The nutrition problem in the Soviet Union therefore assumed a different aspect. The Soviet Government envisaged the problem from the point of view, not of enlarging the market for the agricultural producer, but of placing on the constantly growing internal market, within the shortest possible time, not only a growing quantity of agricultural products, but a greater variety of food products, such as milk, canned food, meat, vegetables, fruit, etc.

With a population of 170 millions possessing a constantly rising standard of life and a rapidly increasing purchasing-power, the problem consisted in organising a method of distribution that would meet the wishes of a population that could afford to buy plenty of healthy food.

The Union of Soviet Socialist Republics was known for its rich natural resources, while its territory had the advantage of the most varied climates, ranging from the Arctic to the sub-tropical districts. These resources, together with the reconstruction of rural conditions on a new social and productive basis, and the rapid technical re-equipment of agriculture, created in the Soviet Union great facilities for the rapid development of agricultural productivity and eliminated the dangers of under-production of food supplies that formerly existed under the old regime.

She would not go into statistics, which could be found in any handbook on the Soviet Union, but would merely state that, in the year 1913, under the old regime, the entire cultivated area was estimated at 105 million hectares, while, in the year 1934, under the Soviet Government, grain crops alone occupied an area of 134 million hectares. The figure for the year 1935 was still higher. At the same time, thanks to technical progress, the same area produced a larger quantity of food.

The Soviet Government was endeavouring to increase the variety of food for popular nutrition. Sugar, for instance, was in the old days a luxury in Russia which the rural population could scarcely afford. At the present time, sugar and confectionery were a commonplace necessity in rural districts. In 1913, 640,000 hectares were under sugar-beet, while, in 1935, the area was 1,200,000. The gross yield of sugar in 1935 exceeded 11,000,000 metric tons.

The Soviet Government, in paying special attention to variety of diet, promoted the development of the fish industry (including caviare), dairy products, meat and poultry and extended the area under vegetables, fruit, tea, etc.

Without going into figures, Mme. Kollontai would merely give one fact. Last New Year's Eve, the Soviet Union had a stock of 25 million kilogrammes of mandarines. The town of Leningrad with a population of nearly 2 millions obtained 2 million kilogrammes. But that amount proved insufficient for the population, who desired and could afford to buy more.

The Soviet Union had solved the nutrition problem on different lines from those followed in other countries. It had simply included the problem in the internal economic and social policy of the State. The organisation of collective nutrition formed an integral part of a conscious policy which was directed and administered by the State. The organisation of wholesome food supplies formed part of the Five-Year Plan and was included in the State budget. Nutrition was under the control of several Commissariats—*i.e.*, those of the Interior, Commerce, Public Health, Education and Finance. The scheme of organisation comprised municipalities, co-operative societies, factories and workshops, kolkhozes and State farms. Collective nutrition under the guidance of the State was not a Utopian but a practical branch of the Soviet State service. Scientific institutions—physiological, biochemical institutions,

etc.—together with trained workers, gave a solid foundation to this great and practical enterprise. The ruling organisation dealing with internal trade purchased food for ten years in the year 1934. That organisation centralised and guided the entire work of collective nutrition in the territory of the Union which it had covered with a dense network of kitchen factories (public kitchens). In the year 1935, 20 million Soviet citizens were provided with meals distributed by the collective nutrition institutions. During the summer, the internal trade organisation organised special public kitchens in collective farms. During that season, 40 million citizens had the benefit of such collective nutrition. All the larger towns had their so-called kitchen factories—*i.e.*, huge public restaurants under State administration. Some of the kitchen factories in Moscow and Leningrad served from 15,000 to 20,000 meals a day and employed a staff of 1,800 or 2,000 people. One of the largest kitchen factories in Moscow served 55,000 school meals a day. All the kitchen factories were under the control of medical men and physiologists. Special diets were generally included in the bill of fare. In Moscow, no less than 600,000 workers had the benefit of special diets. Nearly every factory and workshop, together with all the administrative institutions, had their own collective kitchens. In some of these, a diet of raw vegetables, fruit and fish was introduced in order to replace meals which contained too much flour and starch.

Collective nutrition was being more and more introduced, even in rural districts. About three quarters of the rural population were already included in the collective nutrition plan, at any rate during the summer.

Collective nutrition in the Soviet Union included milk centres supplying controlled milk to mothers and infants and school-children. All mothers in the towns and country districts had a right to tested milk.

The decrease in the death rate in any country was generally regarded as a result of better food conditions. In 1913, the death rate in Russia was 28.3 per thousand, whereas, in 1926, under the Soviet regime, it had fallen to 20 per thousand. There had been a still greater decrease in infant mortality. Under the old regime, the infantile death rate was exceedingly high, as much as 27% in 1913. It had now fallen to the low figure of 12%. The Soviet Union increased its population each year by 3 million births and the State took all possible care to provide mothers and infants with the necessary wholesome food.

The Soviet Union had solved the nutrition problem by new methods which formed an integral part of the entire economic and social activity and construction of the Soviet State. She was glad to state that the scheme worked well and gave excellent results.

Considering the nutrition problem from the economic aspect with the knowledge that it was entirely dependent on the general economic and political system under which the population lived, the Soviet Union believed that all the economic research work of the Health Committee could have little practical result so long as a fundamental social and economic condition existed which made the question of food supply a "problem". The popularisation of the most rational systems of nutrition could be of little assistance to a population which could not afford to buy even the cheapest food. No propaganda could help to introduce a wholesome diet so long as low wages and unemployment put a limit to the purchasing power of the population. In pointing out the limited possibility of achieving practical results by means of economic research work, she did not mean that the medical and scientific work of the Health Committee on Nutrition had no value. On the contrary, the Soviet Government, which valued and assisted all scientific research, also attached great importance to medical studies on nutrition. The Union of Soviet Socialist Republics would be the first country to benefit in practice from all achievements in the scientific and medical sphere in respect of nutrition, since the economic and social structure of the country formed a sound basis for the effective application of rational nutrition with the help of State organisations.

In welcoming the medical and scientific work of the Committee, she would like to support the opinion expressed by the Rapporteur that it was unnecessary to include all problems of world economy in the research work of the Committee on Nutrition. She considered that the attention of that Committee should be essentially concentrated on a scientific and medical study of the question. In conclusion, she thought that anyone earnestly desiring to work for the solution of the problem of nutrition in its relation to the masses of the labouring population of the world must support the League of Nations in its struggle for indivisible peace and for the victory of democracy.

M. BENAVIDES (Uruguay) stressed the very keen interest taken by the Uruguayan Government in the problem of nutrition, and particularly the nutrition of children. Strict control was at present exercised over the distribution of milk. Under a recent law, the large pasteurising factories had been expropriated, and close supervision was exercised over private factories. That had enabled the population to buy milk at a low price. Moreover, national milk dispensaries had been established to supply milk free of charge to school-children and poor families.

The Uruguayan Government highly appreciated the efforts made in that connection by the League's Health Organisation. It had itself endeavoured to disseminate the knowledge acquired as the outcome of the Health Organisation's work. A National Committee for Rational

Nutrition, which had been set up under the authority of the Public Health Ministry, was playing a very important part in Uruguay. It consisted of two Sub-Committees, one executive and the other advisory. The latter was composed of experts on nutrition, national economy, agriculture, etc. The National Committee's programme could be summarised as follows : (a) to make known the principles of sound nutrition ; (b) to ensure the participation of the Public Health Ministry in the supervision of milk and the organisation of the control of foodstuffs. The Public Health Ministry had established a laboratory for biological research on foodstuffs. That laboratory was carrying out valuable investigations with a view to ascertaining the composition and nutritive value of foodstuffs of home origin. An experimental kitchen had been added to the equipment for scientific research.

Great efforts were being made to teach the public the rudimentary principles of a well-balanced diet and to make it realise the necessity for mixing meat with vegetables and fruit, which were also very plentiful in Uruguay. The National Nutrition Committee published a large number of pamphlets and organised lectures throughout the country. In 1935, two series of talks on nutrition had been broadcast by the various stations.

Under the regulations, the organisation of theoretical and practical courses in dietetics in schools was compulsory. There was also a School of Dietetics, where the theory and practice of the composition of foodstuffs were taught by a specialist. Lastly, courses in nutrition and dietetics for nurses were organised by the Social Services School.

Dr. RIDDELL (Canada) associated himself, on behalf of his delegation, with the expressions of appreciation to the Rapporteur for his able report and would welcome its adoption. On behalf of his delegation, he also wished to congratulate those who had been responsible for preparing the excellent series of preliminary reports on nutrition.

Canada, as was well known both in the Assembly of the League of Nations and the International Labour Conference, had shown a deep interest in and strongly supported the study of the question of nutrition. Her interest was based upon a realisation of its importance for the health and well-being of her own people as well as the peoples of other lands. The question was also of importance to Canada as a producer and exporter of protective food products. Fortunately, Canada had an ample food-supply, producing as she did all the essential foodstuffs required in an adequate dietary.

Active steps were being taken in Canada to educate the population to the benefits of this dietary. The Provincial Departments of Health and many Municipal Departments issued literature on the subject. Broadcasts were also made on diets for children and adults, particular attention being paid to the relation of vitamin contents to disease. In some cases, menus were even suggested.

The depression had one happy result in bringing effectively to the attention of the authorities concerned in the administration of public assistance the necessity of providing scientific information as regards nutrition. In the cases where unemployment assistance was given in kind, the authorities used all the available scientific knowledge on dietetics to ensure that the unemployed received sufficient quantities and varieties of protective foods.

In recent years, there had been a general improvement in diet in Canada. On the whole, the diet of the average family appeared to be adequate and varied from the standpoint of calories. There was now generally a sufficient quantity of vitamin-containing foodstuffs such as milk, vegetables, butter and eggs. In many of the primary schools, milk was provided at cost price to the children, and provision was sometimes made for those who were unable to pay for it. The result had been that the vitamin-deficiency indicators showed an encouraging downward trend in cases of rickets and scurvy. Deaths from rickets at ages of one year and over for the whole of Canada dropped from 99 in 1926 to 35 in 1935. Out of a hospital population of 94,000 in one city, there were only four cases of rickets and four of scurvy in 1935. The number of cases of tuberculosis had decreased throughout the country. In one of the provinces, the rate was only 30 per 100,000.

It would be seen that the problem was no longer one of securing adequate supplies of protective foods, but rather one of helping the population in the proper selection of their foods.

In the course of the discussion, the Rapporteur and certain speakers had referred to the study of the International Labour Office on "Workers' Nutrition and Social Policy". It had been suggested that Dr. Riddell, as Chairman of the Governing Body of the International Labour Office, should outline briefly the work which the Labour Organisation had been doing in co-operation with the League in the field of nutrition. In the spring of 1935, the Director of the International Labour Office, in his annual report, called attention to the growing importance of the question of nutrition. The Conference in June of that year considered and adopted a resolution concerning the nutrition of workers which requested the Governing Body to have the Labour Office prepare a report on the subject for presentation to the annual Conference in 1936. That was done under the direction of a small Expert Committee and the report on "Workers' Nutrition and Social Policy" was the result. With that report before it this year, the International Labour Conference had passed another resolution requesting the Governing Body to have the Labour Office continue its studies of the problem in collaboration with the Health and Economic Organisations of the League of Nations and other interested organisations, in order to ensure the progress of dietetic science and to show its importance in the solution of social questions.

Among other things, the Labour Office was to study the practical means of applying the principles of nutritional hygiene to workers; to enquire into family budgets with a view to obtaining comparable statistics concerning the food consumption of workers' families; to study the economic and social consequences of different policies aiming at the improvement of their nutritional standards; as well as the principles underlying the fixing of wages, insurance benefits and public assistance in relation to those nutritional standards.

The resolution would be considered by the Governing Body at its November session, which no doubt would take its decision in the light of the outcome of the deliberations in the Second Committee. The close collaboration of the League and the International Labour Office in the study of the question of nutrition must, he was sure, be a matter of satisfaction to all.

M. QUEUILLE (France), Rapporteur, commenting on the conclusions of the report, observed that some people would probably find them rather too modest. The problem of nutrition had, however, been approached in a practical spirit, and, while bearing in mind the ideal solution, the Committee's chief aim had been to confine itself to practical possibilities. If the results of the scientific investigations were made known to the public, that should pave the way for developments of incalculable importance. Those developments might have a considerable influence on economic progress. Even within the limits of those very modest conclusions, the Committee would have helped to slay an enemy that was much more dangerous than war—namely, disease.

The Committee adopted its report to the Assembly on nutrition and the draft resolution¹ contained in the report.

The Committee appointed M. Queuille (France) Rapporteur to the Assembly on nutrition.

10. Nutrition: Request for Credits for the Work of the Mixed Committee.

The Committee *decided* to authorise its Chairman to write to the Chairman of the Supervisory Commission requesting the insertion in the 1937 budget of the credits required for the continuation of the Mixed Committee's work and the various meetings proposed for the study of the problem of nutrition.²

11. Work of the Health Organisation: Draft Report of the Second Committee to the Assembly and Draft Resolution (Annex 1): Discussion and Adoption.

M. VAN LANSCHOT (Netherlands), Rapporteur, submitted the draft report and resolution on the work of the Health Organisation.

Mr. SHAKESPEARE (United Kingdom) congratulated the Rapporteur on his excellent report, but would like to recommend a certain amount of caution. He observed that it was proposed to extend the scope of the enquiry on housing to its financial, social and economic aspects. His Majesty's Government welcomed and would co-operate in that enquiry; it had carried on an active housing policy for the last four years and had acquired much experience and documentary material on slum clearance, over-population, etc. As one who had been associated with the housing question for the last four years, however, he hoped the enquiry would be devoted to the practical aspect of the problem and would not venture too far into the theoretical field.

The Committee adopted its report to the Assembly on the work of the Health Organisation, and the draft resolution³ contained in the report.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

12. Proposal for a Conference on Rural Hygiene for American Countries: Adoption of Draft Resolution.

M. VAN LANSCHOT (Netherlands), Rapporteur, submitted to the Committee the following proposal by the delegations of thirteen Latin-American countries and by the delegations of Spain and the Netherlands:

"The undersigned delegations attach special importance to the observations submitted by the Rapporteur to the Second Committee concerning the work of the Health Organisation in regard to rural hygiene. This work is of very great interest to the countries which these delegations represent, covering as it does all the public health and social problems of rural life, including nutrition and housing.

"The starting-point of this work was the European Conference on Rural Hygiene which was summoned by the League of Nations and met at Geneva in 1931. Further,

¹ The resolution was adopted by the Assembly on October 8th, 1936.

² See also *Official Journal*, Spécial Supplement No. 159.

³ The resolution was adopted by the Assembly on October 9th, 1936.

as the result of a proposal submitted to the Thirteenth Assembly by the delegates of India and China, a similar conference is being organised in the Far East and will be held in Java next year.

“ The American countries have on several occasions supplied tangible evidence of the value they attach to the work of the Health Organisation. In this connection, we would recall the enquiries into infantile mortality, carried out in Argentina, Brazil, Chile and Uruguay as a result of a conference held at Montevideo in 1927, the Conference on the Sero-diagnosis of Syphilis held at Montevideo in 1930, and a nutrition enquiry carried out in a Latin-American country in 1935, etc.

“ On these grounds, the undersigned delegations would be glad if the League of Nations would prepare and summon a Conference on Rural Hygiene for American countries. These countries have made, and are making, considerable efforts to raise the social and sanitary standards of their rural population. It would certainly be useful to study these efforts in conference and to compare them with results achieved in other parts of the world.

“ The discussion of the Health Organisation's work was brief; and several of the undersigned delegations were unable to attend. They hope that the above proposal may be considered when the report is discussed by the Assembly.

“ Should the Second Committee and the Assembly approve this proposal, the Council would no doubt be willing to summon the proposed conference in one of the Latin-American countries.

“ Accordingly, the undersigned delegations have the honour to submit the following draft resolution :

“ ‘ The Assembly,

“ ‘ Having examined the proposal submitted by the delegations of the undersigned countries to the effect that a Conference on Rural Hygiene should be summoned for American countries :

“ ‘ Considers that, in view of the universal character of the technical activities of the League of Nations, it would be expedient to give effect to this proposal ; and

“ ‘ Requests the Council to investigate, with the assistance of the competent technical organisations, the possibility of giving effect to the proposal at a date which would allow of the Conference being adequately prepared.’

“ Signed by the first delegates of the following countries :

“ *Latin America.* Argentine, Bolivia, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Mexico, Panama, Peru, Uruguay, Venezuela.

“ *Europe.* Spain, Netherlands.”

The Committee adopted the draft resolution¹ contained in the proposal.

SIXTH MEETING.

Held on Monday, October 5th, 1936, at 10.30 a.m.

Chairman : M. VAN LANGENHOVE (Belgium).

13. Economic and Financial Questions : Appointment of Rapporteur : General Discussion.

The Committee appointed M. SPINASSE (France) Rapporteur for economic and financial questions.

The CHAIRMAN said the discussion which he proposed to open on economic and financial questions would be based, in particular, on the report by the Secretary-General on the work of the League and the reports by the Economic and Financial Committees. The discussions in the Assembly had brought out the importance of those documents. In the meantime, however, an event of considerable importance had occurred—namely, the currency alignment, which had been followed by a joint declaration² by the Governments of the United Kingdom, France and the United States. He thought there was no need to stress the importance of that fact, which had given rise to great hopes in most countries, not only in the economic, but also in the political sphere. The three Powers in question appealed for the co-operation of all

¹ The resolution was adopted by the Assembly on October 9th, 1936.

² Annex 4.

States. He had no doubt that the Committee would desire to express its views on the principles laid down in the declaration of the three Governments.

Mr. MORRISON (United Kingdom) made the following statement :

“ His Majesty's Government in the United Kingdom hope and believe—and I think their belief will be generally shared in this Assembly—that the Secretary-General, in his note on the economic situation, and the Economic Committee, in its report, which is also before us, have pointed the way by which, given the necessary energy and determination, a new epoch of economic and general recovery may be attained.

“ The Committee has warned us that ‘ the economic situation has now come to a parting of the ways, whence there will follow either a further contraction of trade or a restoration of normal conditions which may bring untold benefit to all countries ’.¹

“ The first alternative implies an intensification of the movement we have witnessed in recent years towards ‘ self-sufficiency ’. Of this tendency, it may be said that it represents—to consider it merely as an economic matter—the negation and reversal of all those tendencies by which world trade and prosperity were built up in the past.

“ This leads me on to the evident and intimate connection between the general economic problem and the general political problem. As to this, there may be said to be two schools of thought. There are those who hold, broadly speaking, that no satisfactory solution of the economic problem can be found until the political difficulties of Europe have been adjusted ; and there are those who believe, on the contrary, that some general international economic settlement would cause many burning political problems to recede into the background. My own view is that any prolonged discussion on the relative validity of these points of view would be about as profitable as debating whether the hen came before the egg or the egg before the hen. What I suggest is that the simple practical way to approach both problems is to do what we can when we can. If there is a chance of political appeasement, let us seize it ; if there is a chance of economic progress, let us take that too.

“ The Economic Committee has, we believe, now pointed the way towards attacking the general problem from the economic end. Their general thesis may be paraphrased by saying that, if the object desired by all in the shape of the expansion of international trade is to be attained, money must be allowed to perform its normal functions as a means of purchase and sale and not as a means of preventing purchase and sale.

“ The Economic Committee has well said that ‘ the first objective must be to restore a situation in which, irrespective of frontiers, the purchaser can buy what he wants, the debtor can pay what he owes, the tourist can go where he wishes—without encountering, owing to Government intervention, impassable obstacles such as quotas and currency control. It is essential that each country should make its own contribution to remedying this situation. ’²

“ Since this Assembly was gathered together, the situation has been materially changed by the decision of the French Government, followed by similar decisions of the Netherlands, Swiss and other Governments, to readjust the value of their currencies so as to bring their internal price structure into better harmony with world prices. We have gone through the same experience ourselves in the United Kingdom. We have found—and in this our experience has been shared by many other countries during the present crisis—that a proper readjustment of the price structure is accompanied by a great improvement in the activity of the internal trade of the country, quite apart from any effect it may have on foreign trade. We see no reason at all to doubt that similar good results will follow on the action taken by the French Government, and we are pleased to note that, on the first day of the new currency, French Government securities showed the very striking rise of over ten points. We entertain no doubts at all, therefore, that, in her own interests, France has chosen correctly.

“ But, whatever the advantages which accompany the appropriate revaluation of a currency, one must always fear that the act itself will exercise some disturbing influence on international trade. It was extraordinarily fortunate, therefore, that this last great change in currency values, so far from causing acute disturbances, was actually the occasion for an unexampled act of co-operation evidenced by the simultaneous declaration on the part of the Governments of the three greatest financial Powers. As a result, the change has taken place with a smoothness and a lack of disturbance which would otherwise have been impossible to anticipate.

“ The giving of the assurances contained in the declaration has been by no means easy ; it represents a great effort on the part of His Majesty's Government in the United Kingdom, an effort which should on no account be underestimated. Had they been disposed to take account merely of particular interests at home, who have reason to fear the effects of the devaluation of foreign currencies in the shape of aggravated competition, the declaration would never have been made. It is a fact still fresh in our minds that a few years ago, when

¹ See document C.378.M.249.1936.II.B. (Ser. L.o.N. P. 1936.II.B.7), page 8.

² *Ibid.*, page 5.

circumstances compelled a depreciation of sterling, certain counter-measures were promptly taken abroad. But, for all that, His Majesty's Government have associated themselves in the declaration because they have their heart in the policy underlying it and trust that it may mark a great step forward in international economy and appeasement.

"What are the results in the sphere of international trade which we may fairly anticipate should arise from the adoption of correct currency valuation? Out of the multitude of diverse measures of restrictions imposed on foreign trade in recent years, very many were admitted at the date of their introduction to be due to a lack of adjustment between the currency of the country in which they arose and the currencies of the countries with which its principal trades were conducted. When, therefore, the currency of the restricting country is itself better adjusted to world prices, the reason for the quotas or exchange control has disappeared and one may reasonably expect that the quotas or exchange control will disappear also. The actual measure of devaluation by which the level of domestic prices is brought into harmony with world prices itself acts as a sort of automatic addition to import duties, and quantitative restrictions on imports lose their *raison d'être*. If maintained, the actual result would be, both as a result of the limitation in the supply of goods and of the depreciation of the currency, an unduly rapid rise of prices in the country itself.

"No doubt the argument may be used that, so long as quotas or exchange controls are kept up by a number of countries, it is impossible for other countries to abandon similar measures of defence. We in the United Kingdom do not accept that position. We do not think the question of removing quotas in one country is connected with the question of removing exchange controls in another, or, at any rate, we see no reason why quotas should be maintained as against countries with free exchanges if the reasons for adopting the quota system have disappeared.

"The monetary realignment is not an end in itself. It is merely a means to the freer exchange of real wealth, in the shape of goods and services, across the frontiers of nations. To mistake the means for the end would be a tragic miscalculation.

"The Economic Committee has stressed the view that no attempt at currency adjustment can bring about any lasting improvement in the economic situation unless it is accompanied by a relaxation of direct and indirect import restrictions, in the shape of quotas and exchange controls. Indeed, without decisive action to abate and to remove these restrictions, currency adjustments alone might create scarcity and raise internal prices to undue heights. A reduction of barriers so as to allow imports to adjust price-levels is therefore a logical concomitant of currency realignment. A maintenance of the old barriers in the new circumstances which the realignment of currencies has created would run the risk of creating new disequilibria and new impediments to the restoration of international commercial and financial relations. The removal of these exceptional restrictions is therefore indicated, not as a matter of altruism, but as a necessary step in the eventual interests of the countries concerned themselves, as well as of international trade as a whole.

"The present situation therefore appears to offer a signal opportunity for clearing away obstacles to international trade. I believe that the clearing away of these obstacles will certainly lead to increased prosperity, as has already been shown by the comparative prosperity of those countries whose trade has been relatively free hitherto. And I believe that this increase of prosperity will in due course—and I hope at an early date—serve as a powerful and decisive inducement to those countries where restrictions of an extreme kind are still prevailing. I therefore repeat that the present time offers a signal opportunity, and it is the profound hope of His Majesty's Government that this opportunity will not be lost.

"It seems to us that in this matter it will be wise to proceed by definite and practical steps. The obstacles to trade are of many kinds; we feel that failure would almost certainly attend any steps which were grandiose either in their method or their scope. Let us proceed quietly but with resolution to consider, in the first place, obstacles to trade which are due to currency difficulties, whether these obstacles take the form of exchange restrictions or quotas.

"It is at this point, no doubt, that some members of the Committee will say to themselves, 'What you are in fact proposing is the abandonment by a number of States of measures which, rightly or wrongly, they have taken in what they felt was their own interest, in order that benefit may accrue to all. What, however, we would like to know is what contribution the United Kingdom intends to make to this general policy of far-sighted renunciation?' Before replying to this apprehended enquiry, I would ask you to bear with me while I briefly describe the economic situation of my country to-day, stressing some points which are not, I think, as widely appreciated as they might be.

"It is perfectly true that, during the last few years, we have experienced in the United Kingdom a considerable internal recovery, largely resulting from the policy of cheap money which has consistently been pursued by the authorities. As a result, industrial production in my country during the second quarter of the present year constituted a record, industrial

activity being 11% higher than a year previously and 0.5% higher than in the March quarter, though a seasonal decline might have been expected. Building activities contributed largely to this increase in activity. Employment has steadily gone up and unemployment has generally gone down, the figure of 1,652,000 for July 1936 (which, of course, includes partially employed persons) being the lowest recorded since March 1930. The figure of unemployment is, nevertheless, high and, in particular, certain industrial areas largely concerned with our export industries are still suffering from very acute depression.

“ It is precisely in connection with British foreign trade that the picture, though perhaps not unsatisfactory in the circumstances, is by no means as brilliant as we should like it to be. During the first eight months of 1936, British imports amounted to £537 million, as compared with £479 million during the same period of 1935—an increase of 12%. But exports during the same period were only £283 million as compared with £278 million, or an increase of under 2%. The figures for both exports and imports in 1936 are, of course, affected to a certain extent by price increases; but on the whole they show that, whereas exports are more or less stationary, there has been a heavy increase in the volume of imports and hence in the adverse balance of visible trade, which, it seems, is likely to be at least £320 million for the complete year 1936, representing an increase of £45 million on the corresponding figure for 1935. Even allowing for some increase in invisible receipts, an adverse balance of this nature may well absorb all available credits, leaving the United Kingdom with no favourable balance of payments available for investment abroad.

“ When we are considering the adverse trade balance of the United Kingdom, it is, I think, interesting to compare our own import statistics with the import statistics of other countries. The following figures were, I believe, given by Sir Frederick Leith-Ross to the Economic Committee; but that is no reason why I should not repeat them here. Our average imports represent £15 per head of our population, a figure which is two and a half times that of France, three times that of Germany and nearly five times that of the United States. In 1935, the total United States imports represented only 46% of 1929; and they had a credit balance of trade amounting to \$204 million; while the United Kingdom imports in 1935 represented 63% of 1929 and we had an adverse balance of £275 million. These figures are, of course, given with no intention of belittling the efforts of the United States Government to revive international trade, which we greatly appreciate as an effective contribution to world recovery, but simply with a view to showing how our own position differs from that of the great majority of other States. It will easily be recognised, moreover, how this great adverse balance of ours and the present heavy and increasing flow of imports give rise to great pressure on His Majesty's Government from many interests to make direct use of the situation for the purpose of forcibly extending British exports in foreign markets.

“ When, therefore, the question is asked: What contribution can the United Kingdom make to the general effort towards economic recovery? the answer is this: His Majesty's Government will continue to the limit of their capacity to carry out the non-exclusive trade policy which they have adopted up to now. It is here that I should like to quote some extracts from a recent speech by the President of our Board of Trade. Mr. Runciman spoke as follows:

“ ‘ Our policy is founded on equality of opportunity for all nations, and is qualified only by the duty of other nations to play their part in the same general scheme. Our policy rests on the belief that only the removal of the artificial restrictions which at present hamper multilateral trade can restore the volume of turnover which was reached before the crisis of 1931.’

“ The President then alluded to the various barriers in the way of trade and continued as follows:

“ ‘ The quantitative regulations of imports commonly called quotas are of two kinds. They can be adopted merely as additional means of protection, or they can also be used for the better regulation of production and marketing in the case of certain primary commodities, especially of agricultural products. . . . The British import market, ‘he concluded,’ which is by far the largest import market in the world, has been kept open for the goods of all nations on fair and equal terms all through these difficult years. The control of this market for the purpose of buying from those who buy from us is a temptation to those who believe that clearings really provide the foundation of a system of balanced trade. Upon certain countries and for a certain period we could, no doubt, force a greater quantity of United Kingdom goods, but we do not believe that a policy of force in this region would prosper for long. It would lead to the impoverishment of our customers and of third parties in whose prosperity we are interested, and, eventually, to a fall in our own trade. We have, therefore, used the power of our huge import market with great caution, to promote the sales of our goods abroad rather than to compel artificially enhanced purchases. This has been the policy of the Ottawa Agreements and of our trade agreements, and it is the policy which we shall continue to follow.’

“ I need only perhaps add to this illuminating statement the remark that the extent to which we shall, in the future, be able to follow this policy depends to a large extent on whether existing trade restrictions on the part of other countries are continued or relaxed.

“ In particular, His Majesty's Government will undoubtedly be faced, as I have already mentioned, by the strongest pressure on the part of particular interests at home to take measures to counteract the intensified competition which will result from the devaluation of other countries' currencies. That pressure will in any case be very difficult to resist, and I do not exaggerate when I say that it may well become irresistible if we cannot show that the Governments of the devaluing countries are, for their part, acting upon the urgent advice of the Economic Committee in withdrawing their exceptional restrictions, notwithstanding the pressure which they too will no doubt encounter from particular interests.

“ A similar sacrifice on our part will be involved on the monetary side. A counter-devaluation of sterling would have assisted United Kingdom export interests and served as a protection. But, in the general good, His Majesty's Government have declared their willingness to continue to use the appropriate available resources to avoid, as far as possible, disturbance on the basis of international exchanges.

“ Here, then, we have two distinct types of contribution—positive and difficult contributions—which His Majesty's Government feel called on to make for the general good. The value of these contributions must not be underestimated.

“ Moreover, since the objectives to which the Economic Committee has pointed the way and which we are now seeking can only be attained by private understandings between the Governments principally affected, His Majesty's Government will, I know, do whatever is possible to help if and when they are approached.

“ I am aware that in some quarters we are urged to 'take the lead' in economic affairs, presumably by making some large-scale and dramatic gesture which would by itself herald in a new era of prosperity for all the world. We are apt to prefer, as is our British way, a pragmatic and practical approach to economic problems; and we think that there are certain moves which must be made by other countries before general economic recovery can begin. A very important move in this direction has already been made, and, as I have already said, a signal opportunity now lies before us. We desire to pursue this opportunity by every means in our power; but I remain convinced that our main contribution must be to resist the temptation to make unwise use of our great import market. We welcome the declarations made by the French and Netherlands Governments in favour of the removal of trade barriers and the steps which the Swiss Government is understood to be taking towards that end; and we recognise that the United States are, for their part, developing an economic policy which should have beneficial effects on world trade. And, finally, we believe that, once the ice has been broken by a corresponding move on the part of other countries, the way may be clear for action of a more widespread and general scope for the lowering of trade barriers—it may be by the undertaking on the part of many countries of bilateral negotiations on the basis of the most-favoured-nation clause, whereby the benefit of any reductions of duties will be generalised, or possibly by other methods—though it must be admitted that the experience of multilateral economic negotiations in the past has not been altogether encouraging. In this connection I should refer to another timely report which has just been issued by the Economic Committee on the most-favoured-nation clause.¹ In this report, it is stated that, 'given normal economic conditions in which Customs duties represent the only form of protection practised, the [most-favoured-nation] clause actually operates, by force of circumstances, in the direction of the gradual and progressive lowering of the general level of tariffs'.²

“ We may reasonably hope that, provided the necessary conditions indicated by the Economic Committee in the shape of the removal of exceptional restrictions are fulfilled, the action initiated by the joint declaration of the French, United States and United Kingdom Governments will start a new expanding tendency of trade in which the beneficent influence of the most-favoured-nation clause will once more operate.

“ I now turn to a particular question, which for some time past has been giving rise to discussion and criticism. This is the question of the commercial accessibility of raw materials required for industry. It has been referred to by several speakers in the present Assembly.

“ As regards the question of commercial access, there is, I believe, some doubt and confusion in the minds of the public in many countries, and His Majesty's Government believe that the matter is ripe for enquiry—an enquiry which can suitably proceed under the auspices of the League, which has already done invaluable work in similar enquiries into economic questions.

¹ “ Equality of Treatment in the Present State of International Commercial Relations : The Most-Favoured-Nation Clause ” (document C.379.M.250.1936.II.B.(Ser. L.o.N. P. 1936.II.B.9).

² *Ibid.*, page 11.

" I need not remind you that the United Kingdom delegate referred to this matter in the Assembly on September 11th, 1935, and stated in these words the attitude of His Majesty's Government in the United Kingdom. He said :

" ' The Government that I represent will, I know, be prepared to take its share in any collective attempt to deal, in a fair and effective way, with a problem that is certainly troubling many people at present and may trouble them even more in the future.' ¹

" Again, on the 25th of last month, the first delegate of the United Kingdom, addressing the present Assembly, repeated this assurance.²

" It is therefore clear that His Majesty's Government in the United Kingdom have thought for some time that it would be useful to institute an enquiry into this question.

" The Economic Committee in its ' Remarks on the Present Phase of International Economic Relations ' has also referred to this problem in the following terms :

" ' Some [countries] have pushed this policy (that is to say, the policy of recouping themselves in the home market for part of the losses suffered in the external market) to the length of attempting to establish a state or autarchy which, as events develop, tends to become more and more accentuated. Such a policy must, in the long run, prove illusory. The restrictive measures adopted can only increase the difficulty of obtaining supplies of raw materials and must exercise a depressing effect on the standard of life. They make impossible the restoration of economic equilibrium by means of a wide international circulation which would bring nations into closer contact. A commercial revival of this kind would, moreover, permit countries placed at a disadvantage in the distribution of natural wealth and raw materials to acquire them easily ; and this would give the producer of these products the benefit of increased consumption and at the same time widen the outlets for the sale of manufactured goods ' .³

" Exchange controls and other obstacles to trade have a connection with this problem of supplies of raw materials, which it requires no words of mine to emphasise. The steps that have lately been taken towards an alignment of currencies, with the hoped-for consequence of relaxation of exchange controls and other restrictions, ought to contribute greatly towards a solution of the problem of raw material supplies.

" Our first difficulty is to define what are the commodities comprised under the name of ' raw materials ' . It may seem appropriate to include, not only raw materials of industry, but also certain foodstuffs. It may also be difficult to limit the enquiry to materials produced entirely or mainly in colonial territories, of which—as an examination of statistics will show—the list is not lengthy.

" I do not see how this question can be fruitfully investigated otherwise than by taking a definite list of specified commodities, which should, it seems, be left to the organisation conducting the enquiry itself to draw up.

" The enquiry might be directed to ascertain the conditions in which these commodities are produced and marketed so as to elicit whether there are, in fact, any hindrances to their being obtained by all States which may require them ; whether, if such hindrances exist, they can be removed by general undertakings on the part of the countries concerned to provide for and maintain their accessibility in the future on equal terms for all requiring them. Some such enquiry was, in fact, undertaken by the League in 1921⁴ in circumstances widely differing from the present. On that occasion, the investigation was conducted by the Economic and Financial Committee of the League, as it was then called. Adapting this precedent to the requirements of the present case, it seems to me that the Council might be requested to appoint a committee composed, in suitable proportions, of members of the Economic and Financial Committee of the League and other qualified persons to undertake the study of this question and to report thereupon.

" Inasmuch, however, as there are some non-member States who, either as producers or consumers, or both, have a special interest in this question, His Majesty's Government consider that it would be desirable to consult those non-member States and to obtain their views and if possible, to secure their co-operation, before any such committee as I have indicated is actually appointed to conduct the enquiry. Such are the general lines on which I would suggest that this enquiry might usefully be inaugurated.

" I hope, before our meetings come to an end, to submit for the consideration of the Committee two resolutions. The first will be intended to cover the important general questions to which I referred in the earlier part of my speech ; the second will deal with the specific matter of commercial access to raw materials.

" I hope no member of this Committee will misjudge the sober tone of the remarks which I have had the honour to offer to the Committee, or underestimate the definite and practical, if limited, proposals which I have made. Too often have we heard ambitious projects, launched

¹ See *Official Journal*, Special Supplement No. 138, page 45.

² See *Official Journal*, Special Supplement No. 155, page 47.

³ See document C.378.M.249.1936.II.B (Ser. L.o.N. P. 1936.II.B.7), page 5.

⁴ See Minutes of the Fourteenth Session of the Council, Part II, September-October 1921, pages 112-114.

with every grace that oratory can lend, fail in the end to justify either the hopes of their proposers or the terms in which they were commended.

"In the presence of great opportunities it is desirable to go quietly and surely. Let the success of each step promise a like success to that which follows. His Majesty's Government in the United Kingdom have already shown by their action that they support the far-reaching suggestions of the Economic Committee. That action is a better proof than any words of mine of their earnest desire to use every method which presents itself to further the economic appeasement of the world."

M. BASTID (France) made the following statement :

[*Translation.*]

"At a time when France has decided to direct her monetary policy along a new path, I think it necessary for her representative to state in your Committee the essential reasons for the step she has just taken, the means she intends to employ in order to take full advantage of it and the final aim she wishes to attain. The French Government simply hopes that its experience will serve as an example, without wishing to impose on anyone its views on the solution of the material difficulties which the world still has to face.

"All will realise that the operation we have just carried out owes its meaning and value to economic considerations. After many months of serious depression, France found herself suddenly at the parting of the ways. She had to choose between two policies—that of autarchy and that of commercial expansion. Until the last moment, that choice remained completely free. Without constraint, in the exercise of her full sovereignty, she chose the second alternative, which seemed to her more in keeping with her national genius and with the true spirit of international peace.

"We could have maintained our monetary status intact. But we could not blind ourselves to the consequences of such an attitude. You are familiar with the means which would have had to be employed. They would have consisted in a new and considerable increase in Customs protection, and in the adoption in the near future of a raw materials policy by means of a strict control of foreign trade which would have brought currency control in its train. As I have said, such a policy of planning would not have suited our people's temperament. It involves indiscreet Government interferences in the affairs of private persons, the organisation of a very cumbersome and expensive administrative machinery, and a discipline and supervision which would have proved irksome to activities hitherto accustomed to be free. I may add that the consequence would no doubt have been a more and more serious decline in our budgetary receipts, a still more accentuated rise in the rate of interest and, in short, an aggravation of the economic crisis.

"We therefore decided, in full agreement with the United Kingdom and the United States, to adjust the value of the franc to the new circumstances arising out of the devaluation of the pound, the dollar and many other currencies throughout the world. We believe that such a decision, which has been endorsed by the last countries that remained faithful to the normal operation of the gold standard, may have the most fortunate national and international consequences. Within our frontiers the return of exiled national capital should bring about a fall in the rate of interest and reduced costs of production in our undertakings. At the same time the Government is in a better position, not only to resist fresh requests for protection, which might have aggravated France's economic isolation, but also to return at last to that liberal policy which has been so often advocated at the League Assembly, but has never yet passed beyond the stage of a 'recommendation'.

"We have, indeed, done nothing more than base ourselves on the admirable work of the Economic Committee, whose survey provides a basis for the present discussion and which has thrown such vivid light on the international situation.

"These aims cannot, however, be attained unless the adjustment of the currency is accompanied by a number of measures, some immediate and others more distant, the main points of which I should like to set before the Committee to-day.

"The very day after the French devaluation was voted, the Government of the Republic made a gesture which, I think, has no precedent in our economic history. It abolished by decree nearly a quarter of its quotas, lowered by from 15% to 20% the Customs duties imposed on products not subject to quotas and lowered by 20% the licence fees charged for products subject to quotas.

"This action on France's part is purely unilateral. It provides clear evidence of two tendencies—in the first place, our determination to combat effectively the rise in internal prices by lowering Customs barriers, and, in the second place, our desire to give a first example of that moderation which, in their joint declaration of September 26th last, the United Kingdom, the United States and France recognised once more to be essential to the restoration of trade and the maintenance of peace.

"We must find a way to reverse this tendency",¹ said M. van Zeeland, President of the Assembly of the League of Nations, in his closing speech. Would it be too presumptuous on our part to imagine that the act we have just performed may be the instrument of a new economic policy in the world? I am glad in any case to find that we are not alone in translating into action recommendations which had hitherto remained platonic, since on the same day Switzerland joined us on our new path.

¹ See *Official Journal*, Special Supplement No. 151, page 70.

" The monetary alignment alone has enabled us to make this complete change in our economic policy. Hitherto French Governments have been unable to contemplate such measures, because they would necessarily have further reduced our internal economic activity, which was already suffering seriously from the depression. To-day, we realise that we can help to improve the international economic situation without in any way compromising the necessary defence of our agriculture and industry.

" Does this mean the end of our effort? By no means. The interests of the French home market coincide with the necessities of increased economic expansion. Devaluation cannot produce the beneficial effects on our economic situation which may legitimately be expected if it is accompanied by a sharp rise in our prices. The Government has only one means of controlling excessive movements of prices—namely, the adjustment of Customs duties and quotas enabling it to admit increased competition whenever unjustified rises occur.

" Obviously, the advantages which we shall thus confer on other countries and which will result from an improvement in French economic conditions will call for some counterpart. The commercial negotiations which we are ready to initiate for this purpose will lead ultimately to an increase in the volume of international trade, which we hope will be as extensive as possible.

" France wishes to go still further, and her ideal is a yet higher one. The final purpose of her economic action will not be attained as long as the innumerable obstacles placed by the ingenuity of Governments in the way of the free circulation of goods, capital and individuals subsists. She is anxious to bridge the gap which exists between the two groups of countries—those which maintain strict exchange control and those which maintain more regular transactions with foreign countries. We do not consider this objective impossible of attainment, and we have already given proof of our optimism in this respect, for we have begun to draw up a Customs tariff from which quotas are excluded and which will afford protection to our home market by Customs duties alone, on the basis of the nomenclature proposed by the experts of the League of Nations.

" But it is clear that such a tariff can only be put into force if the example we are now giving is followed—*i.e.*, if every country understands the absolute necessity of bridging the gap which is constituted by price discrepancies, an essential cause of the innumerable obstacles which have jammed the machinery of international trade. The question of exchange control is thus seen to be indissolubly linked with that of Customs protection. They must be attacked simultaneously, and only simultaneously can they be solved. The French Government hopes that they will be solved soon, and it has shown its readiness to take its share of the action for international co-operation which alone can triumph over autarchy and its disastrous consequences.

" Nevertheless, while we hope to free capital and goods from the obstacles which paralyse their international circulation, we subordinate our attitude to an essential condition. We do not want the return to monetary liberty to increase the possibilities of evasion of capital to escape fiscal obligations.

" This is a question which appears to us to be of primary importance both for economic and for social and moral reasons. Fiscal evasion is an international evil. We cannot remain indifferent to it. And while we do not wish, in order to combat it, to resort to the extreme measures employed by systems of exchange control, we cannot allow the community of nations to remain defenceless before its misdeeds. I know that the question has already been studied at length by the technical organs of the League of Nations. I know, in particular, that model conventions have been prepared by various committees—and particularly in 1929 by an international conference of Government experts on double taxation and tax evasion—but these texts have remained a dead letter.

" The Government of the French Republic considers that, in emphasising the harmful consequences of exchange control, we must at the same time denounce the evil of tax evasion, and must ask the Financial Committee and the Fiscal Committee to make a fresh and urgent study of practical and effective means of remedying it. The French delegation will submit a draft resolution to that effect. It regards the solution of this problem as essential to the success of the action we have just taken on the monetary plane with a view to the restoration of peaceful and fruitful financial relations between peoples.

" Our conclusion is clear. The gesture which the countries of the gold *bloc* have just made will be fully effective only if every nation embarks upon the economic policy which I have just outlined. France has not hesitated. But her action will be fruitless if it is not followed by the other States.

" There can be no solution of the crisis without international co-operation. In this connection, the joint declarations of September 26th mark complete agreement between the United Kingdom, the United States and France. Apart from any political consideration, these three countries have desired to express in carefully thought out terms what they believe to be the conditions of a return to world prosperity. They do not claim in any way to dictate a law. They are simply presenting a programme which undoubtedly needs to be considered in detail with the equal and loyal assistance of every nation. Happily, we are here dealing with a subject into which it will be difficult for political feeling to creep and exercise its harmful influence. The conditions of an objective and useful examination therefore seem to be present. Nevertheless, at so fateful an hour for world peace, we must neglect no factor likely to assist in warding off the immense dangers which threaten us. I consider that

the manifestation of goodwill in which we have borne our part constitutes, in the thick darkness which surrounds us, the first glimmer of the dawn of better times for mankind."

M. ROSE (Poland) was glad to hear the word "hope" uttered for the first time for three years; hope had been expressed by the Chairman and by the British and French delegates. He heartily associated himself with that optimism and hoped that the discussions in the Committee would now lead to concrete results. One of the reasons for the change in sentiment was no doubt the courageous step of realigning currencies. It was one obstacle the less for the restoration of an international economy. Another reason for satisfaction was the apparent tendency of countries to abandon a policy of autarchy. Most of the nations were ripe for concerted action.

He desired to stress the importance of the reports of the Economic and Financial Committees, and he read some characteristic passages from them. The essential problem was the equilibrium of the balance of payments. In solving it, care must be taken not to confuse ends and means. The realignment of currencies alone would be insufficient to secure effective results. For the first time in the history of mankind, technical genius, which determined the capacity of production, had exceeded economic genius, which determined the capacity of consumption. The reason for the difference was no doubt that technical genius was primarily international, while economic genius had been impeded by differing national policies which had always led to a restriction of purchasing power.

Nevertheless, the monetary realignment would no doubt bring about a great renewal of economic activity. In order to make it completely effective, efforts should be made to balance the trade of the different countries. Before the war, that equilibrium was based on almost complete freedom in the movement of goods, capital and labour. Would the restoration of freedom in the movement of goods be sufficient in itself to spur on the national economies?

He thought that would be a mistake. National economies moved forward on several wheels, which should all turn together. He expected that he would be charged with having brought about a fresh discussion which would lead to nothing. Yet efforts must certainly be made to find the international instruments which would set everything in motion; otherwise, the countries concerned could not restore their economic life.

Until the last four months, Poland had opposed the introduction of foreign exchange regulations. Her aim was not to receive in her territory goods which she could not pay for. That point of view indicated the full scope of the problem. It would not be honest of her to open her frontiers to all imports without considering how such imports could be paid for. Moreover, it would be rash of her to admit freedom of importation without first trying to ensure imports of raw materials.

The idea proposed by the Economic Committee was obviously correct, but it could not be automatically carried into effect; international action must be reconciled with national interests.

If the figures showing frozen credits in the countries with foreign exchange restrictions were examined, they would be found to be in reality short-term credits which gave a false impression of equilibrium, and that had been the source of great difficulties when the creditor countries desired to withdraw the short-term credits within a relatively short time. It was not in that way that equilibrium could be reached. No responsible Government could at the present time allow unlimited imports on the ground that short-term credits were received from other quarters. Such problems could not be solved merely by the free movement of goods.

Was that the time to speak of unlimited freedom in the movement of capital and labour? A country such as Poland would not hesitate to accept such freedom, because an equilibrium would probably be reached through the automatic action of various factors. But the countries which had formerly imported Polish labour could not simply be told to open their frontiers while they still had to cope with unemployment. That would be impossible from the social point of view. Nevertheless, an effort should be made in that direction, as well as in that of the free movement of capital and goods.

The report on which the Second Committee's discussions were based might be said to fulfil an essential but not the most difficult function—namely, that of acting as a signpost which showed the way but did not tell how to build the wide road which, for the purpose of developing international economy, could be used to replace all the bypaths represented by bilateral agreements on quotas and foreign exchange regulation.

Those bypaths were certainly not an ideal solution; but so long as the international road was not open they were the only possible solution.

As regards the free movement of capital, there was, in the first place, the problem of debts frozen in certain countries because their reserves of foreign exchange did not enable them to pay off all the debts. If the restrictions were abolished, and if all the debts were really to be paid off in a short period, the result would be a fall of the currencies concerned, and currency stability, which was the main condition of economic recovery, would be seriously shaken.

A further problem was the financing of increased imports. All countries which had foreign exchange regulations required foreign goods. If the quotas were abolished without providing for the financing of additional imports, the currencies concerned would be directly threatened.

He entirely endorsed the resolution¹ proposed by Mr. Morrison regarding raw materials. That was one of the problems which called for simultaneous solution if it were really desired to abolish obstacles to trade.

Poland's imports of raw materials represented more than half her normal imports. It was essential to pay for them, and that would only be possible if the necessary foreign exchange was available. The supply of raw materials was thus the second great problem to be solved simultaneously with the others.

The third problem—namely, freedom of emigration—was directly connected with the previous one. There was no question of opening the door to the emigrants of the various countries abruptly; but something definite and concrete must be done. The International Labour Office had drawn up a survey which threw an interesting light on the subject. It was now the time to leave the stage of studies and discussions, and find a solution. In a country such as Poland, where the density of the agricultural population was almost two and a half times as great as that of Denmark—a classical agricultural country—and more than twice as great as that of France or Germany, it was obvious that such a problem could not be neglected. Poland was obliged to consider what she should do with her surplus labour.

Moreover, if the frontier were opened to allow the emigration of settlers, for instance—and that was the only kind of emigration which appeared possible, at any rate for some time to come—the problem of providing finances would again arise. If an emigrant exported 1,000 francs, the emigration of 100,000 persons would be enough to shake the currency stability of the country. Emigration to Palestine, though small in relation to the entire problem to be solved, had cost Poland in 1935 more than forty or fifty million zloty merely in foreign exchange. It might even be said that that was one of the reasons why it had been necessary to regulate currencies.

The problem of the Jewish population was particularly acute in Poland. Out of 34 million inhabitants, nearly 10 millions lived in the towns, and of that number 3,800,000 were Jews, who were limited to certain special occupations. They were mostly traders, if the businesses they managed could be called commercial firms.

The problem was therefore an extremely difficult one; it consisted of the rationalisation of trade and the suppression of superfluous links in the chain of intermediaries, in the chain of traders, a question that had been settled many years before in the Western countries. Every agricultural co-operative that was set up, every new means of communication that was opened, every new establishment that was set up to improve trade affected the economic and social position of hundreds, nay, thousands, of families, whose work became superfluous.

The League of Nations or the International Labour Organisation should not merely study these problems vaguely; they should endeavour to find definite solutions on the international plane.

A few years previously, certain interesting schemes had been set on foot at Geneva, but had unfortunately been shelved. He alluded, in particular, to the International Agricultural Mortgage Credit Company.² A lesson should be drawn from that, and the list of problems already examined should be reviewed; possibly, four-fifths of them would have to be abandoned, while others should be resolutely attacked with a view to really concerted action.

No doubt the capital problem of the abolition of quotas and freedom in the movement of goods would be considered. That problem was not as simple, at any rate for agricultural countries, as it appeared to be from the Economic Committee's report. For agricultural countries, the abolition of quotas was not sufficient, since such countries would again start unregulated competition in the few remaining export markets and would thus injure the importing and exporting countries.

The rationalisation of the international trade in agricultural products must be continued. A case in point was the method of regulating bacon imports into England. In such a case, fixed quotas were perhaps much more favourable to the agriculture both of the importing and exporting countries than the mere abolition of quotas, which would have destroyed the British market. Concerted action should therefore be taken, and it should be borne in mind that the fundamental factor was the organisation of international trade in agricultural products.

Concerted action might consist of a fair and objective study of the ten or twelve problems which had to be solved simultaneously. Efforts should be synchronised. If a plan were drawn up for all the problems which had to be dealt with at the same time, it would not be difficult to secure the support of all countries for the action taken, since most of them were tired of the policy of autarchy.

The problems should be attacked with a determination to reach concrete and comprehensive results. In that way, something really useful would be achieved from the economic point of view, and the cause of peace—the most valuable possession of all—would be served.

M. VON STOCKENSTRÖM (Sweden) recalled that, in the previous year, the Swedish delegate in the Second Committee had noted with satisfaction that two of the greatest world currencies—the pound and the dollar—were showing increasing stability, and had pointed out that the Swedish crown had for a long time past remained stable in relation to the pound sterling.

¹ This draft resolution was later submitted in a revised form. The text will be found on page 64.
² See document C. 375.M.155.1931.II.A (Ser. L.O.N. P. 1931.II.A.13).

That stable relationship between the Swedish currency and the pound sterling was still the basis of the monetary policy pursued by the National Bank of Sweden, and a change of that monetary policy was out of the question in existing circumstances. Sweden was one of the countries which had recovered from the world financial and economic depression more rapidly and more substantially than most others. In Sweden, there were various opinions as to the factors which had contributed to this satisfactory state of affairs. Nevertheless, as far as the monetary policy of the National Bank was concerned, there was no difference of opinion. Representatives of Swedish economic life, as well as leading politicians, had for several years considered the sterling *bloc* as a fixed point in the disturbed monetary situation which had prevailed throughout the world during those years.

As was pointed out in the Second Committee in 1935, the general accession of all countries to the sterling *bloc* had been regarded in Sweden as the most practical means of arriving at a general stabilisation of currencies.

The Swedish Government had noted with satisfaction the declaration to the effect that the Governments of France, the United Kingdom and the United States attached the greatest importance to action being taken without delay progressively to relax the present system of quotas and exchange controls with a view to their abolition. Those three Governments had invited the co-operation of other nations, and he trusted that no country would attempt to obtain an unreasonable competitive exchange advantage.

That invitation would undoubtedly find a most wholehearted response so far as Sweden was concerned. He would like, in particular, to insist on the importance which Sweden attached to the progressive abolition of the present system of quotas and exchange controls. In that respect, he associated himself entirely with the Economic Committee's remarks on the present phase of international economic relations. That Committee did not consider that an attempt at currency adjustment could bring about any lasting improvement in the economic situation unless it was accompanied by a relaxation of direct and indirect import restrictions, quotas and exchange control. The Financial Committee had also emphasised the view that no currency adjustment could bring about an improvement in the economic situation unless it was accompanied by relaxation and an ultimate abolition of exceptional import restrictions.

The Swedish delegation endorsed the opinion expressed by the Economic Committee and the Financial Committee that the calling of a general conference to consider the financial and economic problems of the world would hardly be advisable in present circumstances. It was for Governments to decide what measures they could take towards liberating international trade. He trusted, however, that the international organs, particularly the Economic and Financial Committees of the League, and the competent Sections of the Secretariat, would follow developments with the utmost vigilance, and at the proper time suggest such steps as they might deem appropriate in the international field.

SEVENTH MEETING.

Held on Tuesday, October 6th, 1936, at 10 a.m.

Chairman : M. VAN LANGENHOVE (Belgium).

14. Economic and Financial Questions : General Discussion (continuation).

The CHAIRMAN announced that the following draft resolution had been submitted by the French and United Kingdom delegations :

“ The Assembly,

“ Noting with satisfaction the joint declaration issued by the Governments of France, the United States of America and the United Kingdom on September 26th, 1936, and the adhesions thereto immediately given by several States ;

“ Recognising that this declaration harmonises with the recommendations made by the Economic Committee of the League of Nations in its recent report on the present phase of international economic relations ;

“ Considering that a concordant policy designed to re-establish a durable equilibrium between the economies of the various countries, to lay more solid foundations for the stability of economic relations and to promote international trade, would effectively contribute to the consolidation of peace, the restoration of international order, the growth of world prosperity and the improvement of the standard of living of peoples ;

“ Affirms the general desire of the States Members of the League to pursue the realisation of these objects and invites all States, whether Members of the League or not, to co-operate fully to that end ;

“ Urgently recommends the States concerned, as an essential condition of final success, to organise without any delay determined and continuous action to ensure the application of the policy indicated above, to reduce excessive obstacles to international trade and communications, and, in particular, to relax and, as soon as possible, to abolish the present systems of quotas and exchange controls.”

M. ANTONESCO (Roumania) observed that the discussions regarding the work of the League since the last Assembly were taking place this year in an atmosphere of anxiety brought about by recent political events.

That anxiety concerned, not only the political and moral life of the nations, but also all their economic activity, which was likewise seriously affected by the growth of restrictions on international trade, by the development of ideas of self-sufficiency, and by the consequent isolation of the nations. Realising as they did the necessity for international co-operation and collective security, they could and must contemplate disarmament in the economic no less than in the political field.

It was no exaggeration to say that the problem of economic disarmament arose in a very similar form to that of military disarmament and, like the latter, presupposed wide and effective international co-operation.

The diminution of autarchic tendencies prior to their disappearance, the weakening of Customs barriers prior to their reduction, the relaxation of exchange control measures prior to their abolition, with a view to the restoration of normal international commercial relations—a result of applying the principle of the international division of labour—could not, indeed, be brought about by an isolated effort on the part of a single country or a few countries. To succeed, the co-operation of all countries sharing the economic and financial life of the world was required.

The problem was not a new one. The technical organs of the League had in recent years made particularly interesting studies of it. It had also been extensively discussed at the London Monetary and Economic Conference in 1933. More recently, in September 1935, it had been discussed in the Second Committee¹ and again in the Council of the League of Nations² in January 1936.

The London Monetary and Economic Conference of 1933 had far from fulfilled the hopes of those who had initiated it; more recent discussions had also not led to a definite result.

The failure of the London Conference and of subsequent efforts had been due to the lack of international agreement as to the attitude to be adopted towards the problems under discussion, and in particular to the impossibility of reaching an agreement between the principal financial Powers of the world in respect of their future monetary policy. For that reason, the monetary agreement between France, the United Kingdom and the United States that had been made public a few days previously—an agreement with which Belgium, Switzerland and the Netherlands had associated themselves—constituted, in his opinion, an event of the greatest importance.

That agreement was the first example of an international monetary agreement since the war; it brought together five of the greatest financial Powers in the world, and in itself already constituted a definite fact that was bound to strengthen the optimism of all those—and they were numerous—who, whatever disappointments they might have suffered, believed in the future of international co-operation.

It was of particular interest to note that the declarations of the Governments which had concluded or associated themselves with that agreement expressly emphasised the necessity for international action “to relax progressively the present system of quotas and exchange controls with a view to their abolition”.³ The obvious result was to liberate international trade and the movement of capital from their present impediments.

The three Governments who signed the declaration of September 26th, 1936, convinced of the necessity of international co-operation in order to reach that aim, stated that they “desired and invited the co-operation of the other nations to realise the policy laid down in the present declaration”.³

In those circumstances, he desired to state that the Roumanian Government was happy to respond to that appeal, and was prepared to co-operate fully in the examination of definite measures likely to lead to the fulfilment of the aims set forth in the above-mentioned declaration.

Pending the discussion of those measures, it would be well to define certain points which appeared to call for attention.

In the first place, there were two points in the declaration which, though quite closely connected, were nevertheless distinct, and to clear them up different degrees or methods of approach were needed.

The first was the question of quotas, and the second that of exchange control.

¹ See *Official Journal*, Special Supplement No. 140, *passim*.

² See *Official Journal*, 17th Year, No. 2, *passim*.

³ See Annex 4.

The first affected a greater number of countries than the second, since the quota policy had been practised to a varying extent and in different forms even by countries which had not imposed any measure of control on the exchange market.

The measures of exchange control, on the other hand, had been everywhere accompanied by quota measures.

In that case, the consideration of the first question—namely, quotas—would appear to be easier than that of the second. Moreover, the abandonment of the quota policy or its relaxation as a preliminary step would appear to be a measure of particular interest to countries which had found it advisable to devalue their currency.

The difficulties necessarily brought about in any case by such a currency measure would be reduced, and the advantages to be expected would be increased, if it were possible to check, if not to prevent altogether, the rise in prices which might naturally result. An ample supply of goods to the home market, in expectation of a demand that was often increased by the very threat of a rise in prices, was certainly one of the most effective means of preventing such a rise. The abolition of quotas was thus connected with the problem of the cost of living, which in its turn had a direct bearing upon the level of wages. Any improvement in that respect would therefore have a very happy effect on the lot of the workers and would contribute to the attainment of social peace, the importance of which needed no emphasising.

Moreover, both the *de jure* and the *de facto* situation of the countries concerned with regard to the problems in question were somewhat different.

Without desiring to go at once into all those differences, he would like to single out some of them in order to indicate what points should be covered by the preparatory studies that would have to be carried out to find solutions such as might reduce the isolation of nations, lessen economic difficulties and substantially strengthen international co-operation.

In the first place, the question of a return to freedom of trade and the free movement of capital was not the same in all countries. Those questions should be considered in a different light according to the importance attached in each country to the trade balance in the total system of the balance of payments. The return to a normal system of commercial and monetary freedom would raise more problems for countries in which the export of goods constituted the leading, if not the sole, element on the active side of their balance of payments.

Secondly, the means of transfer at present available to different countries, especially gold, were very unequal. In that connection, it would be sufficient to mention that, according to the figures published in the last few days in the note by the League Secretariat regarding the distribution of the central reserves of world gold currency,¹ 79%—*i.e.*, roughly four-fifths of the reserves, not counting the Union of Soviet Socialist Republics and the cash in hand of certain exchange funds—were concentrated in the hands of the five countries which had reached or acceded to the Currency Agreement of September 26th, 1936. One-fifth only remained at the disposal of the other countries. That was obviously a very definite sign of the lack of equilibrium which characterised the world financial position at the present time; but it also implied an element of strength which gave a very special international importance to the currency agreement in question and to the appeal from the countries which had reached it.

From the point of view of the use of gold as a means of immediate payment of debts to foreign countries, the importance of the available stocks of gold seemed to dwindle on account of the reluctance observable in all countries to use gold for that purpose; at the same time, stocks of gold were of particularly great importance when regarded as a means of ensuring the legal cover of a fiduciary issue. That consideration was of particular importance at a time when the total or even partial abolition of exchange control was being contemplated in favour of a return to the normal practice of monetary systems based on the gold standard.

It was true that the resolutions of the London World Monetary and Economic Conference of July-August 1933, which were adopted as a result of the important conclusions recorded in the reports of the Gold Delegation of 1932, had made the position easier by the reduction under certain conditions of the usual cover rate. It should be borne in mind, however, that the monetary depreciation which had taken place in a number of countries in recent years had resulted in an increase in the volume of sight commitments of the central banks. A contributing factor in that situation had also been the pressure brought to bear by the Treasuries—and carried in certain cases to the utmost statutory limits—in order to procure the necessary funds for the rapid execution of armament programmes.

That led up to the problem of disarmament and security, which must necessarily be borne in mind if it were really desired to bring about the financial and economic recovery of the world.

In view of the increase in the volume of the sight commitments of the central banks, from whatever cause, if a policy of deflation—*i.e.*, of price reduction—was not practicable, the volume of the stocks of gold or other means of payment to foreign countries would still necessarily claim the attention of most countries when the time came for them to place their monetary system on a normal basis.

¹ See *Monthly Bulletin of Statistics*, Vol. XVII, No. 9, September 1936, pages 404 *et seq.*

Nor was that all. The monetary technique adopted by France and Switzerland, as far as could be seen at present, assumed the existence of exchange equalisation funds apparently intended to maintain their currency at a more or less fixed level within the limits indicated in gold weight by the monetary regulations which had just been adopted. It was impossible at present to indicate the size of those funds or to enumerate all the means of procuring them. It was sufficient to point out that, in that respect also, the position of the various countries differed considerably. In countries such as France or Switzerland, the profit derived from the revaluation of their gold reserves—which it was customary to assign to the State—might be allocated to such funds; but that possibility was far more restricted in the case of countries whose currency did not occupy the same position on the international money market as the great international currencies.

For such countries, therefore, it might be necessary to contemplate obtaining credits from abroad in order to constitute these exchange equalisation funds, and, if necessary, make up the balance in case their present gold reserves, or the amounts available in foreign currency, were insufficient to ensure the necessary cover under a normal monetary system. Accordingly, the question of international credits would naturally claim a share in the Committee's discussions.

In certain countries, moreover, there were arrears of transfers, sometimes of considerable amounts, arising out of the service of the external public debt. Such arrears naturally weighed on the balance of payments of those countries. As that pressure could not be ignored at a time when it was desired to return to a normal monetary position, certain countries might be led to consider the necessity of a rearrangement of their foreign debt services.

The question of the arrears of the external public debt was connected with that of commercial arrears, the settlement of which had been delayed or prevented by difficulties of transfer and for which standstill agreements had not always been concluded.

That problem deserved the closest attention of the Committee, on account of the importance which such arrears might have in relation to the figures of the balance of trade or balance of payments of the debtor countries.

But that problem had a further aspect. Since the central banks of the debtor countries had been unable to effect the transfer of sums due by private persons to foreign countries under various headings, the Governments had been indirectly obliged to assume a certain moral or political, if not legal, responsibility for the economic or financial transactions carried out with foreign countries by private persons. That responsibility was particularly unfortunate, as it related to transactions which had not been initiated and were not controlled by the Governments. That was another situation which could not remain outside the scope of the Committee's discussion.

Moreover, the situation created in the different branches of production in certain countries by restrictions imposed upon international trade by the policy of economic autarchy, which was often dictated by considerations of national security, had caused the activities of the undertakings of those countries to follow courses, to develop tendencies, which could not be changed at a moment's notice. That necessity for readjustment should be borne in mind.

Lastly, the situation created by the disparity between the price movement of agricultural products and the price movement of manufactured industrial products—a situation that had led to rather considerable economic difficulties, not only for certain producing countries, but also for certain regions of the world—together with the necessity for taking into account the special conditions of international trade between certain countries linked together by particular ties of origin, economic structure or political interests, had necessitated, or were necessitating, mutual economic and financial ties closer than those which united those countries with other countries. In giving the proposed new direction to international exchanges, that situation must be taken into account.

He thought it unnecessary to dwell on the multifarious aspects of the problem or upon the necessity of examining all those aspects before finally deciding what was the most appropriate means of applying the principles to which the Roumanian delegation had given its sincere support. It would spare no pains to help in the study of all those aspects, in order to find the right practical solutions.

Before concluding, he wished to point out that the step taken by the three great countries—France, the United Kingdom and the United States—had placed the problem on the international plane, and it was everyone's duty to examine it, not only from the national point of view or in the light of one's own preoccupations, but from the general point of view. He had therefore endeavoured to consider the different aspects of the problem, although some of them did not concern, or only indirectly concerned, his own country. He was convinced that in so doing he was discharging the duty laid upon him of helping in the work of international understanding and co-operation.

M. VAN LANSCHOT (Netherlands) stressed the importance of the Economic Committee's report and the Financial Committee's observations; he thanked the Secretary-General for the memorandum on the present economic situation of the world and hoped that a similar survey would be prepared each year.

Since the reports in question had been prepared, important events had followed each other with surprising rapidity. The Netherlands had felt their effect, and the Netherlands Government had been compelled to reconsider its monetary policy; its currency had been linked to the gold standard, not only for economic reasons, but also for reasons of financial dignity. It was on account of that financial dignity that it had been compelled only by *force majeure* and

absolute necessity to abandon that policy. That absolute necessity had arisen when the Netherlands remained the only country which had maintained the parity of its currency at the old rate.

He therefore desired to make some discreet reservations regarding the enthusiastic praise which had been lavished on the recent agreement between the United States, the United Kingdom and France, and the devaluation of Switzerland and the Netherlands. Nevertheless, the agreement in question offered one great advantage, since it tended to facilitate the gradual and general abolition of barriers to trade.

The Netherlands Government had declared on many occasions that it disapproved of quotas and other similar measures which it had taken unwillingly, and that it would prefer therefore greatly regret if the settlement of the monetary question was not followed by measures for reducing trade barriers.

Obviously, the Netherlands Government could not be expected to take the initiative in abrogating unilaterally the measures which it had taken, but it was quite prepared to co-operate energetically in all efforts to that end. It had therefore noted with great interest the communications of the Governments which had already given proof of diligence in that respect.

The abolition of quotas by the Netherlands would be possible in relation to countries which took the same action and thus offered some compensation. But a reservation would have to be made in respect of the countries which limited possibilities of payment by means of very strict exchange control. He was glad to note the good intentions proclaimed in that respect by the United Kingdom delegate. But he did not forget that another and a very important aspect of the problem had to be considered—namely, the question of preferential tariffs and Customs duties. Those were very low in the Netherlands.

In the interest of the League of Nations, the Second Committee should not adjourn after a few speeches and declarations without definite and positive recommendations. Advantage must be taken of the favourable atmosphere and mentality at present prevailing, and of the impression of the various monetary measures, which was still fresh in people's minds, before they had been weakened by time. It would be unpardonable to allow the present psychological moment to pass, since it might not recur for a long time.

Immediate but continuous efforts would be indispensable to overcome the many difficulties which stood in the way of free trade. That object could be served by a resolution expressing the necessity of setting up immediately a committee for studying the abolition of Customs barriers and making proposals to the Governments to that effect. That would be a first step to be taken in that direction. The Netherlands delegate therefore thought that the United Kingdom draft deserved every consideration.

But the convening of a great international conference for the purpose must be avoided at all cost. The time for such conferences was past. A new attempt of that kind would do more harm than good. If there was a desire to arrive at the necessary international agreement, it should be reached in the calm atmosphere of negotiations between the Governments immediately concerned.

To revert to the monetary question, the Netherlands Government maintained its view that the permanent interests of the country would be best served by the system of the international gold standard. It therefore declared its willingness in advance to co-operate to the widest extent in the restoration of such a system.

In that connection his Government wished to state that, so long as currency relations remained so unstable, it appeared inadvisable for the Netherlands to link itself immediately to a particular gold parity. So long as the principal gold currencies of the world were not linked to an international currency system based on gold, such a link was not desirable for the Netherlands either. That meant, not that the Netherlands Government was expecting great fluctuations in the gold values of the currencies in question, but that, in the present circumstances, it had to reserve freedom of action.

Short-term capital movements, which were always extensive, together with speculative manoeuvring, might also exercise an undesirable effect and bring about fluctuations which should, if possible, be avoided, or at any rate restricted, in the interest of economic life. For that purpose a fund of 300 million florins had been formed in order to make purchases and sales of gold and foreign exchange, and thus to influence the foreign exchange rates. The Netherlands Government intended to act with caution in that matter, both in order not to injure persons enjoying fixed incomes and also to avoid the charge of dumping foreign exchange.

The Chambers had also accepted a draft law for preventing increases in prices, since such a law was indispensable in present circumstances.

It was evident that the constant fluctuations in the main currencies during the last four or five years had introduced an element of uncertainty into all calculations into which foreign currencies entered. They had increased the feeling of uneasiness which was predominant and had had an unfavourable effect on economic recovery. The fluctuations in exchanges were the outcome of the course of developments in international balances of payments. Hence they were determined by all the factors which made payments in foreign countries necessary. But the instability of the exchanges in turn brought about large irregular movements of capital.

A real and durable return to prosperity could therefore only take place if foreign trade could be developed, and that was impossible without a general stabilisation of currencies. So long as instability of the rates of exchange subsisted, the numerous and constantly growing obstacles, such as high tariffs, quotas and exchange control, which checked the normal course of international trade, would not be abolished. Many of those obstacles had been set up,

or at any rate considerably strengthened, in order to obviate the effects which monetary measures taken in other countries might have on international trade.

It was therefore a matter for congratulation that the United Kingdom and the United States had succeeded in maintaining the rate of the pound and the dollar on such a stable level during the past year. They had thus encouraged the *de facto* stabilisation of the pound and the dollar.

The declaration in which those Governments had announced that the devaluation of the French franc would not bring about a further depreciation of the pound and the dollar gave rise to the hope that that *de facto* stabilisation might be maintained in the future. A further step would thus have been taken on the path which led to a complete consolidation of international monetary relations.

In view of the lack of equilibrium between the internal purchasing power and the external purchasing power of the currencies of a number of important countries, it was clear that the stabilisation of currencies could at best be only a relatively slow process. In the present still very uncertain circumstances, the United Kingdom might quite well not think the time favourable for *de jure* stabilisation. It was, however, very desirable that the international gold standard should be established as soon as possible.

In particular, care should be taken that the monetary measures adopted should not be misused or exploited for a new currency war.

He would also draw attention to the commercial treaty recently concluded between the United States and the Netherlands. That agreement tended to widen the commercial relations between the two countries and might be considered an effort to restore more normal relations.

Lastly, he urged the importance of the psychological factor. The success of the measures taken or to be taken would depend, not only on the desire of the Governments, but also on the manner in which they were received and seconded by the population.

He was glad to be able to state that, in the Netherlands, the change in monetary policy had been received with perfect calm and with absolute confidence in the Government.

As regarded the question of raw materials, the Netherlands delegation wished to state that it entirely approved the draft resolution submitted by the United Kingdom delegation.¹

M. FRANGULIS (Haiti) remarked that for the first time for seven years the economic work of the Committee and of the Assembly appeared to be proceeding under favourable auspices. The currency agreement of the three great democracies presented the possibility, not only of the end of a currency war, but of general recovery of economic co-operation, by the lowering of tariff barriers, and the gradual disappearance of quotas and the abolition, by concerted action, of restrictions which had poisoned the economic life of nations for so many years. The Economic Committee had appeared to foresee such a turn of affairs when, at its meeting in September 1936, it referred to the necessity for a common effort to escape from extreme protectionism and to press on towards a regime of freedom.

He was sure that the community of nations could and would take international safeguarding measures.

He set out the balance of the seven years of depression : 30,000,000 unemployed, 2,400,000 dead of starvation in the year 1934 alone, and 1,200,000 suicides for reasons directly connected with lack of food ; and in that same year more than 1,000,000 wagon-loads of wheat, 268,000 wagon-loads of coffee, 258,000,000 kilogrammes of sugar, 26,000,000 kilogrammes of rice, 25,000,000 kilogrammes of meat destroyed because of the fall in prices.

In face of the veritable sacrilege represented by the destruction of wealth drawn from natural sources developed by the labour of men, the task with which the League was confronted was that of bringing nations face to face, with their resources and their possibilities, and of ensuring continual progress in the direction of increased well-being, shared with all mankind.

Creditor countries must recognise the elementary truth that their debtors cannot in the last resort discharge their debts except by furnishing goods or services. On the other hand, debtor countries must recognise that nothing but the fulfilment of their obligations could maintain their credit and give them access to the capital of richer countries. Finally, the latter must cease to reject all international credit operations.

From all those points of view, the currency agreement opened up great possibilities. The opportunity thus offered must be made use of without, however, ignoring the obstacles to be overcome.

In that matter, the Economic Committee's conclusions were of an importance which the members of the Second Committee would not fail to realise.

No one had forgotten last year's debates on the expansion of international trade. On that occasion the delegates of Chile, Bulgaria and Latvia² had drawn the Committee's attention to the difficulties inherent in the operation of clearing systems, and to proposals for the plural organisation of compensation, and its extension to all factors of the balance of payments. The Second Committee then unanimously recommended³ that the Council should institute an enquiry regarding the effectiveness of the system, and consider any similar suggestions which might be presented to the Secretariat with a view to stimulating international trade. The enquiry had been carried out by the Economic Committee, and its outcome was contained in the report⁴ laid before the Committee. M. Frangulis again advocated the method of

¹ See page 46, footnote 1.

² See *Official Journal*, Special Supplement No. 140, pages 50, 52 and 56.

³ *Ibid.*, pages 76 and 77.

⁴ See *Official Journal*, November 1936, pages 1330-1332.

settlement by compensation-cheques, which had won the approval of the big national and international organisations.

All those bodies had stressed the chief reason for their approval, which was that that method, while it reinforced the indispensable guarantees of reciprocity and equilibrium between nations, allowed of great freedom in their exchange relationships, to such a degree as to tend towards the restoration of the spontaneous multilateral compensations of normal times. It thus constituted a step towards a simple restoration of that freedom which had been known in the world in times already long past.

The Economic Committee had asked that the system proposed should not place new burdens upon States. But the compensation-cheque imposed only one obligation on the issuing State—that of refunding the cover deposited by the person who received the cheque to the nationals who presented it, on proof being given of some sale abroad of equivalent value.

The Committee had also asked that no new burdens should be placed on States as a result of uncompensated balances ; but the operation of the system was such that any excess of claims on a country would be absorbed through the unrestricted negotiation of compensation-cheques on third countries.

Once those desiderata it had put forward were satisfied, the Committee would readily agree that "the compensation machinery" suggested—for it was obviously that which it had in mind—"might no doubt result in appreciable improvements in the present clearing system".¹ That was an admission of great importance. The working of bilateral clearings was certainly not at present so satisfactory that the League of Nations could neglect any improvements on the system.

Doubtless the Committee wished clearing to disappear. But could it be said that a return to freedom would give to nations which had adopted the clearing system, or at least to some of them, the guarantees of reciprocity, of equilibrium in their balance of payments and of stability of their currency which clearing was required to afford? The United States, the United Kingdom and France alone possessed four-fifths of all the monetary gold in the world. If the Netherlands, Switzerland and Belgium were excepted, the majority of the other countries had no gold at all, and were only linked up with world economy by clearing systems which effected a bilateral regulation of the barter of their goods. They would be able to accept the system of free exchange by means of freely negotiable and freely quoted compensation-cheques, because they would then be enabled to continue and even extend in every field their transactions with foreign countries ; that would permit them to readapt themselves to a regime of freedom and to re-educate themselves. If, on the other hand, it was proposed that they should abandon clearings, and replace them by free transactions with the classic methods of payment, when they had no gold, they could not agree, and would cling to the clearing system, which, in spite of unquestionable drawbacks, allowed them to obtain by the direct sale of their products a number of foreign products which they could not do without.

The alternatives then to-day were either a smoothly working free system of plurilateral compensations by means of compensation-cheques, or the rigid, bureaucratic, purely bilateral clearing system almost exclusively confined to goods, which existed to-day.

He wished to point out one of the most serious consequences of that system—all the more serious since it generally appeared to go unrecognised, and thus did its work unseen.

Habituation to bilateral clearings led to the creation of bilateral currents of trade, which in the course of years tended to become stabilised and to form extremely close economic connections. Certain aspects of such connections might in some cases attain a degree of importance that needed no emphasis. Imagine a great country in the heart of Europe, with exceptionally strong industries, linked up by clearing and compensation agreements with all countries of Central and Eastern Europe and also with countries outside Europe, demanding mainly, or exclusively, from those Central and Eastern countries raw materials and food supplies. Like a great factory it would be using these to manufacture products or to feed the hardworking population which served it. That country would be effecting multilateral compensation for the products of all those countries by means of the manufactured products with which it supplied them in exchange. It was therefore between them, as well as between them and its own customers in all parts of the world, the instrument for correlation, industrial transformation and plurilateral, multilateral or even omnilateral commercial compensation. It would thus form the centre of a European economic unit with economic ramifications so powerful that finally they would take on quite another character. The spider's web, with its innumerable threads, would acquire the consistency of a steel net embracing a whole group of economic systems which would be political economic systems, dependent upon political entities, also trapped within the net. The bilateral clearing system—a new thing in world history—might well some day prove a remarkably effective implement in making history. Elementary caution demanded that it should be brought to an end as soon as possible. But the only way to do so would be to transform clearing offices into plurilateral compensation offices covering transactions of all kinds and reconciling guarantees of reciprocity (which would have become omnilateral) with those of liberty.

¹ See *Official Journal*, November 1936, page 1332.

The most urgent task in that field at the present time was to bring about that transformation by adopting a method which, after so many discussions by the most competent organisations and so much unanimous support, appeared ripe to be put into operation. The delegate of Haiti accordingly submitted the following draft resolution :

“ The Assembly,

“ Considering that the conversion of bilateral clearing arrangements into a system of plurilateral compensation is calculated to bring about a substantial improvement in trade with countries that have introduced legislation on foreign exchange ;

“ In view of the importance of improving by all appropriate means the existing clearing arrangements :

“ Requests the Council to ask the Economic and Financial Organisation of the League to study, in conjunction with the Bank for International Settlements, ways and means of arranging plurilateral compensation by means of compensation-cheques, and to make proposals to it on the subject.”

M. RUIZ GUIÑAZÚ (Argentine) would consider merely one of the concrete aspects of the problem to which the Polish delegate had specifically referred when he said that, in a country such as Poland, where the density of the agricultural population was almost two and a half times as great as in Denmark—the classic example of an agricultural country—and more than twice as great as in France or Germany, it would be realised that such a problem should not be neglected. A problem of that type could obviously not be studied in a vague and indefinite way.

The Argentine Republic was particularly interested in questions of migration, since it was itself open to men of all countries—provided they fulfilled certain essential conditions—and had had great experience in the matter. The Argentine Government therefore attached great importance to the study of means of promoting the resumption of migratory movements to the advantage, and in the common interests, of both immigration and emigration countries. It had given its wholehearted assistance in the work undertaken and very actively pursued in that field by the International Labour Organisation. He recalled, in that connection, that the International Labour Conference would have before it at its next session a detailed report on the migration of labour which would very likely lead to the framing of a draft international convention.

As for permanent migrations—what were termed settlement migrations—the last International Labour Conference had approved the following resolution :

“ The Conference has noted with the greatest interest that the problem of the settlement of colonists and other independent workers in countries other than their own, more especially overseas, has been selected for discussion by the Migration Committee of the Governing Body. It welcomes the fact that this large and important problem is to be systematically studied, and expresses the hope that the work of the Migration Committee will lead as soon as possible to conclusions which can be laid before the Conference.”¹

The Migration Committee was to meet on November 16th, 1936. A general report on the question of migration with a view to populating countries would be laid before it, and also a report on the possibilities of immigration and colonisation in American countries. That report was the result of an enquiry made on the spot at the request of the Labour Conference of Santiago (Chile), under the supervision of one of the Sub-Directors of the International Labour Office, M. Maurette, who had also visited the Argentine.

Simultaneously with its local enquiries, the International Labour Office was continuing the scientific study of the possibilities of immigration and colonisation in all countries which seemed to offer possibilities in that respect.

It might be said, then, that the question was being actively and certainly very competently dealt with by the International Labour Organisation.

The Argentine delegate proposed that the League Council should request the Governing Body of the International Labour Office to submit a report to it on the enquiries already completed, or in progress, regarding the international question of migration, in order that work connected therewith which might ultimately have to be undertaken by the League of Nations should be carried out in complete co-ordination with the work of the International Labour Organisation.

¹ See International Labour Office : *Official Bulletin*, Vol. XXI, No. 3, August 31st, 1936, page 138.

EIGHTH MEETING.

Held on Tuesday, October 6th, 1936, at 3.30 p.m.

Chairman : M. VAN LANGENHOVE (Belgium).

15. **Economic and Financial Questions : General Discussion (continuation).**

M. CHRISTIANI (Denmark) was of opinion that those who thought that the recent important events in the monetary sphere would alone be sufficient to bring to an end the economic depression which had prevailed in every part of the world for the last six years were no less mistaken than those who failed to see that those events represented an admirable and noteworthy initial step—on the road towards the settlement of the crisis.

In the Assembly and in the Second Committee, hearty congratulations had been offered to the three great Powers controlling the main currencies, which had decided to collaborate with a view to bringing their prices into line and stabilising their currencies in order to pave the way for the revival of international trade. The Danish delegation was particularly pleased to associate itself with those congratulations, because the agreement reached between those States was clearly in accordance with the hopes expressed in the Committee a year previously.

No one could fail to be gratified by the definite and positive results obtained in that connection, especially as in other spheres the result of the League's action during the last few years had sometimes been disappointing. Congratulations should be offered to the Economic and Financial Committees on that account also, because their exhaustive and lucid studies had undoubtedly had something to do with the important happenings of the last few days.

Theoretically, it should never be necessary to devalue the currency of a country, because, when world prices were falling, all that was required was to make home prices conform to their level by reducing in the same proportion interest rates, taxes, wages, budgets, remuneration and profits of every kind, and also rents. The trade balance would always be maintained. Experience had shown, however, that that was largely mere theorising and that so great an economic adjustment could not be carried out on a general scale ; wage-earners and business men—and, indeed, all the various classes of citizens—were unwilling to have their earnings or their profits reduced to a sufficient extent.

All countries had, at different times, considered it possible to bring about such an adjustment, which was regarded as a sound, reasonable and fair measure ; but they had all been disillusioned, and had in the end been obliged to recognise that sufficiently wide adjustments could not be made by such means.

Devaluation brought price-levels into line at home and abroad, and at the same time the rise in home price-levels was comparatively small, provided wages were maintained to offset the increased employment of the wage-earners.

Exporters began to make profits again, and it was then technically possible to begin to abolish restrictions and Customs duties, at any rate to some extent, thus enabling economic life to resume its normal course.

If devaluation was to succeed, a revival of trade was not the only requirement. The budget must also be balanced, and in that connection the public debt might play an important part. The larger that debt, the more necessary it was to reduce the rate of interest, so as to enable conversions to be made on favourable terms and to enable the economic world to benefit by cheap money. As the United Kingdom delegate had stated, there was no doubt that the indisputable success of British devaluation was due to the fact that it represented a cheap money policy.

When devaluation was effected in such a way as to adjust home prices to foreign prices, a first step could be taken in the direction of relaxing restrictions and reducing Customs duties ; but that could not be done if each country waited for the others to take the lead. It was therefore of the utmost importance that joint and continuous action should be taken by the most important States with a view to freeing international trade. Such a lead would certainly be followed by the other States and would bring about the desired improvement.

M. Christiani had been glad to see that France had at once placed herself at the head of that movement, and he hoped that other States would not hesitate to follow her example.

M. MASENG (Norway) noted that several speakers had urged the abolition of the present system of economic isolation and had asked for quotas and exchange control in particular to be done away with. The Norwegian delegation, like the other Scandinavian delegations, thought that other protective measures also should be dropped. As a matter of fact, Customs barriers of a prohibitive or quasi-prohibitive character hampered international trade just as much as quotas. Subsidies might also have just as harmful an effect as any other protective measures. Economic isolation could be achieved without having recourse to restrictions in the proper sense of the term—it could be brought about by measures of artificial assistance. Export bounties usually led to retaliatory measures. The interdependence of the different categories of protective measures, whether positive or negative, was therefore obvious.

M. Maseng accordingly considered that all those various measures should be relaxed at the same time.

As each country stated that it was impossible for it to pay for the goods or services of its neighbour unless the latter bought its goods and services, and as, moreover, every country had its own preferences in regard to protective measures, it appeared to be difficult to free international trade by concentrating upon one or two categories of protective measures. At the present time, the chief aim was to reduce the restrictions established by those countries which had just devalued their currencies, as that devaluation afforded them additional protection; they could therefore do without the quotas and measures of control which they had hitherto applied.

It should be remembered, however, that a protectionist policy had been adopted by every country in the world and not only by the gold *bloc* countries. It was therefore not sufficient to do away with the protective measures applied by a certain group of States.

International trade covered both goods and services. In the case of transport services, bounties had been the protective measure favoured by countries which had endeavoured to combat the free competition of merchant shipping.

Now that the International Maritime Conference was meeting at Geneva, the position was somewhat paradoxical. On the one hand, there were maritime nations competing on a purely mercantile basis, and, on the other, maritime nations whose shipowners were receiving a varying degree of assistance. It was obvious that, in such circumstances, the regulation of manning and of the hours worked on board ship was a somewhat precarious matter. It was not surprising, therefore, that the shipowners of certain countries had considered it useless to take part in the work of that Conference. How could equality in the matter of working conditions be gauged if competitive conditions remained unequal?

He would take the concrete case of a vessel the crew of which, as the result of a convention for the reduction of hours of work, had to be increased from twenty to thirty men. According to the flag she flew, the increase in the cost of labour would either be covered by her Government or would have to be met out of the vessel's own resources. It had often been said that shipping was, by its very nature, an international industry. That was possibly true; but, before regulating hours of work on board ship and manning, it would be necessary to regulate bounties, which should be gradually reduced until they were finally done away with altogether.

M. DE NICKL (Hungary) was of opinion that the decision taken by the gold *bloc* countries would constitute a first step towards the establishment of more normal world economic relations only if the appeal of the three Governments to the other nations led the latter to contribute their share towards the restoration of international economy. Everyone was in agreement on that point. The sudden change in the monetary situation should, of course, be followed by a rapid transformation of general commercial policy and by the abolition of the various systems of foreign exchange control. While the first step required much courage, great caution should now be displayed in determining at what pace and in what measure the next advances should be made towards the adaptation of the various national economies to the new situation. Several speakers had already referred to the multiplicity of the problems which called for solution and had affirmed the desire of their Governments to contribute towards the important work of economic appeasement.

Every Government should play its part, since none was able or willing to deprive its country of the advantages resulting from the normal functioning of international economic and financial relations. But at the same time no Government with a due sense of responsibility would be willing to take precipitate measures jeopardising the economic recovery of its country, which had been obtained with such difficulty and in many cases at the cost of very heavy sacrifices.

The reaction of each country would not be determined solely by the temperament of its Government; it would be determined by considerations which took account of the economic structure and financial capacity of the country. In those respects, the situation of the different countries varied widely.

Reviewing the initial causes which had led the Hungarian Government to enact restrictive measures, M. de Nickl said that foreign exchange control had been enforced in July 1931 as the result of the collapse of the Kreditanstalt of Vienna; the general breakdown of confidence which had prevailed since the American crash had suddenly become intensified and had prevented Hungary from making good the chronic deficit in her balance of payments by means of loans, and that had led to the withdrawal of short-term capital.

Added to all those difficulties, there had been a considerable flight of capital. In those circumstances, the Hungarian Government had decided to introduce the system of controlling the foreign exchange market, as the devaluation of the currency could not be contemplated in a country where there was still a vivid memory of the destruction of capital sums by inflation and the collapse of the currency.

Import restrictions had necessarily followed as a corollary to foreign exchange control for the purpose of enabling Hungary to select her imports, which could only be paid for by the value of her exports; and these consisted for the most part of agricultural produce, the prices of which had fallen to an exceptionally low level.

That was the only means by which Hungary had been able to obtain supplies of raw materials to keep her home industries going and to meet—even to a very limited extent—her financial obligations to other countries.

The conditions under which the Hungarian Government would be able to help to restore normal international trade by the abolition of all those measures might be summarised as follows :

Firstly, a permanent favourable trade balance, as that was Hungary's only important current credit item in the balance of payments.

Such a permanent favourable balance could be secured only by a guarantee that home-produced goods could be marketed with a minimum of hindrance and disposed of in foreign markets at remunerative prices.

Hungary as a debtor country required a favourable trade balance, which was the only means whereby she was able to make payments in respect of her foreign debts. The abolition of import restrictions in Hungary with a view to maintaining, and if possible increasing, that favourable balance was practicable only if countries which could be regarded as possible markets for Hungarian goods also removed the obstacles in the way of the export of goods of Hungarian origin. Hungary attached special importance to the abolition of impediments to her agricultural exports, because the greater part of Hungarian exports—nearly 68%—consisted of agricultural produce, and an increase in her agricultural exports might even be necessary in order to offset the probable increase in imports.

For that reason, Hungary would be obliged to institute bilateral negotiations with purchasing countries. In M. de Nickl's opinion, those were the only negotiations which could lead to the gradual abolition of trade restrictions. The question of the marketing of agricultural produce at remunerative prices should also be reserved for such negotiations, unless it proved expedient in that connection to take up again the proposal that preference should be given to agricultural countries in Europe.

Secondly, another condition was that countries that were regarded as possible markets for Hungarian goods should abolish in their turn the restrictions on free dealings in foreign exchange. Owing to natural conditions, 72% of Hungarian exports at present went to countries which themselves applied monetary restrictions, and 18% to other countries with which the system of payments was regulated by agreements that prevented to a greater or lesser extent the free use of the foreign exchange obtained from exports. Only 10% of Hungary's total exports went to countries where there were no restrictions on the free disposal of the sums representing the value of Hungarian exports.

So long as that situation continued, Hungary would be unable to do away completely with the regulation of her imports, as it was obvious that she could receive goods only from countries in which she had an available balance.

As could be seen, that was not a purely Hungarian question ; it was a problem which lay within the international sphere and which would probably have to be settled on a plural basis.

Thirdly, in the event of the abolition or relaxation of import restrictions and the complete or partial restoration of the free currency market, the temporary fluctuations in the current items of the balance of payments would probably be greater than under the present system of restrictions. Consequently, the banks of issue of a large number of countries would be obliged to hold much bigger stocks of gold and foreign exchange to enable them to cover temporary deficits and guard against the danger of those deficits to the value of their currency. A preliminary increase in the stocks of gold and foreign exchange would therefore be necessary, and that question was not a purely Hungarian one either.

Fourthly, in the case of Hungary, and probably of other countries also, a preliminary condition for the adoption of a more liberal regime was undoubtedly the payment of external debts, so that the debt service could be covered by the current credit items in the balance of accounts.

As the only important item was the favourable trade balance, that would, in the main, determine to what extent the country would be able to meet its external debt service.

M. de Nickl felt bound to say that both the amount of his country's external debts and the difficulties it was experiencing in increasing its exports—which, as already mentioned, were mostly agricultural—proved beyond all doubt that the harmonisation of the Hungarian external debt service and the current credit items of the country's balance of payments could be effected only if considerable concessions were made by its creditors.

Having thus outlined the conditions on which Hungary could contribute towards normalisation, he stated that she would be glad to be able to do so as soon as possible.

The CHAIRMAN, speaking as representative of Belgium, said that the Belgian delegation would vote for the British draft resolution on raw materials. It attached special importance to that question. When modern industry had sprung up in Belgium about a century previously, it had been able to obtain within the country most of the raw materials required. To-day, with a few rare exceptions, that was no longer the case. Belgian economic activity depended essentially on the importation of raw materials, and these were re-exported after they had been worked up. That being the case, the acquisition of raw materials under favourable conditions was naturally of great importance for Belgium.

With reference to the economic and financial policy defined in the declaration by the Governments of France, the United Kingdom and the United States of September 26th, 1936, the Belgian Government, in a note published the very next day, had given it its full support. Belgium was especially desirous to support the declaration made by the three great Powers, because for the last year and a half she had herself been following the policy defined in that declaration—a policy of economic equilibrium and the development of international trade.

In the light of experience, he could state that that policy had simply produced the results which Belgium had anticipated. Those results had now been shown in the budget which the Government had submitted to Parliament and which showed an appreciable surplus, a considerable reduction in taxation (which had reduced unemployment), the lightening of the burden of the public debt and increased revenue. Lastly, as a result of that policy, social expenditure had been increased. The workers' standard of living had improved, so that those who had benefited by the policy of economic recovery which had been pursued in Belgium for the last year were, firstly, the general body of taxpayers; secondly, business undertakings; and, thirdly, workers of all grades.

In briefly setting forth those results, he had not forgotten that modesty was becoming in a small State; his only desire had been to explain to the Committee the promptness and sincerity with which the Belgian Government had replied to the declaration made by the great Powers. That promptness and sincerity also had another motive: the Government had always recognised and had always stated that its efforts could not be completely successful until international trade had been freed from its main fetters and until prosperity had been restored in the majority of States and particularly those States which were Belgium's neighbours. From the outset of its action, therefore, it had always hoped that its policy might one day be integrated in international action on the same lines.

What contribution could Belgium make towards that international action? That would consist, in the first place, in guarantees of stability calculated to facilitate the establishment of a lasting equilibrium between currencies. With that end in view, the Belgian Government had decided—and had so stated—that it would not modify in any way the monetary policy which it had followed for the last year and a half and which had ensured the complete stability of the Belgian franc in the exchange market by preventing any disturbances in that market.

The Belgian Government was also prepared for its part to do all it could to prevent further disturbances in international trade through the devaluation of several currencies and in spite of the effect of that devaluation on competition. Moreover, Belgium hoped to obtain some compensation in the form of measures for the lowering of trade barriers, which had already been adopted by several Governments.

Lastly, Belgium would give her full support to any action towards greater freedom of international economic relations and the development of world trade. The action she had taken and the recent agreements she had signed indicated clearly her attitude towards the matter. In view of the Anglo-Franco-American agreement and the measures by which it had been accompanied or followed, the main problem was to decide how to follow up that action. The declaration made by the three Powers drew special attention to the necessity for action being taken without delay to relax progressively the present system of quotas and exchange controls, with a view to their abolition. That might not be the only problem to be solved, but it was undoubtedly the main problem—the problem on the solution of which the necessary development of international trade primarily depended.

The progressive relaxation of the present restrictions might be effected either autonomously or by agreement as the result of bilateral, or in certain cases plurilateral, negotiations. Autonomous measures had already been adopted; they were highly encouraging and the Committee had welcomed them with the greatest satisfaction. It had noted with equal interest M. Bastid's statement that France's efforts would not stop short at that point. But while the prospects were encouraging, the difficulties to be overcome should not be underestimated. Several speakers had pointed out the complexity of the problem and had mentioned all the various factors which would have to be taken into account. That very complexity pointed to the necessity for co-ordinated action. Measures of reform should, of course, be taken in the first place by the States concerned; but in many cases such measures could not produce their full effect or would not even be possible without international co-operation. Moreover, the re-establishment of a lasting equilibrium between the various economic systems could not be ensured without an agreement between States. He did not propose to make any definite suggestions regarding the measures which should be taken or the organs which should be set up for that purpose. He would merely express the opinion that the system should be very elastic, so as to take the various factors and interests into account. At the same time, it should provide for continuity of effort and co-ordinated action. Circumstances urgently demanded a broadminded policy unhampered by egotistical interests. That policy could succeed only if all other considerations were subordinated to the higher aims proposed to the community of nations in the declaration of the Governments of France, the United Kingdom and the United States. To quote the terms of that statement, those aims were: "To foster those conditions which will safeguard peace and will best contribute to the restoration of order in international economic relations, and to pursue a policy which will tend to promote prosperity in the world and to improve the standard of living".

M. Wunsz KING (China) added a word of appreciation of the work done in the past year by the various organs of the League of Nations in their study of the various aspects of economic and financial questions.

He wished to give the Committee an account of the present economic and monetary situation in China, though he would also refer to the general situation.

It would be recalled that, in the course of a meeting of the Second Committee during the 1935 session of the Assembly, he had explained¹ that the silver crisis in China, which had reached an alarming stage in October 1934, had compelled the Chinese Government to take certain measures, under which an export duty of 10% *ad valorem* and a variable equalisation charge had to be imposed on exports of the metal. It soon became clear, however, that the measures then adopted were in the nature of temporary palliatives only. The constant drain on the currency reserves of the country, with the threatened financial crisis, compelled the Government a year later—in November 1935—to promulgate a decree suspending silver as a circulating medium and making notes of the three Government banks—namely, the Central Bank of China, the Bank of China, and the Bank of Communications—the only legal tender in payment of all debts.

As had been pointed out by the first delegate of China in his address to the Assembly about a week before, that monetary reform had met with general approval and acceptance throughout the country. The ready co-operation of many foreign banks, and in particular the prompt issuing and putting into effect by the United Kingdom Government of a "King's Regulation" prohibiting the payment in silver by British subjects in China of any debt or other obligation, had contributed in no small measure to the success of the reform.

In May 1936, the Chinese Government, in an announcement by the Minister of Finance, made it known that it would continue to be the policy of the Government at all times to maintain adequate reserves against the note issue consisting of gold, foreign exchange and silver, the silver portion of the reserves to have a value equivalent to at least 25% of the note circulation.

By an arrangement made simultaneously with the United States Government, the United States Treasury had agreed to buy substantial amounts of silver from the Central Bank of China and to provide that bank with American dollar exchange for the purpose of helping China to stabilise her managed currency. That agreement was now in full operation.

With the ultimate object of stimulating exports and reducing adverse international payments, the new monetary policy of China had paved the way for the normalisation and stabilisation of the exchanges between the Chinese and various international currencies, to the benefit of international trade in China. In that, the new policy of the Chinese Government had achieved a considerable measure of success. He would like to record a word of appreciation of the spirit of mutual helpfulness in which the Governments of several countries, notably the United Kingdom and the United States of America, had contributed in a valuable degree towards the success of those monetary measures.

Turning to the world monetary situation, the policy of currency realignment, as embodied in the recent three-Power declaration and the measures subsequently taken by several other Governments, had to a large extent succeeded in stabilising the principal currencies of the world, thereby making the way clear for the ultimate removal of trade barriers, the restoration of steadier economic relations and the promotion of international peace. Whatever might be said about the school of thought that the solution of political problems should precede that of economic problems or *vice versa*, it appeared certain that economic appeasement could not fail gradually to lead to the attainment of the objective of political appeasement. China welcomed international co-operation such as had been indicated in the joint declaration of September 26th, 1936, by the Governments of France, the United Kingdom and the United States.

The Chinese delegation, like many other delegations, had noted with interest and satisfaction that in recent years, and especially the previous year, a real improvement had been taking place in a number of countries. It was to be noted, however, that, as had been pointed out by the Secretary-General, economic recovery was uneven and perhaps insecure, and had not been followed by an appreciable improvement in international trade relations.

On the other hand, so far as China was concerned, while signs of economic rehabilitation were also noticeable, progress had been retarded by many complications and difficulties of a particularly serious character. Efforts, however, were being continued for the carrying-out of the programme of national reconstruction in all domains, such as the improvement and promotion of agricultural production, the construction of railways and roads, hydraulic engineering works, public health and the like. As soon as the international horizon in the Far East cleared up, China, in his opinion, would again offer to the world an even greater market than at present, thereby hastening general recovery.

In that connection, he drew the Committee's attention to the seriousness of the smuggling situation in North China and pointed out that the Customs authorities in that area had been prevented by external force from exercising their proper functions, and that smuggling activities not only covered very wide areas in China, but had been extended to include many commodities, such as artificial silk yarn, white sugar, cigarette-paper, piece goods, kerosene and petrol, apples, soda-water, bicycle parts, tyres, alcohol, wire-netting, nails, tinned goods, and even revolvers. For the three months May, June and July of the current year, the loss

¹ See *Official Journal*, Special Supplement No. 140, page 42.

of revenue to the Chinese Treasury as a consequence of that illicit trade had been approximately estimated at between 400,000 and 2,000,000 Chinese dollars per week.

That smuggling situation not only constituted a direct attack upon Chinese financial credit, in depriving that country of a large part of the Customs revenue upon which a number of foreign and domestic loans had been secured, but also seriously affected the legitimate trade of all countries. In short, in view of the interdependent relations of the world, any step taken by one State or a number of States in the direction of improving the general situation, whether economic, financial or political, must have beneficial effects upon the whole world; whilst any disturbing factor would have serious repercussions in other countries.

It was in that sense that the Chinese delegation ventured to make known its views to the Committee entrusted with the study of economic and financial questions.

Mr. BRUCE (Australia) said the Australian Government considered that the deliberations of the Second Committee at the present time were almost the most important that had ever taken place in any Committee of the League or its Assembly. The delegate of the United Kingdom, on the previous day, had observed that there were some people who attached more importance to the solution of political questions than to the solution of economic problems, and that there were others who took the opposite view. He had gone on to say that, in his view, they should take every opportunity to solve the political problems and take any chance that occurred to bring about economic appeasement. While he agreed with the delegate of the United Kingdom up to a point, he felt most emphatically at the present time—and that had been his opinion for many years—that the economic and financial questions which confronted the world were the basis of practically all the troubles with which the world was faced.

It was a truism to refer to the atmosphere of tension which existed in the world at the present time. There was a progressive building up of armaments, and there was a growing belief of the probability of war and that war would destroy civilisation. He thought an examination of the position would show that the root of all those troubles was the economic situation which existed in practically every country, particularly the countries of Europe. The gradual disappearance of prosperity, the increase in unemployment, and the distress, suffering and even hunger to which the peoples had been subjected were, in his opinion, the cause of the present situation, which was certainly one that must awaken anxiety in all.

He believed that, if a measure of prosperity could be brought back to the world, and if men and women were given employment and the opportunity of finding useful avenues for their activity, with a consequent removal of the distress, suffering and anxiety which faced the majority of households at the present time, there would be created an atmosphere in which the solution of political problems would become relatively easy and the menace of war gradually disappear.

It was because he held those views that he so warmly welcomed the recent agreement which had been arrived at between the three most important financial nations to bring about something in the nature of a *de facto* stabilisation in the relationship between their various currencies which, after all, were the currencies upon which world trade was based. Equally he welcomed the report of the Economic Committee, which with clarity and precision set out the present position of the world from the economic and financial standpoint, and he was glad that that report had been cordially endorsed by the Financial Committee of the League. Those two reports set out the problems which faced the world, and brought out in a striking manner the terrible deterioration which had taken place in the economic position since the world economic crisis had begun. In considering that deterioration and the many things which various countries had done—things which were often criticised and denounced—there were certain factors which must be remembered. One of those factors was the position of the debtor nations at the time when the economic crisis had begun, a position which had become intolerable with the almost catastrophic fall that had taken place in all commodity prices. Many nations, Australia among them, had taken action which might have been open to criticism on a purely economic examination of the situation, but those actions had been forced upon them, for they had been faced with the alternatives either of defaulting upon the obligations they had entered into or of taking that extreme action.

Another factor which must be borne in mind was that, with the advent of the economic crisis, every country had been faced with increasing unemployment, and Governments had been obsessed and oppressed by the necessity of trying to create employment. The result had been that they had imposed many of the restrictions which had proved to the detriment of the countries which imposed them and struck a fatal blow at international trade.

Those factors had led to many of the disastrous measures which had impeded the flow of international trade. They had led to the establishment of exchange control, quotas, prohibitions, tariffs and surcharges—every device which man could think of in an effort to stay the flow of imports into the various countries for the purpose of retaining employment for their own nationals. Another result had been clearing agreements, the disastrous effects of which were brought out in an admirable report of the Economic Committee. But above all there had been the building up of armaments in order to try to find employment for the unemployed in some countries, and when that had happened, with possibly the legitimate objective of finding employment, it had caused anxiety and alarm in other countries, which in turn had felt themselves compelled to build up their own armaments, thus leading to the position of a race in armaments practically throughout the whole of Europe.

Then had come the first ray of light—the agreement between the United States, France and the United Kingdom. That was a very encouraging sign, particularly when they cast their minds back to the ideas which had prevailed at the World Monetary and Economic

Conference of 1933. At that time, it had been equally well recognised that it was impossible to set in motion again the wheels of international commerce unless some basis of stability of exchanges and currencies could be arrived at ; yet even those great Powers, which had now seen the light, had not been prepared to take any action in 1933. Nor had the other nations there assembled been prepared to deal with the question of restrictions on trade. That Conference had broken up with nothing achieved, save one negative and disastrous thing, which was that it had accepted as a policy for the restoration of the world the restriction of production, instead of adopting as a policy the proper and desirable method of stimulating consumption.

At that Conference, Mr. Bruce recalled that he had expressed the opinion—which had received little support—that such a policy was a policy of desperation and one which was full of danger for the world. He had said that, if the unemployed and the millions who were in want looked at a conference of some sixty Powers and saw that the only result was that the things they desired were to be made more difficult to obtain, then the world was heading for the greatest social upheaval it had ever seen. He thought that the history of the last few years had shown that that was not an entirely unfounded statement.

Fortunately, the position had now changed. There was, in the first place, the agreement between the three Powers with regard to currencies, and he believed that most nations were now ready to co-operate in the monetary field and in the economic field. If they could follow up what had been done with regard to the stabilisation of currencies by those three great Powers, the reasons for exchange control and quotas would disappear, and they would have made a first step towards freeing international trade. But that first action could be followed by another very natural step, one which had already been taken by the French Government—that was to say, a reduction of some of the excessive tariff barriers which existed at the present time. The experience of Australia had shown that that was a natural and effective step to take. The Australian pound, which had always been based upon the pound sterling, had eventually been forced off that parity, and there had been a depreciation of the Australian pound against the pound sterling. Many Australian industries had enjoyed tariff protection, and a close examination of the position had been made by the Tariff Board, because the Government had felt that, when there was a proper basis of protection for an industry, there was no reason why it should be given the additional protection which arose from a depreciation of the currency. As a result of that examination, steps had been taken by which the benefit that was accruing to the manufacturers by reason of the depreciation in exchange was wiped out. It seemed to him that similar action might be taken in Europe at the present time, as, indeed, it had been taken by the French Government.

The question which then arose was by what means they were to achieve a real revival of world trade, and in that connection the time factor was important. The delegate of the United Kingdom had said on the previous day that they must go slowly and not become hysterical and try to do too much. Mr. Bruce entirely agreed with that, but he thought it was necessary to bear in mind the time factor. The position was not that the adjustment could take place over an unlimited period of time.

There were good reasons why action should be as swift as possible without precipitancy. In the first place, there was the question of armaments. In many countries, a tremendous number of people were employed on making armaments because the economic conditions did not permit other avenues of employment. No Government to-day could afford to throw people out of employment. The result was that every day the situation was getting worse with regard to armaments and there was no hope of improvement unless some opportunity could be found of enabling the Governments of those countries to put people into useful employment for the benefit of man rather than for his destruction. In the second place, great vested interests were being built up which relied on the cry, "Let us produce in the country ; let us keep money in the country". Those vested interests were getting stronger and it was imperative that at the earliest moment something should be done to relieve the position so that they should not get so strong that it would be impossible to take any action which they resisted.

The new doctrine of self-sufficiency or autarchy was growing in the world. It had a great appeal, and yet its results would be disastrous for every country that adopted it and it would make impossible any large-scale resumption of world trade. Only countries with great natural resources could follow that doctrine and maintain their standards of living. He might instance the Soviet Union the United States of America and the British Empire. Beyond those three countries or groups of countries it was difficult to see any result following a policy of self-containment except a progressive reduction of the standard of living, reduction to a point where even the best disciplined people would not tolerate it any longer. The progress of science in the last fifteen years had made possible methods of production which would enable a higher standard of living than anything dreamt of in the past. Yet because of economic conditions prevailing in the world to-day it was impossible for people to enjoy that higher standard. If there was too great delay in making those benefits available, the masses of the people would revolt. The problem must therefore not be dealt with in a leisurely manner by merely commending some resolution to the attention of nations and hoping for the best. It must be made a real live issue and be given practical expression.

Because Mr. Bruce was emphasising the dangers of national self-containment, it must not be imagined that he was advocating a return to "free trade". Australia, like all nations, insisted upon having a balanced development. But in a world where unsatisfied demand is so great, where new demands are constantly arising, there is room for both a reasonable protection of industry and of agriculture and yet for a great increase in world trade.

The recent currency agreement between the United States, France and the United Kingdom provided a great opportunity. That agreement was not the result of some sudden inspiration. It followed quiet negotiations between three great nations. It would be well if the matter could be carried further by similar methods.

He had had one experience of an international economic conference, and he had no desire for any further experience of that kind. But he thought it should be possible for those nations with the greatest financial interests, and particularly for the great creditor nations, to move on from the point reached by those first negotiations. He understood that there was to be a meeting of the nations known as the Locarno Powers with a view to making a new Pact. He sincerely hoped that that meeting would take place and that this question would be one of those dealt with by those Powers. He hoped, too, that, as the United States had played its part in the recent currency agreement, every effort would be made to bring that country into the negotiations on economic questions. The statement made by Mr. Hull—and they must all pay tribute to him because he had never wearied in the policy he had consistently pursued—might encourage them to hope that the United States would be able to play its part in this matter.

There was one further point which he would like to put forward, not as a definite proposal, but as a suggestion for the consideration of the Committee. He thought it would be a good thing for the Assembly of the League to give the Council authority, if circumstances arose which made it desirable, to constitute a committee drawn from the members of the Financial and Economic Committees, and to co-opt to that committee other persons, including representatives of nations not members of the League. The committee so constituted might act as a central body for focusing the whole of the questions which would be encountered. Many nations might desire to have some authoritative body of that kind that it would be possible to consult. Questions would arise which it would be desirable to investigate, and there would be ready to hand a body to undertake that investigation. While it might be thought ill-advised at the moment to go further than commending the action of the three great Powers which concluded the recent currency agreement and recommending to the consideration of all nations the reports of the Economic and Financial Committees, he thought it was well worth considering whether they should not endow the Council with power to set up a committee of the character he had outlined.

M. DA SILVA (Portugal) observed that the Second Committee's attention had been drawn to recent events in the monetary field, as, indeed, was to be expected. As those events had had some bearing on the most disquieting problems of the hour, it would perhaps be desirable to indicate under what conditions those problems had successfully been solved in Portugal.

In the first place came the question of finance. For Portugal, that question had been the crux of the problem, as the currency experiment of 1931 had come after the financial reform of 1928. The task had not been an easy one. Portugal had behind her a whole century of financial disorder, and had been on the brink of the abyss. Nevertheless, the work that M. Salazar had done contained nothing miraculous; he had employed none but classical methods. He had succeeded by courage and perseverance, which showed that the good old rules still held good.

If the financial balance-sheet of the last century were drawn up, it would be found to show failure in five respects—failure of the public services through incapacity and bad organisation; failure of budgets, showing a chronic deficit; failure in tax collection through mistaken ideas of what could be taxed; failure of credit through sheer misunderstanding of the technique, and failure of the currency following upon the crisis of 1891.

The war had, of course, had its effect; but the war had not yet meant disaster, and Portugal had emerged from it without encroaching upon her reserves. The difficulties had come in the post-war period, with its spirit of recklessness and wastefulness, with constantly growing deficits, the vicious circle of means of payment created to meet them, inflation and camouflage to conceal it, the mass issue of Treasury bonds, and the enlistment of deposits guaranteed by the State.

Salvation had been sought in taxation, but without success. It had been sought in currency exchange, in a hapless experiment in abrupt revalorisation. It had even been sought at Geneva in 1927. Nevertheless, the country still held three trump cards: the temperament, the national sentiment of a people having behind it eight centuries of history, and reserves which, though impaired, were still plentiful.

On April 27th, 1928, M. Salazar had been appointed Minister of Finance. In two months, a budget without a deficit was presented, accompanied by powerful legal guarantees. It had been an emergency budget to face immediate needs. A surplus of a million and a half was budgeted for, but on the closing of accounts the credit balance amounted to 285 millions. That outstanding first success was followed up; it had lasted eight years, from 1928 to 1936, despite difficulties arising from the depreciation of the pound, difficulties that had been successfully overcome. Throughout that period, the budget had remained balanced; better still, the accumulated surpluses had considerably exceeded a milliard. The floating debt had been finally disposed of on June 30th, 1934.

Those results had been obtained as the outcome of a number of reforms. In the first place, the technique of budgeting had been improved. Item headings had the same classification for all Government departments, so as to enable a grand total to be obtained. The administration of funds was stringently controlled at every stage in the execution of the budget. Accounts were rendered regularly four months after closure. Moreover, although

the supplementary period of the financial year was only forty-five days, the outstanding amounts uncollected and those unpaid at the end of the year were extremely small (they were 0.8% and 0.34% respectively at the end of 1935).

In the second place, the public services had been reorganised. The conditions required for the appointment of officials had been made stricter, and the number of officials had been reduced without giving rise to difficulty by the constant practice of not filling vacancies caused through death or retirement until the figure fixed for new posts had been reached. The work had also been simplified, and the reorganisation of the fiscal offices had enabled 500 officials out of 2,550 to be dispensed with. As regards the credits allotted to the different services, noteworthy changes had been made. In the previous budget, 25% of the total credits had been allotted to public works. The current budget contained the first instalment of the national equipment plan, which was spread over fifteen years, and the cost of which was estimated at 6½ milliards. Thirdly, taxation reform had been taken in hand. A few summary alterations had been made in 1928, but in 1929 the whole fiscal system had been reformed. By a bold stroke, the Minister had challenged all established ideas. Taxation was now assessed, not on actual revenue, but on normal revenue. Instead of attempting to attain an unattainable reality, a system of taxation had been preferred which, though somewhat arbitrary, was based on certain empirical calculations, while at the same time no indicatory data that might be of use were neglected, and the capacity of the taxpayer was carefully gauged. In that way, the burden of taxation was known in advance and was included in the taxpayer's general expenditure. The principle was perhaps open to question, but its brilliant success was proved by the yield of taxation. All kinds of complications had been abolished; special additional taxation (*centimes additionels*) had disappeared, the transfer of taxpayers from one class to another had been reduced to a strict minimum, and the work had been greatly simplified.

In the fourth place, debts had been rearranged. The public debt position had been particularly bad. Substantially, the debtor was solvent; but he had dislocated the machinery of credit by bad management and by the practice of covering budgetary deficits by loans. When M. Salazar had taken office there were (a) an external floating debt of £1½ million; (b) Treasury Bonds to the value of 1,200 million escudos; (c) a debt of 600 million escudos to the General Deposit Fund; and (d) a debit balance in the current account at the Bank of Portugal.

The floating debt had disappeared on June 30th, 1934. In the same year, there had been a conversion loan reducing the interest from 6½% to 4½%, and another conversion reducing the capital of the 1852 Consolidated Loan by 50%, thereby freeing the market from a mass of greatly depreciated bonds.

The money rate had been reduced from 6½% to 3½%. The first two loans which were issued at higher rates had been paid off; the capital of the public debt had been reduced by 500 millions, and its service by 15%. The 3% External Loan, which was quoted at 48 in London on June 30th, 1931, had recently been quoted at 80.

Such had been the success of the reform of Portuguese finances. Portuguese financial difficulties had been due solely to bad management. Portugal's economic situation had been sound enough, since it had enabled a currency depreciated by 100% to return in seven years to par. In 1931, the financial reform had been completed and there was no further obstacle to currency stabilisation.

In 1931, after three years of *de facto* stabilisation, Portugal had been able proceed to *de jure* stabilisation and to restore the convertibility which had been suspended for forty years—namely, from 1891 to 1931. Three months later, on September 21st, the pound had left the gold standard. Despite her close relations with England, Portugal had not been under any obligation to follow her. British interests inclined rather in the opposite direction.

The Portuguese Government was faced with a dilemma.

The first solution that offered itself was to maintain stabilisation. Portuguese exports would rapidly have been paralysed, as most of her trade was with countries which would in all likelihood leave the gold *bloc* and whose goods would then have easily been able to invade Portugal. The deficit of the trade balance would thus have been increased, and the outcome would have been a heavy outflow of gold. It would not have been possible to counter that development by price deflation. It would have been difficult for retail prices to follow such a course, as trade organisation was overloaded with middlemen and was not sufficiently adjustable. Wages, which corresponded to an extremely modest standard of life, could hardly be touched. Bankruptcy and unemployment—such were the prospects in view. The effect would have been felt by the country's finances. It would not have been possible to reduce expenditure on personnel, and ultimately Portugal would have relapsed into a budget deficit.

The second alternative was to follow the pound. In the first place, 25% of Portugal's trade was with England; two of the principal Portuguese loans were sterling loans; all the exchange fluctuations were calculated with reference to sterling and many business transactions were conducted in that currency; the alignment of the escudo meant placing it at a level which was a matter of the highest importance to a large section of Portuguese trade. Moreover, it had been necessary to protect the exports, which had already been reduced by 300 millions in respect of colonial wares and cork alone. They could not be allowed to suffer from the effect of the new measures taken by the United Kingdom. Moreover, a change in currents of trade was to be expected, which would have resulted in reducing the deficits in the trade balance with the gold *bloc* countries. In any case, the Customs war waged by means of tariffs, quotas and exchange control would not necessarily have taken place as far as Portugal was concerned.

Added to that, there was the consideration that world prices were falling, so that there was a safeguard against a rise in the cost of living, and financial reform constituted a safeguard against all inflation. Thus it was decided to follow the pound.

The results had been far from disappointing. There had been no inflation, prices had fallen and the money rate had also been reduced. Exports had been maintained at the same level; the deficit in the trade balance had decreased by 20%; imports had shown an increase in raw materials and a decrease in manufactured articles; the number of unemployed was small (about 40,000); the trade balance had reached an equilibrium or showed only a very slight deficit. Those results had been attained despite certain unfavourable factors—namely, the stoppage of remittances from Portuguese emigrants in Brazil (several million pounds a year); the suspension of the dividends and of the service of the loans constituting the greater part of the foreign securities held by Portuguese, which also amounted to a large sum.

The other important points which M. da Silva desired to emphasise were: the regular payment of all liabilities, including several million pounds spent on the fleet and on national equipment; the payment in full of the external floating debt; the repatriation of the Portuguese external debt; the constitution of a gold deposit belonging to the State; a considerable strengthening of the metal reserve of the Bank of Portugal (£8 million as against £2 million); the strengthening of the negative items in the Bank's accounts in foreign securities; the abstention from any issue of external loans.

The economic reform which had ensued upon the fall of the pound was attributable to the following causes: in the first place, the apparently serious deficit of the trade balance had to be reduced by applying to exports a coefficient of increase varying between 60 and 80%. The normal deficit thus became 500 millions instead of 1,300 millions. On that point, of course, statistics were incorrect. Moreover, there had been the repatriation of capital, which had emigrated principally to London; the well-known progress made in national industries; the cessation of imports of wheat; the considerable development of tourist traffic; and a growing tendency for savings to be invested in Portugal itself.

Lastly, the following two principles have constantly been followed: despite political nationalism, Portugal had no great liking for economic nationalism, and it had been resorted to only in moderation and as a measure of self-defence. Moreover, after the escudo had been linked to the pound, all barriers to the exports of foreign exchange had been removed, and exchange control was continued only as a right of supervision.

Such had been the measures taken by Portugal. Portugal's lesson might be summed up by saying: "No currency peace without social peace or without financial equilibrium". That formula was perhaps less novel than the acts that had followed upon it. Portugal had conformed to it and had made it the cover for its money. She had acted systematically. She had begun by balancing the budget. It would perhaps have been possible to proceed otherwise; but in such a case any loss of time was dangerous, and it was necessary to reach as quickly as possible the point which Portugal had thought it best to take as the starting-point. M. da Silva would have liked to depict Portugal as she was to day and as she had been in her legendary past; but he might perhaps do so in two short sentences: "A man has just written a new page of history in Portugal; the country still keeps its old place in the world".

NINTH MEETING.

Held on Wednesday, October 7th, 1936, at 10 a.m.

Chairman: M. VAN LANGENHOVE (Belgium).

16. Economic and Financial Questions : General Discussion (continuation).

The CHAIRMAN announced that the following draft resolution would replace the text previously submitted by the United Kingdom delegation on the question of raw materials:

"The Assembly,

"Considering that the time has now arrived when discussion of and enquiry into the question of equal commercial access for all nations to certain raw materials might usefully be undertaken with the collaboration of the principal States, whether Members or non-members of the League, having a special interest in the matter;

"Decides to request the Council, when it thinks fit, to appoint a committee composed, in suitable proportions, of members of the Economic and Financial Committees of the League of Nations, together with other qualified persons, irrespective of nationality, to undertake the study of this question and report thereupon;

"Recognises that the choice of the raw materials to be considered should be at the discretion of the body thus appointed;

“ Believes that the participation in the work of the committee of nationals of the non-member as well as Member States specially interested would be desirable ;

“ Suggests that the Council should give attention to this consideration in reaching its decision ;

“ And instructs the Secretary-General to communicate the present resolution to the Governments of non-member States.”

M. VEVERKA (Czechoslovakia) welcomed the new possibilities of a world trade recovery that were offered under the conditions now coming into existence. Czechoslovakia, an essentially exporting country situated at the crossroads of the historic European trade routes, realised perhaps more clearly than any other European nation the significance of those possibilities—greater freedom in the exchange and circulation of goods, liberation of international trade from the majority of the restrictions imposed on it by the economic depression. Czechoslovakia had watched with great disquiet the growing number of clearing arrangements which, by cutting down surpluses, were steadily decreasing the volume of international trade and thus causing the growth of unemployment ; and unemployment, by lowering the standard of life, destroyed the very basis and structure of civilisation.

Like so many other countries, Czechoslovakia had been finding herself obliged to buy the raw materials necessary for the supply of her factories with universally negotiable currencies of high value, while she was being forced to sell chiefly to countries from which it was difficult to procure payment. That was increasing the clearing surpluses, and the situation was aggravated by the fact that the gold-standard countries were defending themselves by means of quotas. Such a process affected her foreign currency reserve and unduly increased her claims in process of clearing.

If the new events could bring about a reversal of that process by the liberation of commerce, Czechoslovakia would be ready to associate herself with any movement aimed at the restoration of normal conditions. She cherished the hope that the freedom of the exchanges and the free circulation of goods would logically lead to the thawing of frozen credits, the simultaneous and universal disappearance of clearings, an increase in exchanges of goods and the successive abolition of quotas—in a word, all that would make it possible to export without loss and to discharge obligations in goods ; for that was the only sound and economically possible method of payment.

It remained to be decided what procedure should be adopted to achieve practical results. The method recommended by the United Kingdom delegation—a pragmatic, cautious and gradual method—seemed to be the best. A great change had taken place in the mentality of many nations who now seemed determined to do away with autarchy and hence with the policy of tightening their belts ; but it must be realised that it would be difficult to discard that policy.

There was a fundamental difference between the countries which had made their monetary adjustment in time—namely, at a period when the excessively high rate of their currency had not yet begun to influence their economic structure, and those who had only made the monetary adjustment after five years of a contrary policy, at a time when their economic structure had already been completely changed. Those countries would have far more difficulty in finding a way back to a normal economic policy. They would have to examine their situation carefully, and must realise that the process of liquidation would inevitably be a painful one and would involve sacrifices.

Nevertheless, despite the difficulties that arose, practical means must be found at once to check the progress of autarchy. People had to make up their minds ; and popular disappointment would be the greater the higher the hopes that were now placed in this final change of direction in economic affairs. Opinion did not seem ripe for a world conference, and the easiest course, the line of least resistance, must be sought in bilateral arrangements or agreements.

M. Veverka was glad to be able to say at once that the Czechoslovak Government, accepting in principle the idea of the abolition of exchange control, had just undertaken an urgent examination of the practical means likely to lead as speedily as possible to the result aimed at. It was prepared to take part, as far as lay in its power in view of the specific difficulties arising out of its position as creditor in Eastern Europe, in any practical and constructive action for the gradual abolition of all obstacles to international trade.

Having examined with particular care, in the economic reports published recently, the masterly analysis which had been made of the causes of the depression, the Czechoslovak delegation had paid special attention to the particularly serious effects of the depression in a region in which States had to exchange their products owing to proximity, their history and the links established in the course of centuries—in short, in a well-defined geographical and economic region. Although that region could not, for special reasons, constitute an exclusive Customs entity, it would nevertheless be desirable to endeavour to establish a more definite and adequate system of economic interdependence which would have the advantage of being exercised in a well-defined regional economic unit, while safeguarding the independence of the States belonging to it. That end might be attained by the institution of a special or differential regime, by a network of special treaties permitting an increase in the value and quantity of exchanges of goods, and by a raising of the standard of life which would enhance the welfare of those States and create a wider market capable of absorbing the products of third countries.

It was from that aspect that economic reform in the Danubian area must be considered. Czechoslovakia was prepared to take her share in carrying out that reform, in accordance with the plan conceived and promoted by M. Hodža, her Prime Minister. She would therefore

be happy if that question, to which the Economic Committee had already devoted careful study, continued to be impartially examined. She was profoundly convinced that, if such conditions were fulfilled in the Danubian region, agriculture would develop to the full, industry would flourish once more, and—what was still more important—economic unrest would lose its virulence as a source of political friction. In that way, economic peace would engender permanent peace for nations of goodwill.

M. STUCKI (Switzerland) recalled that in 1932 he had represented the Economic Committee at the World Congress of the International Chamber of Commerce at Washington, where his colleagues had asked him to explain the economic work of the League of Nations to the United States and to make an appeal to the great American people to take part in Geneva's economic action.

He had endeavoured to perform the task by appealing, not to the altruistic feelings of the American people, but to what was ultimately their enlightened self-interest. He had asked his American friends to consider whether in the long run there was not more advantage in co-operating in international action for increasing trade between peoples than in remaining in a state of rigid autarchy and making a virtue of necessity, if they came to the conclusion that it was better to export 100 motor-cars than to sell the same number on the home market, to occupy a thousand workers for the export trade than to provide them with work by raising Customs barriers.

Soon afterwards, the United States Government had changed, and President Roosevelt and his first collaborator, Mr. Cordell Hull, had recognised the importance of a spirit of international co-operation. M. Stucki associated himself with the tribute paid on the previous day to those statesmen by the Australian delegate.

On September 21st, 1931, the Second Committee had been holding a meeting and discussing economic and financial questions. The Chairman called upon the United Kingdom delegate, Sir Arthur Salter. Those who had been present at that historic meeting would remember how his voice had trembled with emotion when he had announced the abandonment of the gold standard by the United Kingdom; the emotion of the audience had been equally great. The official Minutes of that meeting contained the following sentence: "The Chairman was sure he was voicing the feelings of the entire Committee in assuring Sir Arthur Salter of the deep sympathy which they felt for his country in its present difficulties".¹ That had happened five years before. Could they fail to be reminded of the adage: "Make a virtue of necessity"?

When, at the opening of the London monetary and Economic Conference in 1933, the world learned that the dollar had gone off gold, a great sensation was created, and surprise was only equalled by dismay.

To-day, at Geneva and in many capitals, the same decision taken by certain countries, including Switzerland, was accepted with satisfaction. Here, congratulations and thanks were showered upon them.

When it had been learned two days before that the Italian currency in its turn was joining the monetary alignment, that was also greeted in the capitals of Europe and in Geneva as good news, and for M. Stucki himself it had been a relief. It reminded him of the French adage: *Prendre tout au sérieux et rien au tragique.*

They could not but ask themselves why the judgments of 1931 and 1933 were so different from the reactions of 1935 and 1936. It would be an insufficient explanation to say that the decisions of 1931 and 1933 had been contrary to the recommendations of all the world economic conferences held since 1920. Personally, M. Stucki thought that the reasons for that reversal should be sought in the evolution of recent years. There could be no doubt that the devaluation of the two greatest world currencies had had enormous repercussions on the exports of many other countries to the two nations which had taken that step.

In the first place, certain countries, owing to the decline in their exports and for other reasons, had been obsessed with anxiety as to their currency, or, in other words, as to their balance of accounts. To protect that currency and that balance they had begun to hamper free payments between States and to manage and regulate the trade in foreign currencies.

Another group of countries, without troubling at all about the fate of their currencies, had also introduced restrictions and quotas. They had done so, not because their financial position had become dangerous, but for purely economic and social reasons, in order to protect the home market against competition, which had become more dangerous as a result of certain devaluations, and to procure work on the home market for hands which had previously worked for export.

The measures taken by those two groups of countries (on the one hand exchange regulation and on the other economic quotas) had had as a consequence a big decline in their imports from all other countries.

Two tendencies had been clearly manifested at the London Conference. The countries which had already devaluated made the return to monetary stability conditional on the removal of restrictive measures, while the other countries considered the restoration of the previous monetary situation and a return to the old gold parity as a preliminary condition of the abolition of impediments to trade.

¹ See *Official Journal*, Special Supplement No. 95, page 49.

It had not been possible to solve that problem either in London or later, and the two groups of countries had maintained their positions intact. M. Stucki thought that the chief reason for that was the inability of the States with devaluated currencies to restore the previous situation.

A very interesting development then took place. Those who had devalued their currencies temptingly dangled the magnificent results of the recovery following on devaluation before the eyes of the other countries and invited them to follow the same course. M. Stucki pointed out how and why he had resisted that invitation for years.

To-day, the situation had changed. The scope of the agreement concluded on September 26th, 1936, between three great Powers—France, the United Kingdom and the United States of America—should not be underrated. The legal scope of their joint declaration might not be very great, but its moral and real significance was tremendous. The purpose of that declaration was to reassure States which had been apprehensive of a currency war, anti-dumping measures, etc. Furthermore, that declaration might and should be the beginning of powerful, concerted action to increase international trade. It was a compromise between two conceptions which had been expressed in London. It might have been hoped that the compromise would be more solid and would go even further ; but, slight as it was, it was better than nothing.

M. Stucki then briefly explained why his country had, up to September 26th, remained faithful to the old gold parity and why, it too, had finally been led to devalue its currency. It was true that in Switzerland, as in many other countries, particularly the countries on the gold standard, the gold parity had for a very long time been regarded almost as a fetish and devaluation as virtually a catastrophe. However, after several international conferences and numerous studies of the figures relating, on the one hand, to the sterling *bloc* countries and, on the other hand, to those in the gold *bloc*, opinions had changed and, instead of clinging to a fetish and fearing disaster, they had set to and drawn up a tradesman's balance-sheet, devoid of false sentiment and emotion. They had studied the advantages and drawbacks to Switzerland of devaluing her currency. Up to September 26th, Switzerland had reasons to believe that, if devaluation came, the balance would be on the wrong side and the drawbacks would exceed the advantages. First, it should not be forgotten that Switzerland was a very small country which could not be compared, for instance, with the British Empire. Secondly, Switzerland had no raw materials except "white coal". Thirdly, Switzerland, with her four million inhabitants, had claims abroad in Swiss francs amounting to milliards ; the devaluation of the Swiss franc would therefore have a very serious effect on the country's capital.

One of the reasons why they had hesitated so long was the following. On studying closely the events of 1931 and subsequent years, they had noted with astonishment that the countries which had already gone off gold had done so for entirely different, sometimes mutually exclusive, reasons. If they read in that connection Sir Arthur Salter's declaration of September 21st, 1931, they would see that the United Kingdom had depreciated its currency for purely financial reasons. Other countries depreciated in order to increase their exports. The United States, again, had taken the step, not because of financial difficulties, or even to increase their exports, but mainly to raise prices inside the country and, above all, to reassure the farmers. Switzerland had therefore felt that, if the same operation was made for such varying reasons, there was certainly ground for hesitation. There was no question of Switzerland devaluing her currency for the same reason as the United States of America ; domestic prices could not be raised after devaluation. Moreover, there was another point of view, very important to Switzerland, which the Netherlands representative had expressed when he used the term "monetary dignity". Loyal to her tradition and ideas, Switzerland considered that, for a small country, much more than for a large country, it was all-important to be trusted by the rest of the world. Switzerland had thus thought that she dare not disappoint the almost limitless confidence which she enjoyed, not only at home, but also abroad. Lastly, there was the fear of a currency war, the fear that the devaluation of the Swiss franc would entail the devaluation of other of the more important currencies.

In his striking speech, the representative of the United Kingdom had given the imports of goods into the United Kingdom in 1935 as £15 per head, and had compared that figure with the figures for France and Germany. M. Stucki would point out in that connection that, in 1935, when the Swiss quota policy was at its peak, the figure for Switzerland was not £15 but £20. Further, in 1935 again, the deficit in the trade balance per head of the population was higher in Switzerland than anywhere else in the world. Those, however, were merely historical considerations which had been of no significance when a balance had to be struck between the advantages and drawbacks of devaluation.

The Swiss Government had changed the attitude which it had so long and so stoutly maintained because France, which was at the head of the gold *bloc*, found herself obliged, on September 25th, to go off the gold standard too. It should not be forgotten that Switzerland was the smallest country in the gold *bloc*. True, from the technical standpoint, the position of the Swiss franc and of the National Bank was absolutely sound ; the gold cover was as much as 90%. But, whereas in previous years Switzerland had been able to repel successfully the formidable attacks of international speculation against the Swiss franc, her Government felt that, without France, Switzerland, even though she had such a valuable ally as the Netherlands, ran the risk of losing hundreds and hundreds of millions of gold, to be in the end forced, perhaps, to carry out devaluation in less advantageous circumstances.

Another consideration had been dictated by the country's economic situation. Tourist and export prices had been much too high. As the Danish delegate had rightly observed, it was impossible, politically, for a democracy to undertake large-scale deflation. Switzerland

had also had that experience, and had been obliged to adopt a third method, which was neither deflation nor devaluation. It had thought that, if neither wages or prices nor the value of the currency were reduced, those who had not suffered from the consequences of deflation or devaluation would have to be asked to make considerable sacrifices on behalf of exports and the tourist traffic. A large number of solutions had been examined, and the conclusion had been reached that it was extremely difficult, if not impossible, to find one which would work. Moreover, measures of that kind would have necessitated a constant increase in the subsidies granted to all branches of national economy.

Nevertheless, neither the argument concerning the risk of speculation nor the serious situation of the internal economy had been decisive. The decisive factor was the important international demonstration designed to furnish guarantees against currency warfare and to pave the way for international economic co-operation, which Switzerland considered absolutely essential in the general interest.

The Swiss Government was concerned about the present situation chiefly for the two following reasons : In the first place, it was convinced that vigorous steps should be taken to combat dear living, so as to guard against an increase in prices leading to a corresponding increase in wages, which would cause Switzerland, largely dependent as she was on the foreigner to lose the benefit of the action taken. Consequently, and contrary to what had happened in other countries which had devalued in 1931, for instance, the Government, making a virtue of necessity, had at once enacted measures for the purpose of opening the frontiers and facilitating imports of foreign goods. In Switzerland, as in France and Italy, devaluation had been accompanied by autonomous measures of tariff reductions and the rearrangement of quotas.

M. Stucki then gave a few typical examples of tariff reductions which in many cases exceeded the indirect increase in protection resulting from the devaluation of the currency.

With reference to quotas, he explained that these had been fixed on the basis of the imports for 1931, which was a prosperous year for Switzerland. In 1933, 1934, 1935 and 1936, purchasing power had declined enormously, the decrease amounting to very nearly 50%. The Swiss Government had then been faced with the following dilemma : either to reduce to that extent the quotas fixed for a prosperous year, in order to adapt them to the present purchasing power, or not to allow those quotas to be used up by applying the system very strictly. Switzerland had chosen the latter alternative. It had so far refused to adopt a more elastic system, which would enable quotas to be used up, because in that case the Swiss market would have been flooded with imports. That system of application had been changed completely as a result of the measures adopted during the last few days. Facilities which Switzerland had hitherto refused to all countries were now being granted, with a few specific exceptions, in order to prevent an increase in the cost of living.

Switzerland would go still further and would do away with quite a number of quotas ; but, while tariff reductions would be granted to all countries, he was obliged to state — as the delegates of France and the Netherlands had done — that it was impossible for her to act in the same way with regard to the relaxation of quotas. In 1935, more than 50% of Swiss exports had been sent to countries which had raised the most formidable trade barriers by prohibiting their importers from paying for their purchases.

The United Kingdom delegate had referred to the Economic Committee's doctrine, with which he appeared to associate himself, to the effect that efforts should be made to reach a stage at which everyone would be able to buy where he liked, to pay for what he owed, and to spend his holidays where he chose. He agreed that that was a desirable state of affairs ; but could the Swiss Government be asked to allow each of its citizens to buy where he liked so long as many countries refused to allow their importers to pay for what they bought in Switzerland, and so long as many countries refused to allow their nationals to spend their holidays on the shores of Lake Geneva or in the Grisons ? All that the Swiss Government could be asked to do was to grant tariff reductions to all countries and to relax quotas in the case of all those which treated Swiss exports, their own tourists and their debts to Switzerland in an equitable manner. That did not mean that Switzerland would grant facilities to only a few countries. She would grant them to the vast majority ; but she could not be asked to grant them to all countries forthwith.

During the last few days he had had the opportunity of discussing those questions with the French Minister of Commerce. He was glad that the two countries which had taken similar measures on the same day had found a common ground of agreement, which was absolutely essential. It would be best for him to define the terms of the Franco-Swiss agreement in question : Treaty guarantees in regard to tariffs and quotas were to be maintained ; all measures taken by either of the two countries to combat a high cost of living would be fully and automatically applied to the other party ; the measures adopted should be laid down as soon as possible in treaty form, and their practical scope enlarged.

Switzerland was prepared to conclude agreements similar to that which she had just reached with her western neighbour with any other country, provided that Swiss goods, Swiss tourists and Swiss claims received equitable treatment.

He went on to say that Switzerland unreservedly accepted the declaration by the Governments of France, the United Kingdom and the United States, it ensured that, with the small margin required, the new Swiss franc would remain at its present level.

Like many other delegates, the Swiss delegate did not think a large international conference was suitable for setting the work in hand. The ground should first be cleared at one or more

smaller conferences, under the guidance of the great Powers which had so opportunely led the way.

At the present time, the great difficulty lay in the situation of countries which had neither gold nor foreign exchange, and which on that account had been obliged to restrict or abolish free international payments. It did not seem likely that the situation would be modified in the near future, or that clearing agreements would disappear at a day's notice.

That difficulty had not been overcome by the devaluation of a few currencies or the important statement made by the great Powers. It was still outstanding, and unfortunately it affected other countries.

He thought, however, that a certain improvement was nevertheless possible if the second group of countries decided to abandon the fictitious rates of their currencies, which did not correspond to the actual position.

With reference to the resolutions submitted, the Swiss Government's attitude was as follows : It approved the draft resolution submitted by the delegations of France and the United Kingdom. It welcomed the draft resolution submitted by the United Kingdom delegation with reference to raw materials, but would have preferred it to be more concrete. As regarded the draft resolution submitted by the delegation of Haiti, M. Stucki regretted that he was unable to accept it. He pointed out that it was not absolutely correct to say that the transformation of bilateral clearing agreements into a multilateral compensation system was likely to bring about a considerable improvement in trade.

He then observed that the Economic Committee had instructed a Sub-Committee to examine the question and that the Sub-Committee's conclusions had been negative. The Economic Committee had reached a more cautious and less negative—but still a negative—conclusion. There could therefore be no talk of favourable conclusions. The delegation of Haiti would accordingly be well advised to withdraw the draft resolution, or at any rate to amend it, since in its present form the Swiss delegation at any rate would be unable to accept it.

M. POLITIS (Greece) briefly defined the position of his country and said that it had warmly welcomed the declaration made by the three Powers on September 26th, 1936. It had regarded that as an event of exceptional importance which might open wide the door to a general revival of trade for the benefit of the whole world. Greece was particularly anxious for a lasting improvement in the international economic situation, because the normal working of the international machinery of trade was for her a vital necessity. With a soil whose resources were barely sufficient to meet the needs of a steadily increasing population, her people were unable to maintain a decent standard of living without extensive participation in international transactions. Greece was an essentially commercial country, as she had always been from times of remote antiquity, and her trade balance had always been adverse. She was only able to keep her balance of payments level by means of so-called invisible resources : income on capital invested abroad, emigrants' remittances and particularly shipping profits, which depended on the volume of international trade.

The economic depression which had prevailed during the last few years had hit Greece all the harder since it had befallen her when she was making superhuman efforts to provide for the settlement of 1,500,000 refugees. It had disturbed her national economy more profoundly than that of any other country. Greece had been obliged to fall back on her own resources, to intensify her agriculture, to create new industries, to deprive herself of necessities in order to meet, at all events in part, her heavy international obligations, and, finally, to content herself with a standard of living far lower than that of the majority of European countries. She had acquired a fuller knowledge than any other country of the deceptive nature of the policy of self-sufficiency known as autarchy.

That would suffice to explain the importance which Greece attached to the economic recovery of the world and her sincere desire to contribute to that work of salvation by all the means in her power.

In their declaration of September 26th, 1936, the three great Powers, taking up the idea developed by the Economic Committee in its report to the Council dated September 14th, 1936, had said that they had in view the progressive relaxation and ultimate complete abolition of the present system of quotas and exchange controls. Greece was one of those countries, referred to by M. Stucki at the close of his remarkable speech, of whom the Economic Committee had rightly said that they would hesitate to abolish the measures of quantitative limitation on imports and exchange control that they had been obliged to introduce unless they were satisfied that other countries would in turn reduce their restrictions, unless they could find some means of supporting their currencies, and unless they could succeed in adjusting or consolidating their external debts.

The Greek Government regarded those conditions as indispensable. It was in entire agreement with what had been said, and very well said, about external debts by various delegations present. It had to meet a growing external debt, the regular service of which was far beyond its means. It had been reduced to making annual arrangements with its creditors, but those had been mere expedients. It was essential to reach a fair settlement that would last longer, and, indeed, would, if possible, be final, so that the debtor could know where he stood in regard to his external liabilities, and could re-enter the circle of international activities by obtaining credits. In the present state of affairs, to obtain credits was neither possible nor desirable.

Greece was also interested in securing readier access to raw materials, and therefore supported the United Kingdom delegation's draft resolution. Furthermore, she attached the utmost importance to the settlement of the question of migration, which had been so

opportunately raised by the Polish delegation. Her population was now growing at the rate of 100,000 per annum, and, if her national economy was to be balanced, outlets were imperatively needed. For Greece, which neither had nor wanted to have any territorial ambitions, there could be no other solution of the demographic problem. She therefore enthusiastically supported the Argentine proposal.

He could not conclude without expressing his Government's gratification at the courageous initiatives taken by the French and Swiss Governments in regard to their currencies and to what might be called Customs demobilisation; that action, in his opinion, paved the way for the regularisation of the exchanges, which would work in favour of world prosperity and peace. He quite realised the enormous difficulties that would have to be overcome, but he thought that the time had come to take bold action. Over-caution, and habituation to scepticism as a result of the trials and troubles of recent years, must not mean neglect to make the utmost possible use of the opportunity that lay before the world, of improving its condition and so averting the catastrophes that loomed so threateningly over it. Governments must have the courage to follow the great motto of William the Silent: "Long views and slow progress".

M. VAN LANSCHOT (Netherlands) wished to make a further statement on the abolition of quotas in the Netherlands.

While some countries had imposed quotas on almost all imports, the Netherlands had done so on only 30% of their imports. None the less, the Netherlands Government was willing to co-operate in the abolition of hindrances to international trade. It had just announced that a number of quotas had already been withdrawn, including those on leather, furniture and linoleum, and that others would follow shortly.

He added that the Committee would doubtless agree that, as M. Stucki had just shown, love of free trade could not be a unilateral sentiment.

M. YEPES (Colombia) recognised the importance of the suggestions made in the Committee for the immediate abolition of the quota system and exchange control. They implied a sort of economic demobilisation which was to pave the way for political demobilisation, the essential condition of peace.

At the same time, he wished to point out that such results could not be brought about simply by laying down general principles, or by a display of good intentions. Most of the countries of the world had introduced all the restrictions on the freedom of international trade which they were being asked to remove "without any delay"—as one of the draft resolutions put it—following the example of the nations that were now proposing that immediate abolition.

Reprehensible as they might be from the scientific standpoint, those restrictions had created a complex of interrelated interests which it would be unwise to ignore at a moment's notice. Many countries had organised their economic system on the basis of the practice introduced by the greatest economic Powers in the world, and they had done so mainly in self-defence. A complete reversal of economic policy could not be suddenly improvised, for in that case the remedy might be worse than the disease.

The Colombian delegation would gladly support the proposals for undertaking a worldwide enquiry before coming to a definite decision. It did not, on the other hand, see its way to accept the draft resolution of the French and United Kingdom delegations as it stood. According to that draft, all States would be asked to organise "without any delay" determined and continuous action to ensure the application of the new economic policy that was recommended. Recommending was not, of course, the same thing as commanding; but a State which voted for a given proposal at Geneva was under a moral and even a legal obligation to adapt its policy to that proposal. The peoples should be left to study in their own time the serious problems on which their prosperity depended, and their acceptance of the proposed new policy in place of the policy recommended to them not so long before should be the outcome of mature and deliberate reflection.

For those reasons, he proposed that the words "without any delay" should be changed to "as soon as possible". If they tried to go too fast, they might arouse opposition and create very grave economic complications in the countries which had followed the example of the great Powers. He wished to make it clear that his proposal was not in the slightest degree antagonistic to the intention of the draft resolution. It was precisely because he was in favour of freedom of trade—which was nothing more or less than freedom itself—that he was proposing an amendment which, he thought, would make it easier for the draft to obtain unanimous acceptance.

Another question that had been raised was that of easier access for all countries to certain raw materials. Colombia, a young country abounding in natural wealth of every kind, energetically supported the United Kingdom proposal that a committee should be set up to enquire into the question and report. A clear definition, however, must be arrived at of what was meant by raw materials, so as to prevent any misunderstanding.

Furthermore, an assured supply of raw materials was not enough. When those raw materials had been acquired and converted into manufactured goods, those goods must be able to circulate among the various countries. It was at that point that the most formidable obstacle was encountered—the lack of foreign currencies and gold. One way, he thought, of overcoming that difficulty would be to settle claims by means of compensation cheques, as the Haitian delegation had suggested.

Referring to emigration, he said that Colombia, which was still very sparsely populated and could easily feed tens of millions of people in addition to its present 10,000,000, was one

of the countries most freely open to foreign immigration, both of labour and of capital. Foreigners were given every safeguard that could be asked of a civilised country, and exceptional facilities to obtain naturalisation and become free citizens. Apart from that, they enjoyed all civil rights on a basis of complete equality with Colombians. The constitution and laws of Colombia, like those of most Latin-American countries, were characterised by extreme liberality and generosity towards foreigners, who were always welcome in those democracies. No lawful occupation was closed to them. On the contrary, Colombia invited foreign technicians and scientists to work in the country; she invited the settlement of all well-intentioned people who sought a free country in which to live and work like men.

But at the same time she claimed the right to regulate alien immigration, in order to protect the country from undesirables who might form a physical or moral danger to her civilisation. She regarded the immigration question as a private question of her own, in which she could not allow any outside interference, even by the League. In her view, the last word on that question must rest exclusively with the Governments directly concerned.

In conclusion, he would warn the Committee against the idea that the crisis was an exclusively political and economic one. It was also a moral crisis; the happiness of man was not solely conditioned by technical progress or trade facilities, and the accumulation of material wealth was not the sole purpose of his existence. Spiritual forces must be restored to their true predominance over the destructive forces of materialism. The League itself was one of those spiritual forces working in the service of humanity.

TENTH MEETING.

Held on Thursday, October 8th, 1936, at 10 a.m.

Chairman : M. VAN LANGENHOVE (Belgium).

17. Constitution, Procedure and Practice of the Committees of the League of Nations : Appointment of Rapporteur.

The Committee appointed M. KULSKI (Poland) Rapporteur for this question.

18. Economic and Financial Questions : General Discussion (continuation).

Dr. GIE (Union of South Africa) said he would not be so incautious as to predict, in regard to the Union of South Africa, the immediate results which it was sincerely hoped would beneficially flow from the important currency declaration of the three Powers; but this much could be said: as the largest gold-producing country in the world, South Africa's economy had been for some years past, since South Africa had itself been forced off gold and compelled by circumstances to align itself with the sterling group, most advantageously affected by the resultant high price of gold.

Furthermore, as a new country, with vast potentialities in regard to the further development of its natural resources—a development which could lead to a large increase in its exports—the Union was bound to profit by a freer flow of international trade, which the currency agreement was intended to promote. But the Union delegation was unable, even after the declaration of the three Powers, to regard the future of international relations, and therefore also the future of the Union, with unqualified optimism.

It recognised the financial policies which were designed to have the effect of re-establishing world economy on sounder bases by the relaxation or abolition of existing obstacles to international trade would go far towards restoring that confidence among the nations, the absence of which had caused the present deplorable deterioration in international relations.

Yet the Union delegation could not be led to believe that the achievement of a measure of economic recovery would in itself bring political appeasement. It was a trite observation that in human affairs economic and political factors were inextricably interwoven, and that a deterioration or amelioration in either of those relations inevitably affected the other. In the present world situation, it was, in his delegation's opinion, in the political field that a solution had urgently to be sought if the much desired economic recovery was to mean anything to mankind.

Permanent prosperity could neither be achieved nor safeguarded by economic measures only. Material prosperity in itself could never spell peace among the nations. Within their own times they had the living memory of the contradiction of that thesis in the outbreak of the world war.

In that sense, then, the great efforts of the three Powers, which had so rightly received the approbation of the Committee—an approbation in which the Union delegation would wish

very heartily to join—could not contribute to the consolidation of peace unless they were accompanied by immediate, persistent and successful political action.

The vast armaments which were being piled up by the great Powers, and which, indeed, would be assisted by economic recovery, were the spectre in the background of the hopeful optimism which the declaration of the three Powers had evoked in the Committee.

The delegation of the Union of South Africa would join soberly in accepting any resolution of satisfaction which might be expressed by the Committee on the declaration of the three Powers ; but, believing as it did that the ultimate aims could be achieved and safeguarded only by wider political collaboration, it sincerely trusted that the path towards such collaboration would be actively and steadfastly pursued, and that, in the pursuit of that objective, the achievement of which was of such overwhelming importance to Europe and the world, investigations by some body to be set up by the League into matters of less direct or vital importance, such as the proposed enquiry into equal commercial access for all nations to certain raw materials, would not be allowed to develop into some fruitless impediment to success.

M. MOMTCHILOFF (Bulgaria) said that the extent of the work of the Second Committee in 1936 showed both the interest and complexity of the matters with which the Committee had to deal.

Before the depression, the problem of transfers was entirely one of the balance of payments. That was no longer the case. The disposal of credit balances arising from exports and services was hampered by many and varied restrictions to such an extent that a growing number of those balances could no longer be used for making payments. An active balance was no longer sufficient to ensure the proper functioning of external payments by a considerable number of countries. In practice, to have a credit balance which was even only partially immobilised was equivalent to having a deficit, but with other disadvantages as well. In fact, in order to recover blocked credits, the creditor country was often obliged to import goods it did not want, while remaining without those which were essential to it, with the result that there was a chronic lack of balance in the structure of its internal prices.

Through the relentless working of economic forces, obstruction in one part of the system of international exchanges had caused trouble in the sound parts of the system too. Many countries, no longer able to sell for ready money products the trade in which had already been seriously affected by the fall in prices, had been obliged to suspend the transfer, first of their commercial debts and then of their financial debts and public loans ; in other words, they had been forced to declare themselves insolvent. In more than one case, they had done so even when their accounts showed a credit balance ; but that had not spared them the bitter experience of acquiring a reputation which had practically destroyed their credit abroad.

As their creditors, injured by the stoppage of transfers, were as a rule countries with a sound and free currency, the movement of capital from those countries to places which had, and which always would have, need of it had completely ceased. The result had been new restrictions, systems of " administrative currency ", and increasingly artificial methods in the sphere of trade, prices and credit.

Experience had shown that attempts to overcome such situations by means of bilateral agreements only resulted in barter and clearing systems. Efforts to find solutions embracing several countries came to grief as soon as an attempt was made to include a country with a free currency. Attempts to find a mode of settlement between two countries, of which one had a free currency and the other exchange restrictions, had met with no better success.

It would obviously be useless to seek a remedy in negotiations and agreements as long as the circumstances which had brought about that state of affairs continued to exist. Those circumstances were of a material and, perhaps, just as much, of a psychological and political character.

It was now necessary to look about and try to find in which direction and by what means it would be possible progressively, step by step, to reduce the influence of those circumstances on the economic activity of any given country or region.

The vain efforts which had been made during the last few years had taught them one lesson which might be valuable : they should distrust vast plans and ambitious schemes and should proceed in the light of experience, as had been courageously pointed out by the representative of a country where the method of sound good sense had long been tried, especially in that sphere. M. Momtchiloff thought the return to more modest ideas was very welcome, after the search for more or less universal solutions. It was, above all, by taking into account the particular factors governing each case, and the changing conditions—rarely the same in any two cases—prevailing in trade and money matters, that would enable partial solutions to be reached, the combined effect of which might lead to some improvement.

With regard to transfers, some limited objectives of the sort might be pointed out as illustrations. The study of the question of raw materials suggested by the United Kingdom delegation, and the steps taken towards a reduction of Customs tariffs and the relaxation of the quota system of which France and Switzerland had just set the example, certainly contained interesting and very real possibilities, especially if it were constantly borne in mind while making those attempts that the steps taken should be suited to each special case. To solve some of those problems, however imperfectly, would immediately lighten the burden which was paralysing the whole machinery of transfers.

Another measure which might speedily prove fruitful was the reduction of long-term debts, especially public debts, to proportions commensurate with the great changes which had taken place in the purchasing power of currencies and the exchange value of national products.

It was obvious that such an adjustment was necessary and that it was actually taking place automatically ; but it should be stimulated by agreements between the interested parties, so that a stop would be put to losses suffered by creditors and to the loss of credit suffered by debtors. In that matter especially, it was important to steer clear of solutions which were merely financial ; the needs of trade should be constantly borne in mind, for financial debts have always to be paid in goods and services. It would be useless to try to assist debtor countries by loans of gold or foreign exchange without at the same time ensuring that their trade could be carried on ; for trade alone would enable them to pay in order to be able to continue using credit. The uninterrupted succession of the use and repayment of credits was, in fact, the true path back to normal and sound conditions.

Bulgaria would loyally assist in such steps as might be taken as a result of the Committee's work. She would do so all the more confidently because she knew from direct experience the quality of the work and the impartiality and ability of the men who, in the League of Nations, followed and explained the vicissitudes of the financial and economic activity of the present time. The admirable documentation they had prepared for the discreet but effective guidance of the members of the Committee in drawing their conclusions and seeking solutions was a service rendered to all.

In conclusion, M. Momtchiloff sincerely hoped that the documentation might be used in accordance with the wishes of those who had prepared it. That would be their best reward.

M. GOSAR (Yugoslavia) said he had followed with great interest the discussion on economic and financial problems, which were so important at the present time.

The Yugoslav Government would be glad to take part in any international collaboration aiming at a return to normal conditions and a progressive improvement in the economic sphere. It was fully conscious of all the difficulties inherent in such a task, but it looked on the agreement between France, the United Kingdom and the United States, and the statements made in the Committee, as a good augury for more active and extensive economic collaboration between the various Governments, which would aim at reaching a just solution of the serious problems facing the world to-day.

Everything which concerns the general economic situation was of especial interest for the Yugoslav Government in view of the fact that, in the Little Entente, it was making great efforts to bring about closer collaboration in Central Europe for the benefit of all the countries concerned.

Mr. BISWAS (India) expressed satisfaction at the proposed steps to bring about a more effective basis of international equilibrium in monetary and economic policy. The Indian delegation sincerely hoped those efforts would lead to positive and concrete results.

India had always been opposed to exchange restrictions, as not only detrimental to international trade, but as tending to divert such trade from its normal channels, and as calculated to diminish its sum total. It was essential for the economic prosperity of India that she should have a substantial surplus of exports over imports, and she was therefore averse to the conclusion of clearing agreements in respect of any considerable portion of her export trade ; the Government of India had not so far found it necessary to enter into clearing agreements with other countries, nor to place restrictions on exports into India.

India's commercial relations with foreign countries had been based on the principle of most-favoured-nation treatment, and the Government was still of opinion that that was the best policy for such a country as India. India continued to be in the main a supplier of raw materials, and it was therefore essential for her prosperity that her access to world markets should be unrestricted ; the proposal of the United Kingdom delegation for a study of the accessibility of raw materials as a necessary step towards the early restoration of the unrestricted flow of international trade was, therefore, very welcome.

The level of Indian Customs duties was determined primarily by the revenue necessities of the Government ; but, where specific domestic industries required protection, the duties were designed to equate the prices of imported goods to what was considered a fair selling price for domestic products.

The recent joint declaration of France, the United Kingdom and the United States of America with regard to currency equilibrium was an event of the happiest augury for the economic prosperity of the world, and he hoped that would be implemented by the necessary steps to bring to fruition the objects which all countries had to bear in mind.

In conclusion, he asked that, in the setting up of the proposed committee on access to raw materials, the claims of India to representation should be taken into account.

M. COUCKE (Belgium) pointed out that the Economic Committee had prepared a draft convention for the purpose of facilitating commercial propaganda.¹ That convention had been examined by a Committee representing a number of Governments, which had revised the draft and recommended its acceptance. At a time when efforts were being made to stimulate trade recovery, one of the means which Governments might adopt to show their goodwill in

¹ See document C.271.M.138. 1935.II.B (Ser. L.o.N. P. 1935.II.B.9).

that matter would be to proceed at once to sign that instrument. The Belgian delegation would be glad if action could be taken with a view to opening the convention for signature at the earliest possible moment.

M. VAN LANSCHOT (Netherlands) supported the Belgian view.

M. BENAVIDES (Uruguay) recalled that, in June 1935, the Economic Committee had called a meeting of experts to consider the question of exports and imports of meat and of meat preparations.¹ The experts had indicated, in the form of articles, the provisions which, in their opinion, should be included in a convention for promoting the international trade in those products. Those provisions were reproduced in the annex to the experts report. In submitting that text, the experts had suggested that the results of their work should be communicated to the Governments for their observations, so that the draft could be perfected. The Economic Committee considered that the Council should be requested to give effect to that suggestion. He drew the Second Committee's attention to that important question, the solution of which might greatly assist international trade in a product which was of interest to all nations, both producers and consumers.

Mr. CAMPBELL (New Zealand) said that what was perhaps the most disappointing Assembly of the League in recent times was drawing to its close, and, in looking round to see whether anything at all was going to be done to remove its almost blameless record of inaction, or of mostly fruitless activity, it seemed that hope attached to the Second Committee. The prospect, despite all the forebodings of failure which had dominated Geneva, that something substantial would accrue in the economic sphere was almost the last chance.

Outside the Assembly, by arrangements made at a distance from Geneva—although with the blessing of the League—a move had been made to ease the grip of over-valued gold currencies on the life and trade of the world. The co-operation of three major countries—and democratic countries at that—had rightly been hailed as a sorely needed vindication of the capacity of democracies to act with decision, and there were signs, not to be ignored or belittled, that some of the recently imposed restrictions on commerce would be reduced.

But, should it not be considered in all honesty whether the measures that were contemplated, or even the objectives and ideals that had been expressed, could stand any comparison with the problems which challenged attention in the economic sphere? His delegation did not believe they could stand that test; they fell pitifully short of what was required.

The oft-repeated fact was that man's industry and science, as Mr. Bruce had stated very explicitly, had brought within the grasp of the world standards of comfort and security which were being frustrated on every hand, so that poverty still remained amidst unrealised abundance. Even during the present Assembly, in the documents circulated and the speeches made in that Committee on the subject of nutrition—where at least one might expect to find some record, however meagre, of the satisfaction of human needs—still further reports of the destruction of food had been brought to light. One Government had bought and destroyed over 37,000 tons of vegetables in 1935; another had bought up for destruction a quarter of its main crop; others were bribing or compelling farmers to destroy the fruits of their labour and to destroy plants from which future yields might be feared.

Was it possible to escape the conclusion that, tinkering with currencies, or amending this or that tariff or quota restriction, was nevertheless merely fooling with the outer fringe of the real problem. Suppose, even, that the "barrier-sweepers" succeeded in a measure far beyond anything which looked possible, how much further ahead would the world be? Or, having struggled back to where it was a few years ago, what assurance would have been gained against a repetition of the evils it had lately suffered?

"Barrier-sweeping" and currency and exchange adjustments were not enough. The bare facts surely proved that the main problems in the economic sphere could only be solved if a far more drastic and fundamental change were faced and if the orderly, planned production, exchange and distribution of the world's resources for the general good were put in hand on a vast scale, instead of leaving all to unregulated chance, instead of leaving the realisation of mankind's rich possibilities in economic progress and security to be a merely incidental by-product of the competitive scramble for private profits.

However much the world, or parts of it, might in the past have profited through the reign of capitalist competitive trade and industry—and there had undoubtedly been gains to set against the cost of that ruthless progress—the world was faced to-day with nothing less than the failure and collapse of the private profit-seeking system. Partial and temporary respite might be obtained; rearmament might yield its share of what was termed "prosperity", even though it also increased the menace of war. But, without proceeding towards the construction of an orderly, co-operative and collectivist economic system, within and between nations, the world would have no enduring basis for security, and the ample possibilities that were within the grasp of the present generation would continue to be frustrated. The challenge which would become ever more difficult to evade was, in that view, simply whether the people in all countries could, through their Governments, more towards collectivism speedily enough to escape the widespread collapse and needless misery which otherwise threatened them.

¹ See *Official Journal*, November 1935, page 1179, and document C.343.M.173.1935.II.B (Ser. L.o.N. P. 1935. II.B.12).

M. ROSENBLUM (Union of Soviet Socialist Republics) described the economic position of his country and explained its point of view on international economic problems.

The general lines of the economic policy of the Soviet Union had been defined by M. Litvinoff at the World Monetary and Economic Conference in 1933, and the Soviet Union continued to follow those lines by advancing resolutely along the road of prosperity. Thus, the industrial production index (the production in 1928 being taken as the basis) rose from 308.1 in July 1935 to 408.5 in July 1936. The average daily output of steel rose during the same period from 33,300 tons to 47,400 tons. The production of electric power increased from 44.7 to 58.5 million kilowatt-hours in the same months. The purchasing power of the population was increasing ; unemployment had vanished ; wages were going up and prices were falling.

The country was almost completely independent of other countries from a technical, economic and financial point of view. It could almost do without imports and exports, because it possessed everything it needed, including raw materials, and its population absorbed without difficulty what it produced. Nevertheless, it remained true to a policy of increased international trade. It did not aspire to autarchy, and wished to develop relations with all countries having goods which were of interest to it from a modern technical point of view, which fixed reasonable prices for their goods and other conditions of sale, and which accepted the exports of the Soviet Union, those being its principal means of paying for imports.

Once those conditions were fulfilled, the Soviet Union rapidly and steadily increased its purchases. For instance, its recent arrangement with the United Kingdom would enable it to double its trade with that country.

In the monetary sphere, the Union of Soviet Socialist Republics was embarking on a policy of raising the purchasing power of the rouble. That currency was a closed one, and its purchasing power did not depend on the financial relations of the Soviet Union with other countries, nor on international exchange rates, but solely on internal prices fixed by the State. The policy of the Soviet State consisted in a progressive lowering of prices and an increase by that means of the purchasing power of the rouble. In those conditions, the rate of the rouble for international payments played a special part, which was quite different from the rate of exchange in other countries, where the rate depended on the balance of payments on the one hand and influenced the internal economic life of the country on the other. In the Soviet Union, the opposite took place. The rate of the rouble played a secondary part, chiefly connected with the tourist industry, but it did not govern the internal purchasing power of the currency.

To sum up, although the Soviet Union was in a special position from an economic and financial standpoint, it wished to see the international market organised in the best possible way, because, as an exporter and importer, it suffered from the unstable condition of that market. Moreover, it appreciated the part played by economic factors in the unsettled condition of the world. Anything which could improve that situation, even the most modest progressive measures, might count on the support of the Soviet Union, which was always ready to assist in any efforts to bring about a good understanding between the nations. In that connection, the monetary agreement which had just been concluded between France, the United Kingdom and the United States had its full approval.

M. FRANGULIS (Haiti) said he had not been present when M. Stucki dealt with the resolution which he had had the honour to submit, but he wished to thank him for his spirit of conciliation. In 1935, the delegate of Chile had put forward a resolution ¹ requesting the Council to take steps so that the Economic and Financial Organisation of the League, with a view to extending and giving greater freedom to international trade, might communicate its opinion on the bases, possibilities and probable results of the various methods known as methods of full compensation, thus supplementing its enquiry into clearing agreements. That resolution was subsequently recast, and the Assembly had suggested ² that the Council should consider the desirability of organising a consultation by competent persons with a view to devising means for promoting the application of the suggestions made by the Joint Committee, and studying any other projects or measures designed to extend international trade and give it greater freedom.

The Economic Committee, in September 1936, had stated that such measures might bring about improvements in the system. That expression of opinion was not mere rhetoric, but the Committee had a definite study in view. It was impressed by the fact that 200,000,000 persons held eight-tenths of the world's gold and 1,500,000 persons were not able to exchange their products ; also that, while many thousands perished, there was at the same time a vast destruction of the world's wealth. How long was that tragicomedy going on ? How long would it be before a means of exchange adequate to the occasion would be discovered ?

There was another question which he shrank from raising because he could not raise it without referring to countries not present. It was the question of bilateral commercial agreements. Some countries were delighted to sell their products, even if there were only one purchaser to offer a price. If the purchaser paid for the raw material at a price which he fixed himself, and if, again, the conditions of payment were determined by the same purchaser, he became the absolute master of the market, and the economic relations, instead of being

¹ See *Official Journal*, Special Supplement No. 140, page 51.

² See *Official Journal*, Special Supplement No. 138, page 128.

purely economic, took on a political aspect. The situation in which tobacco was purchased and paid for with guns needed to be visualised by the Committee.

The CHAIRMAN said he could not at that stage open a debate on the problem raised by the delegate of Haiti.

M. STUCKI (Switzerland) said that he had objected to the text submitted by the delegate of Haiti because he felt that the question was not ripe enough to be brought before the Assembly. Nor could he agree to the allusion to the favourable conclusions of the Economic Committee. To appreciate those conclusions fully, it was necessary to read, not only the last paragraph of the conclusions, but the penultimate paragraph,¹ which stated that, before such schemes could usefully be considered, it was essential to eliminate any proposals they might contain implying the assumption of new obligations by Governments in respect of guarantees to exporters or uncleared balances. Those who were acquainted with the problem and reflected upon the meaning of both those concluding paragraphs could hardly assert that the conclusions of the Economic Committee were favourable. He agreed that any possible chance of improving clearing agreements should be carefully considered. He recognised that the Economic Committee, which, at its last session, had had to deal with the preparation of the documents which were the basis of the present discussion, had not had time to examine thoroughly the question of a clearing cheque, and therefore it should be more fully examined later. He would therefore be prepared to accept the Haitian proposal if M. Frangulis could put forward a text which did not go so far as the text he had already submitted, and did not prejudice the question.

19. Tribute to the Late M. Robert Haas.

M. SOUBBOTITCH (Yugoslavia), Rapporteur for Communications and Transit questions, desired to pay a tribute to M. Robert Haas, Secretary-General of the Communications and Transit Organisation, who had died in November 1935. His death had been a great loss to the League, the Secretariat and, in particular, to the Communications and Transit Organisation.

The CHAIRMAN felt sure he was expressing the sentiments of the Committee in associating himself with that tribute.

M. WUNSZ KING (China) spoke of the services rendered to China by M. Haas in connection with the technical co-operation between China and the League, and on the occasion of his participation in the work of the Lytton Commission.

M. BASTID (France), on behalf of the French delegation, expressed his thanks to the previous speakers for what they had said of his friend and countryman, M. Haas.

20. Work of the Communications and Transit Organisation during the Year 1935/36 : General Discussion on the Basis of the Secretary-General's Report on the Work of the League.²

M. SOUBBOTITCH (Yugoslavia), Rapporteur, submitted various observations on the respective chapters of the Secretary-General's report, and stated that those, together with such observations as the members of the Committee might make, would form the basis of the draft report to be submitted to the Assembly.

Railway Questions : Legal and Administrative Regime of Frontier Sections and Frontier Junction Stations.

M. GOSAR (Yugoslavia) associated himself with the appreciation that had been expressed of the work carried out on this subject. The Yugoslav Government had already made use of that work and had turned it to account in the recent conclusion of an agreement with a neighbouring country.

Railway Questions : Ratification and Application of the International Conventions concerning the Transport by Rail of Goods (C.I.M.) and of Passengers and Luggage (C.I.V.).

M. GOMBÓ (Hungary) emphasised the importance of these Conventions.³

On the basis of a provision in the C.I.M., the Governments of Austria, Hungary, Italy, Poland and Yugoslavia had concluded an agreement regarding the introduction of a negotiable transport document ; but that document could not be used in international traffic until the new Convention came into force.

He requested the Second Committee to propose to the Assembly in its report to recommend Governments to ratify the Conventions as soon as possible, if they had not already done so.

M. MATSCH (Austria) supported the Hungarian proposal.

¹ See document C.377.M.248.1936.II.B (Ser. L.o.N. P. 1936.II.B.8), Section 3B.

² Documents A.6 and A.6(a).1936 (Ser. L.o.N. P. 1936.5 and 6).

³ See also *Official Journal*, February 1936, page 61.

Road Traffic : Road Signalling and Mechanical Light Signals.

M. CHRISTIANI (Denmark) proposed, on behalf of the Danish delegation, that the Second Committee should recommend the Transit Organisation to continue its work on international codification in respect of the unification of the rules for road traffic and signalling. It further proposed that an examination should be made of the advisability of revising existing conventions and regrouping their provisions in order to attain a more systematic body of rules.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, agreed that the provisions were spread over a large number of conventions and that it would be well to consider whether they could not be grouped in one convention, possibly with annexes.

Road Traffic : Unification of Statistics of Road Traffic Accidents.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, observed that the question had not been dealt with in the Secretary-General's report because the Special Committee set up to study it had only met on September 10th, 1936; but it was undoubtedly within the competence of the Communications and Transit Organisation.

The Special Committee had drawn up at first reading a uniform framework for statistics of road accidents. As finally drafted, the framework would doubtless be used by the competent administrations to prepare on a comparable basis data of the various kinds of traffic accidents, in the interest of road safety and the protection of human life.

Road Traffic : Civil Liability of Motorists and Compulsory Insurance.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, thought it a matter for congratulation to have secured close collaboration on this question between the International Institute for the Unification of Private Law at Rome and the Communications and Transit Organisation. The Institute was ready to provide the Transit Committee with an opportunity of studying the work done before it was submitted to the Council of the League, in order that that Committee might make such observations as it might deem desirable on the subject.

M. LAICHTER (Czechoslovakia) explained, in regard to accidents caused by foreign motorists, that in countries which had introduced compulsory insurance—Czechoslovakia, for example—a national fund had been established to provide compensation for persons injured by foreign motorists. It would be of great value if the Road Traffic Committee could work out an international solution of the problem. In doing so, it would be carrying out useful work and simplifying the formalities imposed on foreign motorists, thus leading to an increase in international traffic.

Road Traffic : Signals at Level-crossings.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, after giving an account of the enquiry carried out on this subject,¹ observed that the programme drawn up by the Transit Organisation had been submitted to the Council, which had communicated it to the Governments, asking them whether, in their opinion, the programme might usefully be taken as a basis for the conclusion of an international convention and whether the Governments would, if called upon, be prepared to take part in a conference for that purpose.² All the technical organs concerned were of opinion that a uniform solution for the problem would have to be found in the near future, at all events as regards the continent of Europe, and that, accordingly, it was desirable to ascertain the Governments' views as soon as possible. M. Soubbotitch took the present opportunity of appealing to those which had not yet sent in their replies to do so as quickly as possible.

Co-ordination of Transport.

M. VEVERKA (Czechoslovakia) referred to the documentation collected by the Secretariat as a result of the decision taken by the 1935 Assembly. Co-ordination of transport was a cardinal problem in the sphere of communications. Railways no longer possessed a monopoly, but worked under rigid legislation which compelled them to transport goods under less favourable conditions than motor-lorries. It appeared that, to meet road competition, certain railways granted secret tariff reductions which were not accessible to all users. While the question was connected with co-ordination of transport, it related more especially to competition between various means of transport.

The Czechoslovak delegation, at the Rome Conference of 1933, had submitted proposals for the revision of the International Convention concerning the Transport of Goods by Rail (C.I.M.) with a view to making Articles 9 and 10 more elastic. It had proposed the abolition of the strict provisions of those articles making the uniform application of tariffs to all users compulsory and prohibiting special tariffs. The Czechoslovak proposal had been withdrawn, however, not because it was unsound, but because it would have involved the recasting of Articles 9 and 10, and for that the Conference had no time. The question was still an

¹ See document C.458.M.240. 1935.VIII (Ser. L.o.N. P. 1935.VIII.8), pages 22 and 77.

² See *Official Journal*, February 1936, page 63.

important one, however, and it was felt that it should be examined by a qualified body with a view to its settlement at the next conference for the revision of the C.I.M. The Communications and Transit Organisation was certainly the right body to have the matter taken up by experts, and the Czechoslovak delegation therefore suggested to the Second Committee that that organisation should study the question. In making the suggestion, it was merely taking up the Czechoslovak Government's proposal of 1933.

Baron VAN BOETZELAER (Netherlands) said that the question of tariff reductions which were not available for all users on the same conditions was a very important one and was closely bound up with that of the co-ordination of transport or, to be more exact, that of competition between the various means of transport.

Accordingly, the Netherlands delegate to the Rome Conference had drawn attention to the importance of the problem and had on several occasions expressed keen regret that for lack of time the Conference could not take up the question.

Baron VAN Boetzelaer therefore fully supported the proposal that the study of the question should be taken up by the Communications and Transit Organisation.

Unification of Buoyage Rules.

Lieutenant-Colonel VANIER (Canada) said the Canadian Government had carefully studied all the draft agreements drawn up since 1930 on the unification of buoyage. His Government, unfortunately, could not sign the agreement opened for signature on May 13th, 1936, because the rules contained therein were fundamentally different from the system in use in Canada, the United States and other countries of the Western hemisphere, together with Australia, New Zealand and Japan, since 1889.

Mr. BISWAS (India) said the Indian Government, which had been in favour of the original draft, had not yet concluded its examination of the revised draft and must therefore reserve its decision.

Pollution of the Sea by Oil.

Dr. MORGAN (United Kingdom) wished to thank the Communications and Transit Organisation for the progress made in this question, which had been raised in 1934 by the United Kingdom delegation. He observed that the replies from Governments confirmed the harmful effects of oil pollution and that there was a large measure of agreement on the general principles of the draft Convention. The chief recommendation had been the establishment of zones round coasts into which no ships should discharge oil, and on that point the replies from Governments had been encouraging. He desired again to emphasise the fact that the successful application of a remedy depended upon the chief maritime countries of the world, and it would be unfortunate if even one or two of those countries stood outside an international agreement. The United Kingdom Government therefore considered it of the first importance that all the principal maritime countries should collaborate in the work of drawing up an international convention, and he would appeal to all countries concerned in the question to help in discussing a problem the solution of which could only benefit all countries which had a coast-line.

Lieutenant-Colonel VANIER (Canada) said that, in 1934, the Canadian delegation had supported the United Kingdom proposal. Since then, the Canadian Government had examined the draft Convention and Final Act of October 1934, which it regarded as an excellent piece of work. The Canadian Government was prepared to attend a conference on the basis of the draft submitted by the Committee, but felt, as regards Article 1, third paragraph, of the draft Convention, that some concessions might be made in the case of certain ships of low tonnage. As the more important maritime countries had expressed a willingness to attend a conference, and as the problem was becoming more and more serious, the Canadian delegation hoped that the conference would be called at the earliest possible moment.

ELEVENTH MEETING.

Held on Thursday, October 8th, 1936, at 3.30 p.m.

Chairman: M. VAN LANGENHOVE (Belgium).

21. **Work of the Communications and Transit Organisation during the Year 1935/36 : General Discussion on the Basis of the Secretary-General's Report on the Work of the League¹ (continuation).**

Air Navigation.

Baron VAN BOETZELAER (Netherlands) said that his delegation had noted with much interest the section of the Secretary-General's report dealing with Customs exemption for liquid fuel employed in air traffic. The Council, at its meeting of January 23rd, 1936, had

¹ Documents A.6 and A.6(a). 1936 (Ser. L.O.N. P. 1936.5 and 6).

adopted the draft agreement¹ submitted by the Advisory and Technical Committee approving the procedure proposed by the United Kingdom representative—namely, that the United Kingdom Government would take the necessary steps to open the agreement for signature in London by European States.

Dr. MORGAN (United Kingdom) stated that the text of the agreement was now ready, and would very shortly be distributed through diplomatic channels to the Governments concerned

Disputes relating to the Reorganisation of the Railways of the Former Austro-Hungarian Monarchy.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, referring to the chapter of the Secretary-General's report on the work of the Communications and Transit Organisation in connection with disputes relating to the reorganisation of the railways of the former Austro-Hungarian Monarchy, proposed that the Second Committee should simply take note of the activities of the Advisory and Technical Committee in the matter of conciliation for the settlement of the disputes.

He added that, in his capacity as delegate of Yugoslavia, he intended to revert to the question during the discussion of the reorganisation of League Committees. But he felt certain that the 1936 Assembly, in view of the observations of the Special Committee set up to give an opinion on the question, would reverse the decision taken in the previous year in order that the Communications and Transit Organisation should be able to continue its work—which had been so valuable in the past—in the best possible conditions.

National Public Works.

M. SOUBBOTITCH (Yugoslavia), Rapporteur, referred to the various stages of the enquiry undertaken by the Transit Organisation. As regards the experts' report and the preliminary statement by the Secretariat on the subject of national public works, he felt sure that the Assembly would appreciate the value of the work done, of which the Secretary-General had informed all the Governments. The latter could make use of the different solutions proposed and the experts' observations.

Further, M. Soubotitch observed that the Governing Body of the International Labour Office, on the proposal of the Unemployment Commission, had decided to place on the agenda of the 1937 session of the International Labour Conference the question of the planning of public works in relation to employment.² The examination of that aspect of the problem would undoubtedly complete the successful results of the action taken so far with regard to public works by the Communications and Transit Organisation in collaboration with the International Labour Organisation. The co-ordination of the efforts of those two organisations would certainly enable a successful solution to be found in the future for the various aspects of the important problem of public works.

Co-operation between the Communications and Transit Organisation and the Chinese Government.

The Committee approved the part of the Secretary-General's report referring to the development of this co-operation.³

**22. Constitution, Procedure and Practice of the Committees of the League of Nations :
Draft Report by the Second Committee to the Assembly and Draft Resolutions⁴ : Discussion.**

M. KULSKI (Poland), Rapporteur, submitted the draft report and resolutions.

Health Organisation.

M. DA SILVA (Portugal) said that his delegation must make every reservation in regard to the proposals for the reorganisation of the Health Organisation, unless it were undertaken in full agreement with the Office international d'Hygiène publique. A reservation regarding the proposals had been made in the Council by M. de Vasconcellos, the Portuguese representative.⁵

The CHAIRMAN noted the reservation on behalf of the Committee.

Communications and Transit Organisation.

M. COUCKE (Belgium) recalled that the guiding principles laid down by the previous Assembly had been submitted to a Special Committee appointed by the Chairman of the Advisory Committee to draw up a new statute for the Organisation. The Special Committee recognised that the strict application of those principles would hardly be reconcilable with the outstanding features of the Organisation which were essential to its proper working. It had

¹ See *Official Journal*, February 1936, page 111.

² See International Labour Office: *Official Bulletin*, Vol. XXI, No. 3, August 31st, 1936, page 147.

³ See document A.6.1936 (ser. L.O.N. P. 1936.6), page 160.

⁴ The final text of the report and resolutions is contained in Annex 6.

⁵ See *Official Journal*, November 1936, page 1177.

drawn special attention to one aspect of the Organisation's activity which had not been taken into account—namely, its work of conciliation in the settlement of inter-State disputes upon communications and transit questions.

The Special Committee had felt it to be impossible to grant the powers held by the former Advisory Committee in that respect to a large body of uncertain composition which would be unsuitable for the accomplishment of a quasi-judicial task. Nor was that the Special Committee's only objection. It had pointed out that the statute which it had been asked to draw up did not appear to lend itself "without very special conditions to the application of the guiding principles embodied in the report of the Committee appointed to consider the constitution, procedure and practice of the Committees of the League of Nations".¹

Those conditions were the result of the relative autonomy enjoyed by the Communications and Transit Organisation, which was not possessed by the other League Committees and which called for greater elasticity of the rules and of the general framework drawn up by the Committee to study the constitution, procedure and practice of League Committees.

On September 26th, 1936, the Council, taking all those objections into consideration, decided² to refer the matter back to the Special Committee. The Council agreed with that Committee that it seemed difficult to establish modified statutes for the Transit Organisation without taking into account the situation mentioned in the report of the Special Committee, and it proposed that the Assembly should empower the Council to draw up the revised statutes after a further consultation with the Special Committee.

Without going into the substance of the question, which remained entirely unprejudiced, the Belgian delegation considered that, from the point of view of their organic structure and working, the new statutes should be modelled, at any rate in their main lines, on the present Organisation. That Organisation was based on sound and successful principles; it had been well tried; and its activities had produced extensive and important results, which were worthy of commendation.

Without prejudice to the final decisions of the Council, the Second Committee might usefully submit a draft resolution to the Assembly giving wider powers to the Special Committee appointed by the Chairman of the Advisory Committee to draw up the conditions of the new statutes.

The Assembly was, in principle, competent to approve the new statutes. It could nevertheless delegate its powers to the Council, as the latter had, moreover, suggested in its resolution of September 26th, so that the new statutes might come into force in a few months, and the working of the Communications and Transit Organisation might not be delayed for a year until the new statutes had been approved by the 1937 Assembly.

The Belgian delegation submitted the following text to the Committee :

"The Assembly agrees with the suggestions contained in the report adopted by the Council on September 26th, 1936, concerning the Communications and Transit Organisation. It therefore requests the Council to entrust the Special Committee appointed by the Chairman of the Advisory and Technical Committee for Communications and Transit with the general re-examination of the statutes of the Organisation, and empowers the Council to consider and approve on its behalf and put into force the new statutes to be drafted by the Special Committee, which will follow as far as possible the guiding principles contained in the report of the Committee set up to study the constitution, procedure and practice of Committees of the League of Nations."

M. KULSKI (Poland), Rapporteur, supported the resolution proposed by the Belgian delegation, which was entirely in keeping with the Council's resolution; it was in no way in contradiction with the report, but drew the logical consequences therefrom. He would, however, reserve the right to request some drafting amendments in order that the text might be in accordance with the wording used in the Council's resolution.

M. TRĘBICKI (Poland) said that Poland was keenly interested in the problems dealt with by the Transit Organisation, and sincerely hoped that any changes made in its statutes would in no way impede the execution of its tasks. He took the opportunity of paying a tribute to the competence and distinction with which those tasks had hitherto been carried out.

The Polish delegation would like the new statutes conferred on the Organisation to lead up to further successes in its eminently useful work. He had confidence in the experts, who would have to work under conditions which would enable the difficulties hitherto encountered by the work of the Special Committee to be removed. The status of the Organisation in question was of a somewhat special nature, as had been recognised both by the Special Committee and by the other bodies that had dealt with it.

The Polish delegation desired to lay down some general principles which, in its opinion, would tend to ensure that that somewhat complicated work should be successfully carried out :

I. Account should be taken of the principles laid down by the Assembly and the Council of the League as a basis for the reorganisation of Committees in general—namely, delimitation of the powers of the various bodies of the Organisation, simplification of its structure and economies to be effected.

¹ See *Official Journal*, June 1936, page 734.

² See *Official Journal*, November 1936, page 1175.

2. The composition of the new Advisory and Technical Committee should be homogeneous and fixed in advance ; the principle of strict equality of the right of each State to be represented on the Advisory Committee should be respected ; the new Committee should take the place of the general conferences, which would become superfluous.

3. The limited Technical Committee provided for in the decisions of the Council and the Assembly should be regarded as an executive body of the Organisation ensuring that the work was properly carried on between the sessions. It should consist of a sufficient number of persons to be properly and fairly representative of all the countries or regions particularly concerned with the problems of communications and transit. That would be of particular importance, as the sessions of the Committee would no doubt, by the nature of things, have to be somewhat infrequent. A too restricted Committee could not adequately represent the Communications and Transit Organisation between the sessions. The prestige and authority of the latter would gain if it possessed a Technical Committee representing the principal interests concerned and empowered to direct and supervise the work of the Organisation.

4. The Polish Government did not attach particular importance to the rôle and functions of the Advisory and Technical Committee in the matter of arbitration. It would not raise any particular objections if those functions were conferred either on the limited Technical Committee or on a Special Committee set up for the purpose and consisting of members of existing Committees in the Communications and Transit Organisation.

M. SOUBBOTITCH (Yugoslavia) proposed to give a short account of the question in order to show its importance. The Communications and Transit Organisation had not been improvised ; it had not been created accidentally or artificially. It was the result of long study and hard work. It had originated from an Assembly resolution and, indeed, from the Peace Treaties. But it had been set up at the Barcelona Conference. That was one of the largest conferences which had met after the war. About fifty States had taken part. It had sat for many weeks. It had been carefully prepared by numerous technical, scientific, political and other committees. It was from all that work that the Communications and Transit Organisation, together with its principal organs, had sprung.

As was well known, the work of the Organisation was among the most constructive of that of any of the League bodies. It was also of great importance from a legal point of view. There were many general international treaties and special conventions which referred to it. As would be seen from the Special Committee's report, the Advisory and Technical Committee on Communications and Transit derived powers from the Danube Statute, the Convention on Freedom of Transit, numerous railway and commercial conventions and others. Why was that ? Because the States desired it and had confidence in the Committee, in view of its origin, its composition, its traditions and the procedure it followed.

Thus the Communications and Transit Organisation had existed for fifteen years. What had happened ? A very legitimate desire had been expressed to standardise the Committees. But what had been done ? A committee known as the Attolico Committee had been appointed to submit a scheme of reorganisation. He was inclined to think that the work done in respect of the other Committees, such as Health, Opium, and the rest called for no criticism. Unfortunately, that was not the case in respect of the Communications and Transit Organisation. That Organisation, which enjoyed general confidence, had established a tradition and carried out constructive work, had been entirely upset for reasons which had hitherto remained obscure. There had been no Minutes and no enquiries. It was not known how the Attolico Committee had arrived at its conclusions.

In any case, the result of the Attolico Committee's work had been submitted to the Assembly. In that respect, he had to confess that, like the other delegates at the 1935 Assembly, he had given his approval and the Committee's report had been adopted without discussion.¹ Clothed with the supreme authority of the Assembly, the report had been submitted to the Council.² The thirteen or fourteen members composing the Council could not but approve a report which had been accepted by fifty-two States. In that manner, ideas of unknown origin, endowed with the supreme authority of the Assembly and of the Council, had become a sort of sacred dogma. All those guiding principles had been referred to a Special Committee to be put into execution. But the Special Committee had been courageous and wise enough to tell the Council that it could not do what it had been asked to do. The Council in turn had been courageous and wise enough to recognise the justice of the Special Committee's objections. Thus the question had been referred back to the Second Committee on September 26th, 1936.³

The present position could be summarised as follows : There were guiding principles for the standardisation of all Committees. These guiding principles could not be applied to the Advisory and Technical Committee for Communications and Transit, for reasons which were very briefly—in fact, too briefly—explained in the Special Committee's report. But that report stated definitely that those rules could not be applied to the Advisory Committee and that the resolution should be modified in that respect. He had before him the Rapporteur's report. He had heard the resolution suggested by the Belgian delegation. For his part, he could not but subscribe to it. At the same time, he would like it to be clearly and definitely established that the methods by which new statutes were to be drawn up should not be in the

¹ See *Official Journal*, Special Supplement No. 138, page 95.

² See *Official Journal*, February 1933, page 134 and June 1936, page 559.

³ See *Official Journal*, November 1936, page 1175.

nature of an improvisation. The Special Committee should study the question very thoroughly; it should have its hands entirely free and it should not be restricted by general rules or guiding principles. It should be enabled to draw up its proposals with complete independence. Confidence should be placed in its perspicacity and technical ability. Naturally, though it must carry out its work in complete freedom, it must not entirely ignore the guiding principles; but those principles must not stand in the way of the Committee's work.

On the other hand, the present Communications and Transit Organisation, though one of the best of the League, was possibly somewhat too expensive. Certain improvements could be introduced, but he could not admit that the only organ entrusted with communications and transit should be appointed exclusively by the Council. The States should have something to say, especially if this organ was to possess the great authority which it was desired to confer on it.

In conclusion, it must be made clear in the resolution or in the report, or in the Minutes, that the scheme must be drawn up by the Special Committee without its being closely bound by the guiding principles, and that the Rapporteur must be in permanent and direct contact with the Special Committee; he wished to stress that point, and was convinced that it represented the opinion of the majority of the members of the Second Committee.

In his opinion, it would have been better to follow the procedure laid down in the statutes of the Communications and Transit Organisation, according to which any change must be effected by the same procedure as that followed when it was created—namely, by the General Conference on Communications and Transit. That could not but give greater authority to the Organisation. Questions of freedom of transit were of very great importance. It was impossible to say what the future held in that respect. Those questions were not only of technical interest, but also of eminently political interest. It might be necessary at any time to have recourse to an organ possessing the greatest possible authority for giving an opinion. That authority would certainly be greater if it were based on statutes to which all States had given their consent than if only the Council had given its approval.

M. Soubbotitch had simply intended to express his ideas; he did not make any proposal.

M. WUNSZ KING (China) associated himself with the observations which had just been submitted, and hoped that, whatever might be the new statutes of the Communications and Transit Organisation, that Organisation would be as widely representative in character as possible. China was very much interested in the matter, especially in view of the co-operation existing between herself and the League of Nations. The Chinese delegation therefore reserved the right to present its views when the new statutes were being drafted and discussed.

M. KULSKI (Poland), Rapporteur, thought it possible to meet the delegations which had submitted observations in the following manner. The draft report stated that the Special Committee would, in drawing up the draft statutes, take into consideration the observations submitted during the discussion by the members of the Second Committee. Obviously, the Special Committee, the Rapporteur to the Council and the Council itself would be in possession of the Minutes of the present meeting and could therefore take account of the observations made by M. Soubbotitch and the other members of the Committee.

Moreover, in order to meet M. Soubbotitch's desire, which appeared to him quite justifiable, he proposed to insert in his report the following sentence:

“ The Second Committee considers that it would be both useful and desirable for the Rapporteur to the Council to keep in direct touch with the Special Committee with regard to the framing of these proposals.”

Lastly, he thought the Belgian proposal covered all the points raised by the Yugoslav delegation, while empowering the Special Committee to draw up fresh statutes for the Communications and Transit Organisation on the understanding that the Statutes must be subsequently ratified by the Council.

M. SOUBBOTITCH (Yugoslavia) said he was satisfied with the Rapporteur's explanations. He would merely urge that the Council should be entitled, if it thought fit, to send the new draft statutes to the various Governments for their opinions before ratification.

M. KULSKI (Poland), Rapporteur, pointed out that the Council was free to choose any procedure which it desired, and consequently was entitled to submit the new draft to the Governments for their observations.

M. SOUBBOTITCH (Yugoslavia) thought the Council would be well advised to submit the draft to the various Governments before it was ratified.

TWELFTH MEETING.

Held on Friday, October 9th, 1936, at 10 a.m.

Chairman : M. VAN LANGENHOVE (Belgium).

23. **Economic and Financial Questions : Examination of the Draft Resolutions and Draft Report.**¹

Draft Resolution on International Economic Relations.

M. CANTILLO (Argentine Republic) said his delegation approved the resolution, especially as it was in accordance with the report and conclusions of the Economic Committee. The Argentine had always maintained a liberal tradition in commercial policy and was opposed to differential tariffs, quotas, etc. Exchange control had been established in the Argentine only after other countries had prevented the import of goods. There was an open foreign exchange market which functioned without State intervention. Since 1931, there had been no increases in Customs duties, but reductions had taken place as a result of a bilateral agreement with the United Kingdom, which had been concluded in 1933 and was followed by ten subsequent treaties. He confidently hoped that it would be possible to abolish all quantitative restrictions, whatever their nature and whatever reasons were pleaded in their favour.

M. CHRISTIANI (Denmark) said that his delegation would vote for the resolution. Denmark was very much in favour of a relaxation of the present restrictions on international trade. Since the draft resolution referred specially to trade obstacles resulting from quotas and foreign exchange control, he wished to state that, in the opinion of his delegation, Customs tariffs and subsidies to industry or agriculture might constitute obstacles to international trade as serious as quotas and foreign exchange control. Customs barriers and subsidies in any form might often compel other countries to apply quotas or foreign exchange control in the interest of their balance of payments.

M. KOMARNICKI (Poland) said his delegation was prepared to vote for the resolution, but was convinced at the same time that the principles underlying it could only be applied to the monetary policy of countries whose level of gold prices was at present too high. His delegation expressed the opinion that an abolition of the system of quotas and regulation of the circulation of currency would only be possible in some countries in so far as the equilibrium of their balance of payments was guaranteed by both bilateral and multilateral means.

M. DE NICKL (Hungary) wished to plead the cause of States which were unable to abolish trade obstacles unless certain preliminary conditions were realised. A reference to those difficulties was made in the report.² He would therefore appeal to the authors of the resolution and ask them to insert a clause to the effect that, for certain States, the realisation of certain conditions was necessary in order to enable them to remove the obstacles to trade.

M. ROSENBLUM (Union of Soviet Socialist Republics) said his delegation proposed to vote for the resolution.

M. MASENG (Norway) observed that the resolution recommended the removal of obstacles to communications. He did not insist on a change in the text, but wished to put on record that he interpreted that to mean that the policy of protectionism in communications should be relaxed.

M. BASTID (France), on behalf of the United Kingdom and French delegations, stated that he could not accept the Hungarian delegate's proposal.

M. KOMARNICKI (Poland) supported the amendment suggested by the Hungarian delegate.

M. DE NICKL (Hungary) said that, if the authors of the resolution did not accept his amendment, he would not press it. The situation, however, remained as he had described it—namely, that there were conditions which prevented some countries from fulfilling the recommendations embodied in the resolution.

Draft Resolution on Raw Materials.

M. DA SILVA (Portugal) said his delegation would vote for the resolution. While paying a tribute to the spirit in which the proposal had been put forward, the Portuguese delegation would make reservations as to the final solution of the problem. Though it was not yet possible to perceive the definite object of the proposal, there were certain guiding principles which facilitated the acceptance of the Portuguese delegation.

¹ For the final text of the report and resolutions, see Annex 3.

² See Annex 3, page 98.

In the first place, the expression "commercial access" obviously excluded a redistribution of raw materials outside their natural sale. Secondly, a reference had been made in the debate to a more general examination of the problem of various raw materials, including industrial raw materials. Thirdly, the character of a commission of enquiry conferred on the proposed new organ allowed it only extremely modest powers.

The most interesting point, however, was that, in view of the abundance and low price of African raw materials, the question assumed the form of a problem of payment. That was recognised by the United Kingdom delegate himself when he stressed the relationship between foreign exchange control and other trade obstacles on the one hand, and the problem of the supply of raw materials on the other. The Swiss delegate had also made an implicit reference to the fact when he spoke of the legal difficulty of making payments. The basis of the problem was therefore to provide the nations with the means of paying for the raw materials received from the producing countries.

Colonisation should not be mere profiteering, as the first delegate of Portugal had pointed out in the Assembly. The work of educating natives was one which required particular qualifications.

M. KOMARNICKI (Poland) welcomed the draft resolution. The problem was an important one for Poland, which lacked certain raw materials. In order to make the proposal effective the expression "commercial access" should be defined. He suggested completing the preamble by a further clause reading approximately as follows: "considering the serious difficulties encountered by certain countries in the purchase of raw materials from the point of view of monetary policy".

Mr. McDougall (Australia) hoped the Polish delegate would not press his amendment. The draft was on a broad enough basis to comprise all questions, including monetary policy, and would not be strengthened by the proposed amendment.

M. ROSENBLUM (Union of Soviet Socialist Republics) preferred the original draft.

M. STOPPANI (Secretariat) pointed out that "commercial access" included the monetary question. There were a number of other questions which might also be enumerated but which were implicitly contained in the resolution.

M. KOMARNICKI (Poland) observed that there was no opposition to his view and that it was generally agreed that the monetary question was already included in the programme of work. He therefore did not press his amendment. He would, however, like it to be recorded in the Minutes that the Polish delegation, in voting for the British draft in its present form, was convinced that the problem of the purchase of raw materials by certain countries on conditions not affecting their monetary policy would not be excluded from the programme of work of the proposed committee.

Draft Resolution on Migration.

The CHAIRMAN opened the discussion on the following revised text of a draft resolution on migration, submitted by the Polish delegation:

"Whereas the development of international intercourse must necessarily be hampered, unless it takes place simultaneously in every sphere—that is to say, not merely in the international trade in goods, but also in the circulation of capital and the movement of men;

"And whereas migration is at present at a standstill, partly owing to reasons of a technical nature such as the difficulties experienced by certain emigration countries in exporting the necessary capital for the settlement of the emigrants:

"The Assembly notes with satisfaction that a Migration Commission, set up in the International Labour Organisation, has been convened for November, under the auspices of the International Labour Organisation, to consider certain aspects of this serious question;

"Expresses its confidence that this Commission and the International Labour Office will frame practical suggestions capable of being immediately put into effect and thus contributing to the settlement of the economic and social difficulties already mentioned;

"Requests the Council to follow the work of the said Commission and to remain in touch in this connection with the International Labour Organisation, so that the appropriate organs of the League of Nations may, should occasion arise, contribute to that work;

"And decides to place the question of emigration on the agenda of its next ordinary session."

M. DA SILVA (Portugal) supported the resolution. His country was greatly interested in the subject and considered that a further study should be made of the entire problem.

M. BENAVIDES (Uruguay) also supported the resolution and said that his country had taken action on the subject at the recent International Labour Conference.

M. ROSENBLUM (Union of Soviet Socialist Republics) said the entire question had not been discussed by the Economic or the Financial Committee, or by the present Committee. It was not ripe for settlement and he could, therefore, not vote for the resolution.

M. KOMARNICKI (Poland) pointed out that a number of delegates had expressed their interest in the question and all that the resolution called for was a study of the problem. It did not prejudge any question of principle. If the League refused to study the question, it would be failing in an important social duty.

M. ROSENBLUM (Union of Soviet Socialist Republics) said that his delegation was not interested in the question of emigration. If some delegations wished the question to be studied, they could put in a request to that effect. He thought, however, that resolutions should not be submitted to the Assembly on questions of principle which had not been discussed. The first two paragraphs of the resolution contained statements of principle which could only be brought up after a discussion.

M. SPINASSE (France), Rapporteur, said there was no question of dealing with the substance of the subject, but merely of following the work of the International Labour Office. He asked the Polish delegate whether he was prepared to delete the second paragraph.

M. KOMARNICKI (Poland) regretted that he could not make any further concessions on that point. His original draft had gone much further. The second paragraph stated a definite fact—viz., that emigration was at present at a standstill, and that did not prejudge any question of principle. The Rapporteur had himself recognised the importance of the question by his reference in the draft report to the free circulation of goods, capital and persons.

Sir Frederick PHILLIPS (United Kingdom) suggested that the second paragraph of the resolution should merely state the fact that emigration was at a standstill, and that the remainder of the paragraph should be omitted. As it stood, the paragraph contained reasons for the standstill which had not been discussed in the Committee.

Mr. MCDUGALL (Australia) also agreed with the Rapporteur, but for another reason. If reasons were given for the standstill in emigration, they should include unemployment in countries of immigration. He thought the resolution would be improved by the omission of that paragraph.

M. KOMARNICKI (Poland) agreed to the proposal by the United Kingdom delegate, but pointed out that his agreement to the omission of the passage in question did not prejudge the future attitude of his delegation.

It was agreed to omit the end of the second paragraph of the draft resolution.

Draft Resolution on Fiscal Fraud.

A drafting amendment to the revised text of the draft resolution¹ submitted by the delegation of France was adopted.

Plurilateral Compensation: Text submitted by the Delegation of Haiti.

After an exchange of views on the text submitted by the delegation of Haiti, the Committee decided that the report should contain the following passage on the subject of plurilateral compensation:

“In this connection, the Committee examined the Economic Committee's report on the organisation of plurilateral compensation, with special reference to the use of cheque compensation. It considers that, as all forms of clearing should disappear with the circumstances which brought them into being, the application of these methods, ingenious though they may be, cannot now be recommended.

“Being anxious, nevertheless, to neglect no means, even if of only temporary effect, to ensure the resumption of international transactions, it recalls the fact that the question has already been submitted to the Economic and Financial Organisation of the League by an earlier resolution of the Assembly, and that it has to continue to study it in collaboration with the Bank for International Settlements.”

M. SPINASSE (France), Rapporteur, submitted the draft report of the Second Committee to the Assembly.

Dr. GIE (Union of South Africa) observed that, in a speech he had already made in the Committee, he had stated that, in the view of his delegation, economic recovery must be based on political appeasement. That view was not sufficiently stressed in the report, and his delegation could therefore only vote for the report with the reservations he had made in his speech.

¹ See Annex 3, Resolution III.

THIRTEENTH MEETING.

Held on Friday, October 9th, 1936, at 3 p.m.

Chairman : M. VAN LANGENHOVE (Belgium).

24. **Constitution, Procedure and Practice of the Committees of the League of Nations : Draft Report by the Second Committee to the Assembly and Draft Resolutions (Annex 6) : Adoption.**

M. KULSKI (Poland), Rapporteur, proposed that the penultimate paragraph of the draft resolutions should be amended as follows : “. . . and to submit its proposals to the Council through the agency of the Rapporteur to the Council”.

M. SOUBBOTITCH (Yugoslavia) assumed that the Rapporteur would collaborate with the competent drafting committee and could take part in its meetings if necessary. He would thus obtain a better knowledge of the drafting committee's intentions than by merely reading its report. That would, of course, not prevent the Council from hearing any members of the drafting committee should it wish to do so.

The Committee adopted the report and draft resolutions¹ in their final form.

The Committee appointed M. KULSKI (Poland) Rapporteur to the Assembly.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

25. **Work of the Communications and Transit Organisation during the Year 1935/36 Draft Report by the Second Committee to the Assembly and Draft Resolution (Annex 5) : Adoption.**

M. SOUBBOTITCH (Yugoslavia), Rapporteur, submitted his draft report.

The Committee adopted the report and the draft resolution.¹

The Committee appointed M. SOUBBOTITCH (Yugoslavia) Rapporteur to the Assembly.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

26. **Economic and Financial Questions : Draft Report and Draft Resolutions (Annex 3) : Discussion (continuation) and Adoption.**

The Committee adopted the draft resolutions.¹

The Committee adopted the report to the Assembly, with various amendments.

In the course of the discussion :

M. KOMARNICKI (Poland) drew attention to the following paragraph of the draft report :

“Before a week had elapsed, by monetary or commercial measures, Belgium, Switzerland, the Netherlands, Italy, Czechoslovakia, Greece, Latvia and Turkey brought their contributions to the policy inaugurated by this solemn declaration.”

He thought that, when the countries which had taken certain measures of a monetary or commercial character in order to contribute to the policy initiated by the declaration of the three Powers had been enumerated, the attitude of the other countries should be mentioned too. He therefore proposed that the following sentence should be added to the paragraph in question :

“Other countries, however, thought that such a policy would be unnecessary in their case, as their gold price-level would not justify such measures.”

The CHAIRMAN thought there had been a misunderstanding. He called attention to the fact that the countries enumerated in the paragraph in question were not all countries which had devalued their currency. Belgium, on the contrary, had adhered to the new policy by declaring that her contribution would consist in the maintenance of her currency at its present level. Nor had the United Kingdom or the United States devalued their currency.

M. KOMARNICKI (Poland) replied that any uncertainty there might be necessarily arose from the text of the report. The text gave the impression that countries were being divided into two classes. As he did not wish to see Poland placed on the wrong side, he was anxious to see the uncertainty cleared up. He was willing to accept any other solution ; but, if it was intended to keep to the present wording, he would request that his country's position should be clearly stated.

¹ The resolutions were adopted by the Assembly on October 10th, 1936.

Baron VAN BOETZELAER (Netherlands) explained that the Netherlands Government had not shown itself at all enthusiastic with regard to devaluation. If the Polish amendment were inserted in the form proposed, it would be the Netherlands that would find themselves on the wrong side.

M. SPINASSE (France), Rapporteur, pointed out that the paragraph dealt solely with the declaration of the three Powers. It was not a question of enumerating those countries which had devalued or those which had not. It was merely intended to show what countries had made a contribution, either in the form of a declaration of accession, like Belgium, or by devaluing their currency, if that were necessary for the recovery of international trade. Thus the point was not devaluation, but international monetary policy which had been made possible by the devaluation of certain currencies. If Poland so wished, mention might be made in the report of the fact that she thought no useful purpose would be served by her contributing to the policy which was recommended. On the other hand, if Poland approved the policy, that should be stated. Judging by the terms of the proposal put forward by the Polish delegate, M. Spinasse presumed that Poland was in the same position as Belgium.

M. KOMARNICKI (Poland) wished to point out that the uncertainty arose from the fact that Belgium appeared in the report among the countries enumerated. The uncertainty would be cleared up if the words "by monetary or commercial measures" were omitted. He did not know what Poland's future attitude might be. He thought, however, that the policy of certain countries should not be settled eight days after the declaration of the three Powers, at a time when policies were in process of evolution.

M. SPINASSE (France), Rapporteur, proposed that the words "by monetary or commercial measures" should be replaced by the words "in various ways".

M. KOMARNICKI (Poland) accepted that wording, but said that he was not over-satisfied with it.

The Committee accepted the Rapporteur's proposal.

M. KOMARNICKI (Poland) proposed that the following paragraph in the draft report :

"Your Committee therefore asks Governments not to confine themselves to the first measures by which they have accompanied the new monetary laws, but to enter into negotiations at the earliest possible moment with a view to overhauling their whole Customs policy",

should be completed by the following text :

"Taking into account, however, the position of certain countries, especially debtor countries, with regard to their balance of payments."

That had been the substance of the remarks made by M. Rose, delegate of Poland, in the course of the general discussion.

M. SPINASSE (France), Rapporteur, explained that the Polish delegation's point had already been taken into account in a previous paragraph beginning : "Nevertheless, the representatives of several countries described the difficulties . . ." He did not think it necessary to dwell on the point further. The observations in the paragraph to which M. Komarnicki had referred were of a general character and were not intended to define the circumstances in which the revision of the commercial policy of the various Governments would take place. The procedure would naturally be different in different countries. He thought that he should not prejudice the future, and requested M. Komarnicki not to press his amendment.

M. KOMARNICKI (Poland) accepted the proposed text on the understanding that the explanations which had just been made would serve as a guide for the interpretation of the Committee's intentions. An appeal to Governments was being made, and by joining in that appeal the various delegations assumed a certain responsibility.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

27. Close of the Committee's Proceedings.

The CHAIRMAN said that the Committee had successfully carried out its task.

The predominating feeling in the debates had been the wish to restore prosperity. The various Governments were convinced that that goal was now within their reach. The impetus given by recent events to the efforts for a restoration of economic prosperity arose out of the interests of the peoples of the world, of which they had become fully conscious. They had all understood that they should take advantage of that impetus, and act without delay. Some Governments had already acted ; efforts should now be co-ordinated. He hoped next the Assembly might witness their success.

After the customary tributes had been paid, the CHAIRMAN declared the proceedings of the Second Committee of the seventeenth ordinary session of the Assembly closed.

ANNEX 1.

Official No. : A.61.1936.III.

WORK OF THE HEALTH ORGANISATION.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. W. M. VAN LANSCHOT (Netherlands).

The year 1936 marks a definite stage in the work of the Health Organisation, the Health Committee's three-years' term expiring on December 31st next. The moment seems opportune for an analysis of the policy of the Health Organisation and its method of work, for undoubtedly useful lessons may be drawn for the Organisation in the present stage of its development, as well as for the technical work of the League as a whole.

1. No more than a formal reference need be made to what may be called the permanent work : it should suffice to know that it is making steady progress. The Assembly is well acquainted with what is being done by the Epidemiological Intelligence Service, the Commission on Biological Standardisation and the Singapore Bureau, and with the standing activities of the Malaria Commission — to mention only the main tasks.

Several delegates in the Second Committee mentioned the value attributed by their Governments to this regular, continuous, practical, yet at the same time sufficiently flexible, activity. The delegate of India described some examples of the assistance his country had given in the work of the Singapore Bureau, the Malaria Commission and the work of biological standardisation. The Netherlands delegate emphasised the importance of the Singapore Bureau, whose preventive work as information centre and "listening post" was perhaps not fully realised. Its annual course of lectures on malariology had contributed to the anti-malaria campaign in a way that was very much appreciated by Far-Eastern administrations.

The delegates of France and of the Union of Soviet Socialist Republics pointed out the great value of the collective study tours ; in November 1935, at the suggestion of the Health Organisation, the Government of the United States of America was good enough to welcome a number of officials with particular authority in preventive medicine and public health administration and to show them, in the course of a tour which lasted one month, the recent achievements in the field of public health and social welfare. In June last, members of the Bureau of the Health Committee were given similar facilities by the Government of the Union of Soviet Socialist Republics, for studying the public health and social activities of the Soviet Administration. Such tours benefit both those who take part in them and the authorities of the country visited, owing to the opportunity afforded for study, for an exchange of views, and for establishing contacts.

Interesting references were made to the Studies of the Health Organisation on maternal mortality and morbidity. The Australian delegate emphasised the significance of the problem of maternal welfare, with a view to reducing the abnormally high death rate of women in childbirth. She urged the necessity of the whole population co-operating in this work. This view was supported by the delegates of Poland and Denmark, who promised that their countries would assist in the studies contemplated. The delegate of the Union of Soviet Socialist Republics also promised his country's co-operation and indicated the progress it had already achieved.

2. To touch upon what might be called the topical work, the Health Committee has always been anxious, within its own field, to co-operate in the solution of the foremost problems of the day. *Malaria*, as is well known, presents a very serious problem, not only in sub-tropical and tropical regions, but in many countries with a temperate climate in Europe, Asia and America. Quinine was one of the most effective weapons against it. Then chemists succeeded in producing new remedies, and it became important to health authorities to find out whether their therapeutic and prophylactic value justified their use. In 1934, the Health Organisation inaugurated large-scale practical studies on the comparative value of these drugs in relation to quinine. These studies, which concern certain groups of the malarial population in Algeria, Italy, the Federated Malay States, Roumania and the Union of Soviet Socialist Republics, have lately been concluded, and there is no doubt that they will provide health administrations with information which it would be difficult to find elsewhere.

Similarly, the Health Committee, in the course of its three-year term, has adopted a number of carefully-worked-out conclusions regarding methods of treating *syphilis*. National administrations were disquieted by the fact that the campaign against syphilis had not quite produced the results expected, while the methods of diagnosis and treatment did not seem, in all cases, to have been used as systematically and rapidly as could be desired. The report published by the Health Committee on this question¹ is the outcome of an enquiry covering more than 25,000 cases in five countries.

3. Many more examples might be given, but it will suffice to run rapidly over the work undertaken in connection with the three main problems of health and social improvement that the Committee has placed upon its programme — nutrition, housing and physical training.

There is no need to emphasise the topical interest of the studies on nutrition. All those in touch with contemporary ideas in the field of sociology know what keen interest the question has aroused, as witness the speeches made at the last Assembly. The public itself is alive to the question, and is beginning to grasp the importance of rational feeding from the standpoint of public health. The same remarks apply to physical training and housing. The efforts of public authorities in most countries to improve housing conditions, both urban and rural, and to impart a rational trend to the physical education of the masses, are the outcome, and not the origin, of the evolution of opinion in favour of bringing healthy living within the reach of all.

4. What action could the Health Organisation take in these three fields ?

Public health is, in every case, the fundamental consideration, and therefore the basis of any action must necessarily be technical. Physiology — to name only one science — invariably comes into the picture. Hence it is the Health Organisation's aim to provide national administrations with data upon which to base a rational policy ; it assembles and distributes information, and seeks, by well-considered methods of international collaboration, to crystallise the fundamental ideas upon which any practical action must be based, while elucidating points upon which any uncertainty exists. This work necessarily falls into two stages — the stage of defining the problem in order to determine all its elements and the stage of research proper.

5. We will first consider the work on *Nutrition*.

The exploratory period began as long ago as 1926, when a collection of papers was published on the physiology of nutrition and its application.² The Health Committee organised exchanges of scientists and study tours, each concerned with one specific question — in particular, with that of milk. Technical studies were published on cheap dietaries and on the machinery existing in the United Kingdom to provide adequate nourishment for the poor. Conferences of experts were held to investigate the basic facts of the problem. All this work, which is summarised here so briefly, culminated in the publication of a general report entitled "Nutrition and Public Health".³

This report, intended for the use of health administrations, demonstrates that nutrition in relation to health is one of the most important aspects of preventive medicine, and that the recent progress in the science of nutrition makes it essential for public health to develop along new lines. On that assumption, it investigates what are the nutritional needs of the human being, what resources are available to meet those needs, and what are the consequences of under-nourishment. Lastly, without neglecting economic conditions, it examines the steps that can be taken to develop adequate nutrition, and gives instances of organised nutrition.

In publishing this report, the Health Committee was performing one of its essential functions : it was supplying Governments with accurate data in regard to the nutritional policy pursued, or contemplated, in certain countries.

The delegate of Australia pointed out that this report remained one of the fundamental documents dealing with the question and that it was of the widest possible interest.

At the same time, as the report itself showed, it was essential to define clearly the scientific principles on which all action should be based — in other words, to establish an agreed doctrine. For that reason, the Committee was authorised by the Council to secure the co-operation of the highest authorities on the science of nutrition : and with this object the London Conference of November 1935 was held, when it became immediately apparent that all these specialists held identical views on the fundamental principles of adequate nutrition. Their report on "The Physiological Bases of Nutrition" is an epoch-making work. For the first time in this field, national administrations have for their guidance a series of principles recommended by some of the most eminent specialists in the world. Papers dealing with the report have been read to academies of medicine and other learned societies in many countries ; articles upon it have appeared in medical reviews and in the popular Press ; and public health services have also given evidence of their interest in this work, the importance of which is universally recognised.

This Committee of Experts also drew up a list of questions which it thought called for further study. Some of these were mainly concerned with hygiene — *e.g.*, "Assessment of the Nutritional State of Children" and "The Extent to which Diets in Common Use fall

¹ *Quarterly Bulletin of the Health Organisation*, Volume IV, No. 1.

² "Progress of the Science of Nutrition in Japan", by T. SAIKI, Director of the Tokio Institute of Nutrition (document C.H.523).

³ By Drs. E. BURNET and W. R. AYKROYD, *Quarterly Bulletin of the Health Organisation*, June 1935.

below the Standards recommended by the Committee". The other questions were directly concerned with the science of nutrition — *e.g.*, "The Relative Nutritive Value of Different Cereals according to the Degree of Milling", "Nutritive Food Requirements during the First Year of Life", "The Optimum Amounts of Milk required at Different Ages", etc.

In response to the Committee's appeal to the academies of medicine and learned societies of several countries, these bodies agreed to organise enquiries into the questions enumerated above, usually through national commissions. In several of these countries, the work is already well advanced, and, when the Committee next meets, it will undoubtedly have before it a number of extremely valuable conclusions. It has also been decided to hold special consultations on two questions of particular importance: "Assessment of the Nutritional State, particularly in Children" and "Nutritive Food Requirements during the First Year of Life". All this machinery of investigation has resulted in an association of the principal institutions and the most important persons in the various countries with the Health Organisation's work, endowing it with unquestionable authority.

The delegates who spoke in the Second Committee were unanimous in recognising the value of these activities. If at the stage now reached, the work on nutrition had exceeded the scope of the Health Organisation, it was the latter, as the Australian delegate pointed out, which had been responsible for the fact that the question had now assumed an international significance. The statements made in the Second Committee show that nutrition is, as stated by the Viceroy of India, "a matter of vital concern" to Governments. The delegates of Australia, India, the Union of Soviet Socialist Republics and Uruguay corroborated this by describing the practical measures their Governments have taken with respect to nutrition.

6. It may be useful to refer particularly to one of the questions on which further study has been thought necessary. I refer to the subject of *milk*. The special importance of this food, especially during infancy and childhood, is generally acknowledged, but it is also realised that milk may be extremely harmful as a vehicle of microbial infections, or if it has been adulterated. For this reason, the Health Organisation's enquiries will deal with two different aspects of the problem. In the first place, through the machinery of national consultations, to which reference has been made above, an attempt will be made to clear up a point which is still controversial — namely, the optimum quantity of milk which should be consumed daily by children of different ages. Secondly, a group of experts, including a veterinary surgeon and a specialist in agricultural questions, will study the methods adopted in a number of countries for the control of the supply, transport and preservation of milk. My object in dwelling upon this particular example is to show that the Health Organisation aims at preparing a comprehensive monograph on milk questions for the guidance, not merely of national technical services, but also of those other international bodies which are jointly investigating the problem of nutrition.

7. In this connection, it may be recalled that, in 1932, the Chilean Government asked for the assistance of the technical organisations in making a study of popular nutrition in Chile. This request was complied with, and two experts — Professor Burnet and Professor Dragoni — have been co-operating with the Chilean Government.

Professor Burnet planned the medical investigation, the object of which was to seek indications of the nutritional state of the people, especially among children and adolescents. This investigation also included an experiment in supplementary feeding at school, chiefly in the form of milk distribution.

Throughout 1935, Professor Dragoni was engaged in conducting, through the local health authorities, a far-reaching enquiry into nutritional conditions among the Chilean people, the object of which was to ascertain the nature of family food budgets and the main articles of current consumption.

The quantity of information collected was so great as to require extensive analytical work. The investigators have now completed their report, which has been sent to the Chilean Government. It contains conclusions which it is for the Chilean Government to consider, but the enquiry will also have been most valuable to the Health Organisation, by affording experience which can be used in organising similar investigations in other countries.

8. Let us now consider the studies on *Housing*.

Here, again, there are two distinct stages. The first consisted of the preparation of preliminary documentary material on the manner in which the problem of housing and town-planning presented itself in different countries, and on the measures adopted to deal with it. During this stage, the Health Organisation obtained the assistance of several countries: the United Kingdom, Czechoslovakia, France, Italy, the Netherlands, Poland and Sweden supplied documentary material, part of which has been published. This documentation went to show the acute nature of the housing problem and its effects on health and in the social and economic fields.

In October 1935, the Health Committee started upon the second stage. It appointed a commission to examine this documentation and to draw up a plan of technical studies.

This plan is now being applied. Its purpose is to place at the disposal of administrations and legislatures any documentary material they may desire to obtain on the principles of

modern hygiene in the field of urban and rural housing. The studies deal, among other matters, with building hygiene (building materials, heating and cooling, ventilation, insolation and lighting), types of urban and rural houses, the technique of town and country planning, legislation, etc. To prepare for its execution, national commissions have been set up in different countries, including the United States of America, the United Kingdom, Czechoslovakia, France, the Netherlands, Poland, Spain and Sweden. These commissions are now at work; some of them have undertaken practical experiments on the scientific problems included in the plan, particularly on the proofing of building materials. All these efforts, under the direction of the Health Organisation, aim at determining guiding principles of housing hygiene and at ensuring their practical application by the different technical and industrial groups concerned.

Here, again, the delegates who took part in the discussion were unanimous in stressing the importance of this work. The delegate of France informed the Second Committee that the Ministry of Public Health had instituted an enquiry, within the framework of the Health Organisation's studies, with a view to improving rural housing throughout French territory. The delegate of India said his Government was anxious that the question of housing should be placed on the agenda of the Conference on Rural Hygiene in the Far East. The delegate of Sweden proposed that the scope of this work should be extended, as had been done last year in regard to nutrition. It was, in fact, desirable that the Health Organisation, the Economic and Financial Organisation, and the International Labour Office should co-operate in such a way that the League of Nations might deal with the question as a whole and submit a general report to the Assembly. The delegate of France supported this proposal, pointing out that the Health Organisation's studies had given very interesting and practical results — namely, the various monographs produced by certain Governments — and that they had demonstrated the effects of the problem in the economic, financial and social fields.

The delegate of the United Kingdom also agreed with the proposal: the British authorities possessed ample documentation and had special experience in the matter. He hoped the studies would deal specially with the practical aspects of the housing problem. As the proposal goes beyond the scope of the Health Organisation's work, the Second Committee has the honour to submit a separate draft resolution, the text of which is annexed to this report (resolution I).

9. As regards *physical education*, the Health Organisation is still at the exploratory stage. It will probably publish in the near future a report on "Physique and Health", as a consequence of studies which have covered several European countries. This report will show the attitude of doctors, anthropologists, administrators and educationalists in these different countries towards the relations existing between the development of physical education and the standard of health at the present time.

The delegate of France referred to the interest taken by his Government in these studies. He suggested that a study should be undertaken, along parallel lines, regarding the *rational employment of leisure*, the influence of which upon physical and mental health was obvious. The study might be carried out with the help of competent organisations — in particular, the International Labour Office.

The Assembly will no doubt wish to refer this proposal to the Health Committee for consideration.

* * *

10. We have briefly analysed a few aspects, apparently of a somewhat varied nature, of an activity which nevertheless possesses real unity. It would be a mistake to suppose that the different parts of the action carried on by the Health Organisation in the fields of public health and social medicine fall into watertight compartments, and, in this connection, it is striking to observe that the evolution of its work on *rural hygiene* constitutes a veritable synthesis of the studies to which we have just referred.

It will be remembered that, in 1931, a European Conference on Rural Hygiene met at Geneva. Twenty-three European countries sent delegations consisting, not only of public health officials and doctors, but also of civil servants, engineers and experts specialising in economic and social questions connected with rural life. In addition, representatives of the International Labour Office, the International Institute of Agriculture, the League of Red Cross Societies, the International Association of Medical Officers and the International Association of Rural Sickness Insurance Funds took part in its debates.

By means of this Conference, it was possible to evolve guiding principles and methods of economically and effectively ensuring medical assistance, the organisation of health services and sanitation in rural areas. It recommended practical measures which have been applied in numerous countries of Europe and other continents, particularly the system of health centres.

But the Conference, in its conclusions, emphasised the value of pursuing certain studies of particular importance to rural health. These studies were accordingly undertaken

with the help of several national institutions, particularly the schools of hygiene. They cover all the sanitary and social aspects of rural life. By a logical process of evolution, the aim is no longer simply to seek the best means of effectively combating disease it has become essential to make use of these efforts by seeking the most rational and practical solutions for the problems raised by the conditions of life and work of the rural populations. In this way, questions such as those of rural housing and nutrition find a place in these activities.

The Health Organisation is proposing to show the conclusions derived from these studies at an *international exhibition of rural housing* which it is proposed to hold in 1937. The scope of this exhibition will not be confined to dwelling-houses and their dependencies, but also to rural planning and the sanitary and social conditions of life in the countryside.

The delegate of France informed the Second Committee of the French Government's offer to accommodate this exhibition in the "International Exhibition of Arts and Technique in Modern Life", which it was organising in 1937. The Second Committee highly appreciated this generous offer. The Assembly will no doubt wish to accept the French Government's offer with gratitude, and ask the Council to request the Secretary-General to take the necessary steps with the Health Committee.

11. The success of the European Conference on Rural Hygiene led the delegates of British India and China at the 1932 Assembly to ask that a similar conference should be convened in the East.

To prepare for this conference, the Health Committee set up a Commission which has just carried out a study tour lasting five months, during which India, Burma, Siam, Malaya, French Indo-China, the Philippines, the Netherlands Indies and Ceylon were visited. It was found everywhere that the keenest interest was aroused in a conference on rural hygiene; all the countries expressed their readiness to participate and welcomed the Commission's suggestion that the delegations should represent all the interests involved in rural hygiene — health and civil administrations, agriculture, education, co-operation and social questions.

The provisional agenda of the conference includes the main problems of rural reform; medical assistance, rural reconstruction, the campaign against malaria, and (as requested by the Commission presided over by Lord Astor) nutrition in the Far East.

As already mentioned, the delegate of India proposed that rural housing questions should be placed on the agenda. He expressed satisfaction that the scope of the conference was wide enough to cover the problems of rural reconstruction as a whole and added that the conference had been called at a very opportune moment.

The delegate of China concurred in these remarks and promised to secure the help of his Government.

The Netherlands delegate stated that the Government of the Netherlands East Indies would welcome the conference being held in Java. The Second Committee is sure that, in expressing appreciation of this generous offer, it is speaking for the whole Assembly.

The Netherlands delegate also urged that the conference should consider all activities calculated to raise rural standards of living and emphasised the necessity that delegations to the Conference should include, not only medical men and public health officers, but also representatives of agriculture, education and co-operative organisations.

The delegate of France expressed his agreement with previous speakers and informed the Second Committee that the delegation of Indo-China would be led by His Excellency Hoang Trong Phu and would include qualified representatives of the Administration, the rural medical services, the Pasteur Institute, the sanitary service and the agricultural and the rural medical departments of Indo-China. He invited the other Governments concerned to consider following this example in appointing their delegations.

12. Thirteen delegations of Latin America, with whom the delegations of Spain and the Netherlands associated themselves, requested that a Conference on Rural Hygiene, for Latin-American countries, should be prepared and summoned by the League of Nations.

The Health Organisation's work in regard to rural hygiene, according to these delegations, was of very great interest to their countries, covering as it did all the public health and social problems of rural life, including nutrition and housing. The starting-point of this work was the Conference on Rural Hygiene held in 1931 for European countries, and a similar conference was being organised for Eastern countries. In view of the efforts being made in America to raise the social and sanitary standards of their rural populations, it would certainly be useful to study these efforts in conference and compare them with results achieved in other parts of the world.

The Second Committee considers that this proposal is entirely justified, and for this reason has the honour to submit to the Assembly the draft resolution II.

13. Several delegates recalled the part played by the Health Organisation since the last Assembly, in two inter-governmental conferences — the *Pan-African Health Conference* and the *second International Pacific Health Conference*. The delegate of the Union of South Africa informed the Second Committee that his Government attached great importance to the results of the Pan-African Health Conference, held at Johannesburg in November 1935, and would like to see similar conferences held every four years.

The delegate of India pointed out that his country had been represented at this Conference by an observer, who had submitted various proposals in regard to protection against yellow fever. India was particularly anxious that this disease should not be imported into its territory, the population of which was highly susceptible.

The Australian delegate thanked the Health Organisation for the active assistance of the Singapore Bureau in the success of the second International Pacific Health Conference, held at Sydney in September 1935. The Conference had given rise to a very interesting discussion on the special problems of the South Pacific, and Australia would be glad if similar conferences could be held from time to time in that area. The Australian Government was prepared to collaborate in any co-ordinated study of these problems.

* * *

This brief sketch of the Health Organisation's work will show the fundamental unity and continuity of its efforts. Its action is exercised primarily in favour of healthy living, which is both a cause and an effect of social reform.

We have shown that this action is based on a practical reality — the *present-day importance* of the questions placed on the programme. It cannot, therefore, be fruitless, for it comes in due time, when public opinion is aroused and seeking guidance.

The Health Organisation takes part in the progress of ideas in social questions. It is doing so in a particularly effective manner, since it is contributing to the consolidation and spread of well-founded principles of action. It is in the vanguard of health and social progress.

In conclusion, I have the honour, on behalf of the Second Committee, to propose draft resolution III on the general work of the Health Organisation.

Draft Resolutions.

I.

“ The Assembly,

“ Recognising the value of the Health Organisation's studies in the field of urban and rural housing :

“ Considers it would be advisable to extend the scope of these studies so that the various aspects of the problem may be studied as a whole ;

“ Requests the Council to invite the Economic, Financial and Health Committees and the International Labour Office to establish a suitable collaboration with a view to submitting to the next ordinary Assembly a general report on the question. This report would take into account the documentation already in the Health Organisation's possession and might contain proposals in regard to further studies.”

II.

“ The Assembly,

“ Having examined the proposal submitted by the delegations of the Argentine, Bolivia, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Mexico, the Netherlands, Panama, Peru, Spain, Uruguay and Venezuela to the effect that a Conference on Rural Hygiene should be summoned for American countries :

“ Considers that, in view of the universal character of the technical activities of the League of Nations, it would be advisable to give effect to this proposal ; and

“ Requests the Council to examine, with the assistance of the competent technical organisations and of the International Labour Office, the possibility of giving effect to the proposal at a date which would allow of the Conference being adequately prepared.”

III.

“ The Assembly,

“ Noting that the work of the Health Organisation is designed to assist in raising the standard of health of the urban and rural populations in the various continents and to contribute to the solution of important problems of the moment in the fields of public health and social welfare :

“ Approves the work of the Health Organisation ;

“ Approves the conclusions of the Rapporteur ;

“ And refers the suggestions contained in his report to the Health Committee for consideration.”

ANNEX 2.

Official No. : A.59.1936.II.B.

NUTRITION.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. QUEUILLE (France).

The campaign launched by the 1935 Assembly on behalf of an improvement of nutrition through international action has aroused considerable interest throughout the world. The Second Committee has heard significant statements on the subject from the delegations of a number of important countries. Thanks to the impetus thus given to a movement which responds to the desires of the masses and the natural aspirations of mankind, a growing number of countries has grasped the necessity for the public authorities in any modern State to devise and carry out a nutrition policy.

The Second Committee has heard extremely interesting statements on various national experiments now proceeding, with details of the methods pursued and the results obtained. In every case, the action of the authorities has had the most satisfactory results, whether its object was the dissemination of the rules of sound and rational nutrition among every section of the public, or to the distribution, free or at reduced rates, of especially valuable protective foods, such as milk, to certain portions of the community. When describing their national experiments, all the delegations which have taken part in the discussions have laid stress upon the connection between those experiments and the work of the Expert Committee set up under the resolution of the last Assembly. The Second Committee itself has unanimously acknowledged the value of the suggestions and recommendations that the Committee of Experts has thought it proper to put forward at the present stage of its work. The Expert Committee's conclusions are embodied in a preliminary report, as it has not yet been able to complete the work entrusted to it.

The problem is indeed so vast, and has so many aspects, that the Committee has endeavoured to place chief emphasis on the influence of adequate nutrition on public health, and has been content merely to outline the economic and agricultural aspects. That is, after all, the natural starting-point — a question of essential concern to every State; the point at which both the interests and the duty of the community take their rise. The ultimate object of the work undertaken in this field is, by appropriate governmental initiative within the limits set by political, social and economic conditions, and, so far as the available resources permit, to encourage the adoption of the dietary habits that science recommends men to acquire in order to improve the general standard of health. We have but to imagine the progress that might be made along this line, and we shall at once grasp the consequences of every kind to which it might lead. Apart from the greater social contentment which always goes hand in hand with health and well-being, no one will deny that the forces thus set in motion may gradually, by the slow and imperceptible processes of adaptation peculiar to the life of man, bring about far-reaching changes in the forms of production, trade and consumption. Thus, having once started the movement towards better nutrition in wider and wider sections of the people — having, in a word, come to realise the part which it can play in educating the masses in the principles of scientific nutrition — the State will have to be careful not to impede, but, on the contrary, to facilitate the necessary economic adjustments.

With these objects, several countries have set up National Nutrition Councils or Committees. It is greatly to be hoped that their example will be followed elsewhere. At its very first session, in February 1936, the Committee made the creation of such bodies the subject of an express recommendation. It considered that, if studies and researches designed to raise the standard of health through improved nutritional hygiene were to be continued, if the results of scientific progress in the various countries were to be more fully known, it was essential that national bodies should be set up under governmental authority and in contact with scientific institutions. So numerous are the questions which a systematic and effective nutrition policy involves, that it would appear to be impossible without the existence of some such centre : a centre of research, study and propaganda ; a centre where the recommendations and principles laid down by experts can be adapted to national conditions ; a centre where Governments could find valuable assistance in considering the probable nutritional consequences of production and trade policies, and where the interests of producers and consumers can be reconciled. These national bodies, whose composition and methods should be in keeping with the administrative practice and traditions of each country, have an essentially national purpose. Even so, they would, if set up in a large number of countries, make a useful contribution to international co-operation:

Later on, the Second Committee thinks that it will be necessary to co-ordinate the activities of these national committees on the international plane, and to afford their responsible chiefs an opportunity of comparing their several experiences in the pursuit of common ends.

The Second Committee feels that the economic aspects of the problem of nutrition should be more deeply gone into, since any change of direction in this study should contribute to the solution of national and international agricultural problems, and hence to the improvement of the world economic situation.

Such studies, if they are to be fruitful, must be conducted on international lines. The Expert Committee should therefore be asked to undertake them and to report to the next Assembly. The Second Committee is fully aware that this will entail expenditure, for which provision must be made; but it remains convinced that the full value of the Expert Committee's past work will not be revealed unless that work is pursued and completed on the lines indicated. It has accordingly passed a resolution recommending that the Committee appointed to enquire into the question of nutrition be reappointed for one year in order to complete its work.

Study and research is also required in regard to the problem of under-nutrition in Asia and certain tropical countries. The serious character of the problem is well known: it affects hundreds of millions of human beings. The Health Organisation has already had occasion to deal with the problem; and certain enquiries which it has set on foot are at present proceeding. In the resolutions which it is submitting to the Assembly, the Second Committee expresses the hope that the Assembly will recommend the countries concerned to further the work of the enquiries and co-operate with a view to speeding-up results.

The Second Committee has the honour to submit to the Assembly the following resolutions:

I. The Assembly:

“Having considered the preliminary report of the Mixed Committee on Nutrition:

“Takes note of the suggestions contained therein;

“And decides, in support of the current efforts to provide the peoples with an adequate supply of necessary foodstuffs, especially protective foods, to recommend the Governments:

“(1) To encourage and support, in every possible way, the scientific study of nutrition problems with a view to ascertaining the optimum nutrition for each country, due consideration being given to differences of national economic structure, climate and available sources of supply;

“(2) To take all appropriate measures to ensure that the latest information about nutrition is included in the teaching of medical students, and that medical practitioners, medical officers of health, district nurses, etc., have such information constantly brought to their notice;

“(3) To conduct a vigorous policy of education on popular nutrition for the instruction of the general public in this subject;

“(4) To support the Health Organisation of the League of Nations, not only in the work of its technical committees, but also in its endeavours in the field of public health and preventive medicine, to promote the application of modern nutritional science for the benefit of the different age and occupational groups of the population;

“(5) To facilitate and promote international co-operation in education and propaganda and in the exchange of information, and, in particular, to encourage all appropriate international organisations to lend their help;

“(6) To consider what steps should be taken, whether at the public charge or otherwise, to meet the nutritional needs of the lower-income sections of the community, and, in particular, the means by which they might ensure that an adequate supply of food, especially safe milk, should be made available for expectant and nursing mothers, infants, children and adolescents;

“(7) To consider what further steps might be taken to meet the nutritional needs of adults, unemployed or otherwise in distress;

“(8) With a view to giving the fullest possible effect to national propaganda and educational efforts for the improvement of popular nutrition:

“To take all possible steps to make food supplies, and especially protective foods, available at prices within the reach, so far as possible, of all classes of the community, while, at the same time, safeguarding the interests of producers;

“To take steps to improve and cheapen the marketing and distribution of foodstuffs in both industrial and rural districts, and with these objects in view,

“To encourage collaboration between co-operative and other forms of producers' and consumers' organisations;

"(9) With a view to assuring purity of food, and in the interest of public health, to promote, so far as possible, the international standardisation of the technical analysis and control of foodstuffs, and of the control of preparations sold primarily for their vitamin content, on the basis of the work being conducted on the standardisation of biological products ;

"(10) To set up standards of reference and specifications for grading foods of all kinds according to quality ;

"(11) To consider whether any modification of their general economic and commercial policy is desirable in order to ensure adequate supplies of foodstuffs, and, in particular, to assist the evolution of agricultural production in order to satisfy the requirements of sound nutrition ;

"(12) In order, *inter alia*, to ascertain how far existing national dietaries fall short of the new standards of nutrition, to collect information on food consumption by families of different occupational groups at different income levels, as well as on the distribution of the population by family income ;

"(13) To consider to what extent and by what means their national statistics of the supply and consumption of individual foods might be improved ;

"(14) To assist the International Institute of Agriculture in collecting information regarding the supply, national consumption and prices of foodstuffs ;

"(15) To co-ordinate the work done by different authorities which affects the nutrition of the people and, in the absence of a central authority, to set up a special body for this purpose, in order to secure unity of policy and direction.

* * *

"Furthermore, the Assembly recommends the Governments concerned to give their full support to the Health Organisation in its enquiries into the widespread malnutrition which exists in the tropics and certain Far-Eastern countries."

"II. The Assembly,

"In view of the provisional nature of the report submitted by the Mixed Committee on the Problem of Nutrition :

"Decides to reappoint that Committee for one year, so that it can pursue its enquiries and, in particular, examine thoroughly the economic aspects of the problem of nutrition, and instructs it to submit a final report to the next Assembly, it being understood that the Committee, in so doing, will continue to co-operate with the International Labour Organisation, the International Institute of Agriculture in Rome and any other international bodies interested in the question."

"III. The Assembly,

"Noting that National Nutrition Committees have been set up in various countries ;

"Realising that it might be desirable to co-ordinate the activities of these committees internationally and to give their leaders an opportunity of comparing experiences :

"Suggests that the Council, after consultation of the Chairman of the Mixed Committee on the Problem of Nutrition, should arrange, if occasion offers, for exchanges of views among the representatives of these Committees on the problems with which they are all concerned."

ANNEX 3.

Official No: A.79.1936.II.B.

ECONOMIC AND FINANCIAL QUESTIONS.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. SPINASSE (France).

At the beginning of the present session it appeared likely that the Second Committee's proceedings would naturally be confined to the subject-matter provided by three preparatory studies, the importance of which was plain to you all—namely, a note by the Secretary-General attached to the report on the work of the League during the year 1935/36, the Economic Committee's report to the Council and the observations which this report had suggested to the Financial Committee.

The Secretary-General laid stress upon the most salient features of the recent economic evolution. He demonstrated the growing strength of the movement of recovery which had been perceptible in business since 1932, and, while emphasising its inequalities and its inadequacy, he asked us to solve two problems which could not settle themselves—that of the equilibrium of prices and that of freedom of international trade.

In its report, the Economic Committee examined this problem in its turn. While disclaiming the wish to give any country advice on its particular monetary policy, it nevertheless asserted that "in order to restore international trade, it is necessary to fill in the gap which separates the price levels of the majority of the countries with a gold standard (whether real or nominal) from those of the majority of the countries with a depreciated currency". "It must not be forgotten", it added, "that in order to maintain the value of a currency or an excessive price level in the face of opposing international tendencies, a whole series of restrictive measures must inevitably be applied. Experience shows that such measures aggravate the disparity in prices against which action is directed, increasingly weakening the national economy and preventing it from regaining the impetus which is essential to a sound recovery."

While regarding the holding of a world conference as inopportune owing to the diversity of the interests of the different countries, it nevertheless considered that all national action to restore the free circulation of goods, capital and persons should be supported by a vigorous effort of international co-operation. Moreover, such action, not confined to purely economic interests, and devoid of any idea of gain or bargaining, could, in its opinion, be placed on the level of a work of reconciliation and bring reassurance to distressed humanity, giving a new and healthy impetus to the economic recovery.

"Without hesitation", the Financial Committee in its turn approved the Economic Committee's conclusions as a whole.

* * *

Wide as was this programme, events occurred on a still wider scale.

On September 25th last, the French Government decided to submit to Parliament a Bill the main purpose of which was to adjust the value of the franc to the present economic situation. At the same moment that it announced this measure, a declaration drawn up jointly between it and the Governments of the United States of America and the United Kingdom was published in Washington, London and Paris.

The three Governments expressed their common wish "to avoid, as far as possible, any disturbance of the basis of international exchanges resulting from the proposed adjustment", and they undertook to use all suitable means for this purpose, including those which might be provided by the co-operation of their monetary institutes.

Being convinced, moreover, that the success of such a policy is linked with the development of international trade, they expressed both their determination to relax progressively the present system of quotas with a view to their abolition, and their hope to facilitate the removal of exchange controls and generally to "contribute to the restoration of order in international economic relations", to "promote prosperity in the world and to improve the standard of living", and thus even to safeguard peace.

Before a week had elapsed, Belgium, Switzerland, the Netherlands, Italy, Czechoslovakia, Greece, Latvia and Turkey brought their contributions in various forms to the policy inaugurated by this solemn declaration.

* * *

No better reply could have been made to the preoccupations expressed by the Economic and Financial Committees of the League. Your Committee therefore warmly welcomes this beginning of collective action. It considers that by their decision to restore henceforward a state of monetary peace and economic equilibrium between them, the signatories of the declaration and those who had associated themselves with it would promote the adoption by others of an equally generous and active policy, and would make an effectual contribution to the appeasement and prosperity of the world. Never since the beginning of the depression had the situation been so clear, so rich in hopes for the future and in immediate possibilities. The Second Committee, in calling attention to the opportunity thus afforded to all nations to take part in the resumption of world trade, affirms the necessity to this end of prompt and precise action.

Nevertheless, the representatives of several countries described the difficulties which would prevent them from abolishing strict exchange control in the immediate future. They consider it necessary to secure first of all a settlement of their foreign debts, and to have the benefit of measures aimed at supporting their rates of exchange during a transitional period. Some of them recalled the fact that their Governments had introduced exchange control purely in order to retain the foreign currency necessary for the purchase of the raw materials which they lacked. The French delegation, for its part, pointed out that the free exchange of currencies and the movement of capital which might be anticipated therefrom should not be allowed to offer new openings for tax evasion.

Serious though these difficulties may be, your Committee, which noted with pleasure the statements made regarding them by the representatives of several important countries, hopes nevertheless that they will be removed in the near future and that the methods employed for this purpose, far from giving any particular country an unreasonable advantage, will make it possible to restore freedom of international monetary transactions as soon as possible, and to revert later to a common monetary standard based on the free exchange of gold.

It is of opinion, moreover, that under certain conditions the question of free commercial access to raw materials may be examined by a committee of experts set up by the Council.

It considers that in this way the financial conditions necessary both for the resumption of national activities and for the recovery of world trade will be realised. The influx of foreign capital and the return of hoarded capital into circulation will lead to cheaper money and lower costs of production, and an increased volume of business and revenue, and the countries which have just aligned their currencies will thus be the more easily enabled to resume their place in international trade.

Nevertheless, this trade cannot revive or develop on any large scale, so long as measures of quantitative restriction continue to limit imports.

Such measures were justified at a time when internal prices were so high that Customs tariffs were no longer sufficient to protect national industries against foreign competition. But, by restoring the equilibrium of prices, the monetary alignment makes imported goods more expensive and thus provides effective and automatic protection to home producers.

Besides being henceforward useless, such restrictions would also be dangerous. To the extent to which they continued to weigh on prices they would run the risk of destroying the balance which it had been desired to ensure, of reducing the purchasing power of the social classes whose income remains relatively fixed, and of disturbing the public peace which is essential to economic recovery.

A policy tending to restore the free exchange of goods and services therefore appears, both in the social and economic spheres, as an indispensable corollary of the monetary adjustment.

Your Committee therefore asks Governments not to confine themselves to the first measures by which they have accompanied the new monetary laws, but to enter into negotiations at the earliest possible moment with a view to overhauling their whole commercial policy, and in particular to abandon all measures which permit private interests to develop under cover of excessive protection to the detriment of the real interest of the masses, who expect from science an improvement in their standard of living.

In this connection, the Committee examined the Economic Committee's report on the organisation of plurilateral compensation, with special reference to the use of cheque compensation. It considers that as all forms of clearing should disappear with the circumstances which brought them into being, the application of these methods, ingenious though they may be, cannot now be recommended.

Being anxious nevertheless to neglect no means, even if of only temporary effect, to ensure the resumption of international transactions, it recalls the fact that the question has already been submitted to the Economic and Financial Organisation of the League by an earlier resolution of the Assembly, and that it has to continue to study it in collaboration with the Bank for International Settlements.

* * *

Thus restored, the free circulation of capital and goods will have as its necessary corollary the free movement of human beings.

The economic depression had led certain Governments, in their anxiety to protect their nationals from unemployment, to refuse foreigners the possibility of living and working in their territories.

The reawakening of national activities will produce a demand for labour and restore the currents of migration which, during the last century, spread the genius of Europe throughout the world. Bringing together the peoples, it will help to call into existence the moral atmosphere essential to the organisation of peace. It is clear that if the restoration of world trade is to produce its full benefit, it will be necessary also to pursue actively and steadfastly the path towards political collaboration among all nations. It is, however, equally clear that improved economic conditions will facilitate this task.

Lastly, the Second Committee earnestly trusts that the Economic and Financial Organisation of the League will keep in touch, through its technical committees, with future developments in this field. It will then be able to make the results known from time to time, and also to define the lines of action that experience has proved valuable.

* * *

The decisive importance of the action which has just been taken is seen when we think of these recent years, our struggles to save ourselves from the rising tide of depression, the vain efforts of the nations to solve their troubles by self-sufficiency, the social unrest, the doubtful future.

A new road is being opened to the thoughts and efforts of men. It is for the Governments to enter upon this road with the boldness which in times of difficulty constitutes the only true wisdom.

The Second Committee has the honour to submit to the Assembly the following resolutions:

I.

* The Assembly,

* Noting with satisfaction the joint declaration issued by the Governments of France, the United States of America and the United Kingdom on September 26th, 1936, and the adhesions thereto immediately given by several States;

" Recognising that this declaration harmonises with the recommendations made by the Economic Committee of the League of Nations in its recent report on the Present Phase of International Economic Relations;

" Considering that a concordant policy designed to re-establish a durable equilibrium between the economies of the various countries, to lay more solid foundations for the stability of economic relations and to promote international trade would effectively contribute to the consolidation of peace, the restoration of international order, the growth of world prosperity and the improvement of the standard of living of peoples:

" Affirms the general desire of the States Members of the League to pursue the realisation of these objects and invites all States, whether Members of the League or not, to co-operate fully to that end;

" Urgently recommends all States, as an essential condition of final success, to organise without any delay determined and continuous action to ensure the application of the policy indicated above, to reduce excessive obstacles to international trade and communications, and in particular to relax and, as soon as possible, to abolish the present systems of quotas and exchange controls."

II.

" The Assembly,

" Considering that the time has now arrived when discussion of and enquiry into the question of equal commercial access for all nations to certain raw materials might usefully be undertaken with the collaboration of the principal States, whether Members or non-members of the League, having a special interest in the matter:

" Decides to request the Council, when it thinks fit, to appoint a Committee composed, in suitable proportions, of members of the Economic and Financial Committees of the League of Nations together with other qualified persons, irrespective of nationality, to undertake the study of this question and report thereupon;

" Recognises that the choice of the raw materials to be considered should be at the discretion of the body thus appointed;

" Believes that the participation in the work of the Committee of nationals of the non-member as well as Member States specially interested would be desirable;

" Suggests that the Council should give attention to this consideration in reaching its decision;

" And instructs the Secretary-General to communicate the present resolution to the Governments of non-member States"

III.

" The Assembly,

" Considering that efforts to reduce the obstacles to the international circulation of capital must not have the effect of increasing fiscal fraud;

" Being of opinion that double taxation is both one of the causes of fiscal fraud and at the same time a serious obstacle to the development of international economic and financial relations;

" And holding that only concerted action based on specific agreements for international co-operation can ensure the accurate assessment and equitable allocation of taxes:

" Requests the Fiscal Committee to pursue vigorously its work for the avoidance of double taxation as far as possible, and also its work on the subject of international fiscal assistance, in order to promote practical arrangements calculated as far as possible to put down fiscal fraud."

IV.

" Whereas the development of international intercourse must necessarily be hampered, unless it takes place simultaneously in every sphere—that is to say, not merely in the international trade in goods, but also in the circulation of capital and the movement of men;

" And whereas migration is at present at a standstill;

" The Assembly :

" Notes with satisfaction that a Migration Commission, set up in the International Labour Organisation, has been convened for November to consider certain aspects of this serious question ;

" Expresses its confidence that this Commission and the International Labour Office will frame practical suggestions capable of being immediately put into effect and thus contributing to the settlement of the economic and social difficulties already mentioned ;

" Requests the Council to follow the work of the said Conference and to remain in touch in this connection with the International Labour Organisation, so that the appropriate organs of the League of Nations may, should occasion arise, contribute to that work ;

" And decides to place the question of emigration on the agenda of its next ordinary session."

ANNEX 4.

DECLARATION BY THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND REGARDING
CURRENCY READJUSTMENT.

(Extract from *The Times*, September 26th, 1936. A similar declaration was made by the Governments of France and of the United States of America.)

The following official statement was issued from the Treasury early this morning :

1. His Majesty's Government, after consultation with the United States Government and the French Government, join with them in affirming a common desire to foster those conditions which will safeguard peace and will best contribute to the restoration of order in international economic relations, and to pursue a policy which will tend to promote prosperity in the world and to improve the standard of living.

2. His Majesty's Government must, of course, in its policy towards international monetary relations, take into full account the requirements of internal prosperity of the countries of the Empire, as corresponding considerations will be taken into account by the Governments of France and of the United States of America.

They welcome this opportunity to reaffirm their purpose to continue the policy which they have pursued in the course of recent years, one constant object of which is to maintain the greatest possible equilibrium in the system of international exchanges and to avoid to the utmost extent the creation of any disturbance of that system by British monetary action. His Majesty's Government share with the Governments of France and the United States the conviction that the continuation of this twofold policy will serve the general purpose which all Governments should pursue.

3. The French Government inform His Majesty's Government that, judging that the desired stability of the principal currencies cannot be ensured on a solid basis except after the re-establishment of a lasting equilibrium between the various economic systems, they have decided with this object to propose to their Parliament the readjustment of their currency. His Majesty's Government have, as also the United States Government, welcomed this decision in the hope that it will establish more solid foundations for the stability of international economic relations. His Majesty's Government, as also the Governments of France and of the United States of America, declare their intention to continue to use the appropriate available resources so as to avoid as far as possible any disturbance of the basis of international exchanges resulting from the proposed readjustment. They will arrange for such consultation for this purpose as may prove necessary with the other two Governments and the authorised agencies.

4. His Majesty's Government are, moreover, convinced, as are also the Governments of France and the United States of America, that the success of the policy set forth above is linked with the development of international trade. In particular, they attach the greatest importance to action being taken without delay to relax progressively the present system of quotas and exchange controls with a view to their abolition.

5. His Majesty's Government, in common with the Governments of France and the United States of America, desire and invite the co-operation of the other nations to realise the policy laid down in the present declaration. They trust that no country will attempt to obtain an unreasonable competitive exchange advantage and thereby hamper the effort to restore more stable economic relations which it is the aim of the three Governments to promote.

ANNEX 5.

Official No.: A.78.1936.VIII.

WORK OF THE COMMUNICATIONS
AND TRANSIT ORGANISATION DURING THE YEAR 1935/36.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur: M. I. SOUBBOTITCH (Yugoslavia).

The Secretary-General's report on the work of the League of Nations in 1935/36 gives a summary of the Communications and Transit Organisation's activities during this period. These activities may be divided into two categories, the first consisting of constitutional questions and the second relating to legal and technical work in general.

I.

As regards the first category, reference may be made to the French representative's report on the constitution, procedure and practice of the Committees of the League of Nations adopted by the Council on September 26th, 1936, and examined by the Second Committee. That part of the report which concerns the Communications and Transit Organisation shows that, in January 1936, the Council instructed the Advisory and Technical Committee for Communications and Transit to frame a new draft statute of the Organisation on the basis of the reforms recommended by the Committee appointed to study the constitution, procedure and practice of League Committees, these reforms having been approved by the 1935 Assembly. The report of the Special Committee of Experts to which the Chairman of the Advisory and Technical Committee entrusted this task mentions certain difficulties in the way of the resolution adopted by the 1935 Assembly with regard to the reform of the Communications and Transit Organisation being fully put into force. The Second Committee, after taking these difficulties into consideration, has just drawn up new guiding principles both as regards the continuation of the studies of the Special Committee of Experts and as regards the procedure to be followed with a view to the application of the new statute. The Second Committee confined itself to expressing here the confident hope that these new directions will enable the Communications and Transit Organisation, with whose methods of work and their particularly fruitful results the Assembly is well acquainted, to discharge in the most effective manner possible the duties which have been entrusted to it both by the Assembly's previous resolutions and by certain treaties, conventions and agreements.

II.

As regards the second category, the Communications and Transit Organisation's activities have been exercised in the most varied spheres and have led it to examine questions of a predominantly legal character, questions relating to economic problems and, lastly, specifically technical questions. Once again we find that the Organisation has pursued its work with its usual sense of continuity and that it has remained true to firmly established principles of action which have already been approved on many occasions by the Assembly.

A. The first group of problems includes the questions in which the Advisory and Technical Committee has been called upon either to act as an organ of conciliation in application of certain provisions of the Peace Treaties and in accordance with the mandate given to it by Assembly resolutions, or to advise the Council so as to enable it to take a decision with a full knowledge of the facts with regard to the applicability of certain provisions of the Peace Treaties. A difference that arose in the International Commission of the Danube was referred to the Advisory and Technical Committee, which gave its opinion at its nineteenth session (November 1935) on the point in dispute. In addition, the Organisation examined certain questions relating to the reorganisation of the railways situated in the territory of the former Austro-Hungarian Monarchy.

B. What part has the Organisation been able to play in that branch of its activities which is connected to some extent with economic problems ?

1. Let us first of all take the question of the co-ordination of transport. It will be remembered that the 1935 Assembly found that this question, and particularly that of the co-ordination of rail and road, was engaging the special attention of Governments at the present time and that a certain number of countries had to bear a growing burden on their public finances, owing to the rapid progress of the new modes of transport. Setting out from the idea that a comparison between the measures taken by these countries might provide very valuable indications and give profitable guidance as to the policy of transport co-ordination now being set on foot in a number of States, the Assembly had requested the Communications and Transit Organisation to undertake a study of the situation and of the measures taken as regards the co-ordination of transport in the principal countries concerned.

The Advisory and Technical Committee realised the importance of this problem, not only for Governments, transport undertakings and users, but also and more especially for the whole national economy of the different States, and, as a first step in the examination of this vast problem, it instructed the Secretariat to collect the necessary documentation, confining its attention for the moment to transport by rail, transport by road and inland navigation. An enquiry among the Governments on the basis of a detailed questionnaire is now in progress. This questionnaire was drafted by the Secretariat with the help of a few particularly qualified experts.

In this connection the Czechoslovak delegate pointed out that the question had become the cardinal problem in the sphere of communications. In view of the growing development of road traffic, the whole structure of communications is in a state of flux. While before the war it was possible to speak of the virtual, though not legal, monopoly of the railway, this is no longer the case to-day. The railways, tied by somewhat rigid legislation, are obliged to transport goods and passengers in less favourable conditions than motor vehicles, on the basis of tariffs fixed by the supervisory authority and applicable equally to all those concerned. Nevertheless, the statement of this latter principle needs a qualification. It would appear, in the opinion of the Czechoslovak delegate, that, in their struggle with motor vehicles, and particularly lorries, certain railways grant secret tariff reductions not available in the same conditions to all users. This question, while connected with that of the co-ordination of transport, has more affinity with the question of competition between the various means of transport.

This aspect of the problem is of particular interest to economic life in general and deserves to be seriously studied. In this connection, the Czechoslovak Government has submitted proposals for the revision of the International Convention on the Transport of Goods by Rail (C.I.M.), the purpose of these proposals being to make the provisions of Articles 9 and 10 of the C.I.M. of October 23rd, 1924, more elastic. While, at the Revision Conference held at Rome in October and November 1933, these proposals, as well as a similar proposal by another delegation, were withdrawn owing to the impossibility of undertaking the examination at that Conference of such an extensive problem, the study of which would require much time and thought, its discussion has nevertheless continued since then in the circles concerned. Certain suggestions were made with a view to its examination by the Central Office for International Railway Transport at Berne. The latter had, however, in a semi-official publication, stated that it had no jurisdiction in the matter, by reason of its constitution. As the question thus remained open, the Czechoslovak delegate thought that the Communications and Transit Organisation was the competent official organ to commence the examination of that important problem. He had therefore proposed that that Organisation should be asked to study it, with the assistance if need be of the international associations of railways and users, so that a fair solution of the problem might be found at the next conference for the revision of the C.I.M.

The Netherlands delegate supported the proposal of the Czechoslovak delegate concerning the examination by the Communications and Transit Organisation of the question of tariff discrimination, which is closely connected with that of transport co-ordination, and he pointed out that the Netherlands had already emphasised the importance of that question at the Revision Conference in 1933.

The Second Committee supported the suggestion made by the Czechoslovak and Netherlands delegates, which the Assembly would doubtless approve.

2. Let us now examine the question of public works.

That question has for some years past provided the Communications and Transit Organisation with one of its very important fields of activity; and attention has frequently been drawn by previous Assemblies to the special value and importance of the Organisation's work from the point of view both of the resumption of economic activity and the campaign against unemployment.

The Assembly will recollect that the question of international public works calling for appeals to foreign capital was first taken in hand by the Committee of Enquiry into Questions of Public Works and National Equipment set up by the Communications and Transit Organisation in conjunction with the International Labour Organisation. The Committee had made selection of a certain number of projects put forward by the different Governments, which complied with the three conditions postulated—viz., that they should be international in character, economically productive and effective as a weapon in the campaign against unemployment. It will be recalled that the question was finally brought before the Monetary and Economic Conference of London, which (it was hoped) would consider the problem of international financing of the particular public works selected by the Committee: but, for reasons which had nothing to do with the question of public works, the Conference was adjourned before it could effectively deal with the problem, and the Sub-Committee which it had proposed to set up to continue the study of the question also never met.

In the meantime, pending eventual resumption of the enquiry into the problem of international public works, the attention of the Assembly was directed to the question of national public works—i.e., public works carried out by Governments and financed by their respective national Treasuries. Enquiries addressed to Governments in pursuance of a decision of the fourteenth Assembly made it possible to collect documentary material of great importance on works already completed, in course of execution or contemplated in some forty countries, with detailed information in regard to the organisation of the works and their results, and in particular as to the principal administrative methods adopted and as to the methods of financing the works, and estimates as far as possible of the allocation of expenditure as between labour and other costs, and the opinions of Governments with regard to the effects obtained or expected from the execution of the works on the resumption of economic and industrial activities and on unemployment. A thorough and systematic study of this material was then made by specially qualified experts in accordance with a decision of the last Assembly. The report of these experts and a preliminary survey of the subject by the Secretariat were sent last summer to the different Governments; and it is hoped they will find fruitful inspiration in the study of solutions tried and results obtained in the different countries, as well as in the observations of the experts.

It should further be said that, both in connection with the enquiry into national public works and in connection with the study by the experts of the documentary material collected, the Transit Organisation was continually in close touch with the International Labour Office. The co-ordination of the efforts of the two organisations should, it is hoped, facilitate successful results in the future in connection with the study of the different aspects of this important problem.

C. As regards the third group—viz., specifically technical questions—the Organisation has considerable progress to record. It has been able, as in the past, to contribute actively to the extension of international handling of particular questions, the present and immediate importance of which is plain to all.

1. Attention is directed in the first instance to questions connected with railways.

(a) The absence of a systematic study of the legal and administrative position in regard to frontier railway lines and junctions had undoubtedly been one of the principal obstacles to the conclusion of agreements in this highly contentious and complicated matter.

Thanks to the efforts of the Secretariat and the Permanent Committee for Transport by Rail, a study of the question was made and was transmitted by the Council of the League to Governments on the proposal of the Advisory and Technical Committee for Communications and Transit. The study in question will undoubtedly facilitate the conclusion of agreements on this subject by the Governments and railway administrations concerned.

The Yugoslav delegate in this connection stated that his Government had already been in a position to benefit by the study in question and its conclusions, particularly in connection with the recent completion of an agreement with a neighbouring country for the regulation of frontier railway traffic and the erection of frontier stations.

(b) The International Convention concerning the Transport of Goods by Rail (C.I.M.) and the International Convention concerning the Transport of Passengers and Baggage by Rail (C.I.V.), of October 23rd, 1924, were revised, as has already been stated above, at a Conference in Rome in 1933; but the proceedings in connection with the entry into operation of the two revised Conventions have taken so long that the Conventions could not be put into force, in spite of their ratification by a certain number of Governments, with the result that neither the public nor the railways have hitherto been able to benefit by the improvements which the new Conventions offer as compared with the old.

In presence of this situation, the Advisory and Technical Committee for Communications and Transit brought the matter before the Council. The Council approved the attitude of the Committee and drew the attention of the Governments concerned to the desirability of urgent ratification of the two Conventions to enable them to be put into force at the earliest possible date.

The Hungarian delegate, supported by the Austrian delegate, drew attention to the importance of the question. He observed that the new C.I.M. Convention contained, amongst other things, a particular clause allowing of the introduction into international transport of transport documents "to order", the use of which is at present explicitly prohibited under the original Convention still in force. Hungary has always had a special interest in the problem, the importance of which resides in the expectations which agriculture—the producers as well as the banks—attach to the use of transport documents to order in international transport. The Hungarian Government is therefore gratified by the action of the Advisory and Technical Committee and of the Council in the matter.

The Second Committee supported the proposal of the Hungarian and Austrian delegates that the Assembly should be requested to address an appeal to the Governments concerned, calling on them to proceed without delay with the ratification of the two above-mentioned Conventions.

2. The work of the Organisation in connection with road traffic next calls for attention.

(a) Reference should first be made to the efforts to evolve a complete system of road signalling, taking into account modern developments and the continually increasing density of motor traffic.

It is to be hoped that the Government of a country which is a party to the 1931 Convention concerning road signalling will, in application of Article 13 of that Convention, take the necessary steps for introducing into the international regulations the recent proposals of the Permanent Road Traffic Committee with regard to road and light signals, as adopted by the Advisory and Technical Committee and communicated to the various Governments.

(b) Another question closely connected with this problem has been made the object of an initial enquiry—namely, the unification of statistics of road traffic accidents. No reference is made to this subject in the Secretary-General's report, as the special Committee entrusted with the enquiry did not meet until the beginning of September. It evolved a first outline of a uniform statistical system which, in its ultimate form, should unquestionably be of use to the competent administrative authorities in the compilation of statistics of traffic accidents on lines admitting of comparison, and affording a basis for measures for the safety of traffic and the protection of human life on public highways.

(c) The International Institute for the Unification of Private Law at Rome was led by the last-named aspect of the problem to deal with the question of the "civil responsibility" (third-party risks) of motorists. The Second Committee is gratified at the close collaboration which it has been possible to establish, on the question of the "civil responsibility" of motorists, between the International Institute at Rome and the Communications and Transit Organisation, and at the fact that the Institute is prepared to give the Transit Committee the opportunity of studying the work done before it is submitted to the Council of the League. The Communications and Transit Organisation is engaged at the same time on the study of a cognate question—namely, the position of foreign motorists in the territory of a State in which insurance against such risks is obligatory.

The Czechoslovak delegate gave the Second Committee an interesting account of recent legislation in his country on this subject, legislation which, in his opinion, could usefully be taken into consideration in the event of any international arrangements being worked out on this problem.

3. A question of immediate importance, not only to Governments and road and railway authorities, but also—more directly—to all who make use of road or rail, is unquestionably the problem of level-crossing signals. Scarcely a week passes without a disaster at a level-crossing, and the urgency of the problem is proportionately acute. It is only natural, therefore, that it should have been the object of careful study by those concerned for some time past. There is general recognition of the need for more effective action for the protection of human life than has hitherto been possible in connection with the use of conventional signs and the application of other regulations on road signalling.

The action taken by the Organisation to improve the present position and to supplement inadequate signalling arrangements made it possible to evolve a programme for the internationalisation of an effective system of signalling for level-crossings. The programme was submitted to the Council, which transmitted it to Governments, asking them to state whether, in their opinion, it could usefully serve as a basis for the conclusion of an international convention on the subject, and whether the Governments would be disposed in such case to take part in a Conference to be called by the League of Nations for the purpose.

The Second Committee will no doubt agree with the Communications and Transit Organisation and the other technical bodies concerned as to the desirability of a uniform solution of this serious problem, at any rate for the European continent, at the earliest possible date.

4. The Danish delegate expressed the hope that the Communications and Transit Organisation would manage to bring about greater uniformity in the rules governing road traffic and signals, and suggested that the Second Committee should recommend the Organisation actively to pursue its task of international codification in the sphere of road traffic and signals, and to see whether any useful purpose would be served by revising the existing Conventions and, if necessary, regrouping the provisions contained in them with a view to obtaining a more systematic whole.

The Second Committee supported that suggestion and the Assembly will no doubt wish to refer it to the Communications and Transit Organisation for examination.

5. The work of the Organisation on the subject of maritime navigation has been mainly concerned with two questions.

(a) The first of these is that of maritime buoyage. It was already on the agenda of the Conference for the Unification of Buoyage and Lighting of Coasts held at Lisbon in 1930, and was re-examined by the Communications and Transit Organisation with a view to giving effect to the Conference's work on the subject. The Governments were consulted and, as the outcome of the investigations, texts were drawn up which are embodied in an Agreement with annexed Regulations. By a Council resolution dated May 13th, 1936, the Agreement was opened for signature by the States invited to the Lisbon Conference.

The Second Committee expressed the hope that the Governments concerned would take steps to accede to the Agreement at an early date.

(b) The second question is that of the pollution of the sea by oil. The study of this question has gone through various stages of very careful preparation, which the Second Committee has been able to follow from the outset, and its results have taken concrete shape in a draft Convention and draft Final Act which have just been submitted to the Council for the latter to decide whether a Conference shall be summoned to conclude a Convention and Final Act concerning the Pollution of the Sea by Oil.

The Assembly itself has from the beginning urged the importance of completing the preparation of a draft Convention as soon as possible. The situation is obviously growing steadily worse, owing to the increase in the number and tonnage of ships using or carrying liquid fuel, and hence a solution is more urgently necessary than ever.

It should be noted, however, that the results of the contemplated agreement would be compromised unless all the countries with important merchant fleets took part in it. The Assembly will doubtless wish to take that circumstance into account and invite the Governments of all important maritime countries to assist and collaborate in settling the question.

6. In the sphere of air navigation, the Communications and Transit Organisation can claim another success. After consulting the Governments of the European States concerning the text of an arrangement which should meet the wishes of those interested in air navigation, the Organisation reports that almost all the replies received approved the text in question, the object of which is to obtain certain facilities for the Customs clearance of liquid fuel used in air traffic. This arrangement, completed by the usual clauses, has been submitted to the Council in the form of a draft Agreement on Customs Exemption for Liquid Fuel used in Air Traffic. On the proposal of the United Kingdom representative on the Council, the latter agreed that the Government of the United Kingdom should take the necessary steps for the Agreement in question to be shortly opened for signature by the European States in London.

In this connection, the United Kingdom delegate informed the Second Committee that his Government would at once forward the text of the Agreement to all European Governments.

The Second Committee noted the above statement with satisfaction and expressed the hope that the Governments would give the question all the attention it deserved, so that the Agreement in question, whose application would be of such great service to air traffic, might enter into force as soon as possible.

7. In taking note of the annual report on the operation of the wireless station in 1935, the Second Committee was gratified to note that the station had rendered extremely valuable services and had maintained in a most satisfactory manner direct, independent communication between the seat of the League of Nations and the Member States. It should be noted that those communications were particularly appreciated in distant countries, which had been given early information on the League's activities by means of communications sent by wireless telegraphy

and wireless telephony. Thanks, not only to the weekly service organised for the purpose by the Information Section, but also to a special wireless telegraphy service, it had been possible to inform the various Governments very rapidly of decisions taken and suggestions made, both with regard to the Italo-Ethiopian dispute and to the proposals made to improve the application of the principles of the Covenant.

8. Before concluding, one particular aspect of the activity of the Communications and Transit Organisation should be mentioned—namely, the technical collaboration between it and the Chinese Government. The Committee appreciated the development of that collaboration, more especially in regard to hydraulic works and to road construction and the organisation of road transport. That development is partly due to the efforts of the Transit Organisation's experts—both those who are permanently representing it on the spot and those who have been sent to China on special study missions. Substantial results have thus been secured.

* * *

In conclusion, the Second Committee has the honour to propose to the Assembly the following resolution:

" The Assembly:

" Notes the work done by the Communications and Transit Organisation during the year 1935/36;

" Greatly appreciates the results achieved in the various spheres of activity of that Organisation and approves its work;

" Adopts the Second Committee's conclusions and refers to the Communications and Transit Organisation for examination the suggestions contained in the Rapporteur's report."

ANNEX 6.

Official No. : A.77.1936.

CONSTITUTION, PROCEDURE AND PRACTICE OF THE COMMITTEES
OF THE LEAGUE OF NATIONS.

REPORT SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. W. KULSKI (Poland).

In the past year, the Council has methodically and perseveringly pursued the application of the decision taken by the Assembly in 1935 concerning the constitution, procedure and practice of League Committees. The Assembly has to pronounce during its present session on decisions by the Council involving steps to be taken by it concerning two technical organisations of the League of Nations :

- (1) The Health Organisation ;
- (2) The Communications and Transit Organisation.

I.

The last Assembly thought that the Special Committee's proposals concerning the Health Organisation should be taken into consideration. The proposed reforms, however, offered special difficulties owing to the Health Organisation's character and the agreements concluded with the Office international d'Hygiène publique at Paris. Accordingly, the Assembly, before taking any decision, requested the Council to consult the Office on the rôle which it would have to play within the framework of the proposed reforms.

The Rapporteur to the Council, in performance of the task entrusted to him by the latter on May 13th, 1936, submitted to it on September 26th new draft regulations of the Health Organisation prepared as a result of numerous consultations, particularly with representatives of the Office. The text, which was drawn up as a compromise, has the advantage of making it practicable to call, with due regard for the general principles laid down by the Special Committee and approved by the Council, an annual meeting of the General Advisory Health Council, at which all Governments, whether Members of the League or not, may compare their experience in regard to health and examine the work of the Health Committee. The latter will be reorganised on the lines already approved by the Assembly in September 1935. This text was approved by the Council after a discussion which will be found in the Minutes of the Council's meeting on September 26th (document C./93rd Session/P.V.4).

The Assembly will no doubt also wish to approve it, so that it can enter into force immediately after its ratification by the Permanent Committee of the Office international d'Hygiène publique. Thus when the Health Committee's term of office comes to an end, the Health Organisation will be endowed with its new regulations, and these will take the place of those established in 1923.

II.

On September 28th, 1935, the Assembly decided to request the Council to take steps to ensure the application, as regards the Communications and Transit Organisation, of the reforms suggested by the Committee set up to study the constitution, procedure and practice of Committees of the League of Nations.

In response to a suggestion made by the Advisory and Technical Committee for Communications and Transit, the Council thought it desirable, before taking a final decision on the statutes of the reformed Organisation, to ask the Advisory and Technical Committee to submit to it new draft statutes based on the reforms proposed by the Special Committee.

In accordance with this decision and with the powers conferred on him by the Advisory and Technical Committee for Communications and Transit, the latter's Chairman appointed a Special Committee of Experts to carry out the task entrusted to it by the Council.

The Committee submitted to the Council a report in which it outlined certain difficulties, mainly of a legal character, which it had encountered in the course of its work. In view of the nature of the objections raised, the Council thought it difficult to establish modified statutes for the Transit Organisation without taking into account the situation mentioned in the Special Committee's report, which makes it impossible to follow in all respects the guiding principles laid down in the Assembly's resolution of September 28th, 1935. The Council therefore decided to transmit the Special Committee's report with these observations to the Assembly.

The Second Committee, after examining the Special Committee's report and the Council's observations which accompany it, proposes to the Assembly that it should entrust the Council, in the circumstances specified by it and according to the procedure which it envisages, with the task of drawing up modified statutes for the Transit Organisation, taking into account the situation mentioned in the Special Committee's report, which makes it impossible to follow in all respects the guiding principles laid down in the Assembly's resolution of September 28th, 1935, and bearing in mind the observations made during the discussion in the Second Committee.

In accordance with the procedure contemplated by the Council itself, the latter, before drawing up the amended statutes, should again consult the Special Committee, which should, in the Second Committee's opinion, be asked to frame proposals for submission to the Rapporteur for the question of League Committees.

The Second Committee considers that it would be both useful and desirable for the Rapporteur to the Council to keep in direct touch with the Special Committee with regard to the framing of these proposals. This would enable the Rapporteur to the Council to explain to the latter the considerations by which the Special Committee has been guided in drawing up the text.

The Second Committee's attention was drawn to the fact that the present statutes of the Communications and Transit Organisation were drawn up with the help of all the Members of the League, and that it might therefore be advisable to communicate to the Members of the League the new draft statutes before they are finally approved by the Council.

The Second Committee also proposes that the Assembly should confer on the Council the necessary powers for finally approving and putting into force the statutes thus drawn up.

In conclusion, the Second Committee proposes that the Assembly should adopt the following resolution :

I.

" The Assembly approves the new statutes of the Health Organisation approved by the Council at its meeting on September 26th, 1936.

II.

" Whereas the Council noted, in the report of September 26th, 1936, concerning the framing of new statutes for the Communications and Transit Organisation, that the situation referred to in the Special Committee's report makes it impossible to follow in every respect the guiding principles contained in the Assembly resolution of September 28th, 1935 ;

" Being desirous, however, that the new statutes of the Organisation should, as far as possible, be based on the guiding principles mentioned above :

" The Assembly agrees with the suggestion contained in the report adopted by the Council on September 26th, 1936.

" It therefore requests the Council to convene a further meeting of the Special Committee, which should be asked to undertake a general re-examination of the statutes of the Communications and Transit Organisation and to submit its proposals to the Council through the agency of the Rapporteur to the Council.

" It empowers the Council to draw up and approve on its behalf the new statutes of the Organisation after examining the preliminary draft prepared by the Committee."

INDEX

ABBREVIATIONS

Cl.	= Council	Int.	= International	Resol.	= Resolution
Conf.	= Conference	Kgd.	= Kingdom	U.S.A.	= United States
Conv.	= Convention	Org.	= Organisation		of America
Cttee.	= Committee	Prelim.	= Preliminary	U.S.S.R.	= Union of Soviet
Del.	= Delegation	Reorg.	= Reorganisation		Socialist Re-
Govt.	= Government	Repres.	= Representative		publics.

	Page		Page
Accidents, Road Traffic		China	
Foreign motorists, compensation for persons injured by	77	Communications in, <i>see under</i> Hydraulic questions; Railways; Roads	
Unification of statistics	77, 104	Co-operation with Transit Org.	82, 106
Agriculture		Economic and financial situation	59-60
Institute, Int., of Agriculture		Silver crisis in	59
Co-operation in study of nutrition		Clearing Arrangements	
16, 25, 29, 97 (resol.)		Conversion of bilateral arrangements into system of plurilateral compensation	
International Agricultural Mortgage Credit Co.	46	Draft resol. of del. of Haiti 52-4, 54 (text), 70, 75, 76, 85, 99	
Nutrition as related to Agriculture, <i>see</i> Nutrition, etc.		General discussion	40, 52, 53, 60, 65, 69, 72
Prices of agricultural products and food-stuffs 14, 16, 19, 20, 21, 24, 26, 28, 29, 30, 33, 50, 56, 57, 96, 97		Colonisation	
Situation in various countries 18, 40, 44, 46, 54, 56, 57, 59, 61, 66, 67, 69		in American countries	54, 70-1
Air Navigation		<i>See also</i> Migration	
Customs exemption for liquid fuel employed in: draft Agreement	78-9, 105	Commercial Accessibility of Raw Materials	
Yellow fever, spread by air in Africa	8	<i>See</i> Raw materials, etc.	
Alcoholism and Nutrition	24	Commercial Agreements 41, 45, 52, 57, 58, 65, 68, 69, 72, 75, 83	
Armaments		Commercial Propaganda	
Rearmament, expenditure on 49, 60, 61, 72, 74		Draft Conv. for facilitating	73
Austro-Hungarian Monarchy, Former		Committees of League	
Railways: disputes relating to reorg. ..	79, 102	Constitution, practice and procedure	
Balance of Payments 45, 49, 50, 51, 52, 53, 56, 57, 69, 72, 74, 83, 87		Rapporteur, appointment	71, 86
Belgium		Report and resol. of 2nd Cttee.	
Economic and financial situation	57-8	Discussion and adoption	79-82, 86
Bilateral Commercial Agreements 41, 45, 52, 57, 58, 65, 68, 69, 72, 75, 83		Procedure <i>re</i> adoption by Ass. ...	86
Biological Standardisation	8, 12, 89	Text	106-7
Birth-rates	12, 14	Compensation, Plurilateral:	
Bounties, Export	55, 56	<i>See</i> Clearing arrangements: Conversion, etc.	
Britain, Great, and Northern Ireland, United Kingdom of		Cost of Living	49, 64, 68
Economic and financial situation	39-41, 55	Credits	45, 50, 51, 56, 60, 69
Building Industry	40	Currency Readjustment: Devaluation by Various Countries	
Bulgaria		Declaration by Govts. of France, United Kgd. and U.S.A. (Sept. 26, 1936)	
Economic situation	20-1	Discussion, general 37-8, 47, 48, 50, 51, 52, 55, 57, 59, 60, 61, 62, 67, 68, 69, 70, 71, 72, 73, 87	
Buoyage Rules, Unification of		Draft resol. of French and United Kgd. Govts.	47
Draft Agreements	78, 105	Report and resol. of 2nd Cttee. 98, 99, 99 (resol.)	
Capital		Statements by	
Free circulation 44, 45, 49, 51, 52, 71, 72, 98, 99, 100 (resol.)		French repres.	43-5
Chamber of Commerce, International		United Kgd. repres. 38-41 (<i>passim</i>), 42	
World Congress at Washington	66	Text of declaration	101
Child Welfare		Devaluation and currency position in various countries	
Health aspects	12, 13, 14	Australia	61
Infants, <i>see that title</i>		Belgium	58, 86, 87, 98
Nutritional requirements of children, <i>see</i> Nutrition, etc., Children, etc.		France	38, 41, 43-4, 50, 52, 98
Chile		Italy	66, 70, 98
Popular nutrition in	20, 91	Netherlands	38, 41, 50-2, 87, 98
		Portugal	63-4
		Switzerland	38, 41, 50, 51, 67, 70, 98
		United Kgd. 38, 39, 41, 43, 46, 52, 63, 66, 67, 86	
		U.S.A.	43, 46, 52, 66, 86
		Equalisation funds	50
		Exchange restrictions, <i>see that title</i>	

	Page		Page
Currency Readjustment : Devaluation by Various Countries (continued)		Foodstuffs	
General discussion of question in relation to other economic problems. 37-8, 45, 47, 48, 49, 50, 51, 52, 55, 56, 58, 59, 60, 61, 62, 65, 66, 67, 69, 70, 71, 73, 74, 86-7		See Nutrition, etc.	
Customs Questions		France	
China, smuggling in.....	59-60	Economic and financial situation.....	43-5
Exemption for liquid fuel employed in air traffic: draft Agreement.....	78-9, 105	Frontier Stations, Legal and Administrative Regime	76, 103-4
Tariffs, <i>see</i> Imports, etc.: Restrictions.		Fruit	20-1, 23, 24, 25, 26, 28, 33, 34, 35
Dairy Produce (excluding Milk)	19, 23, 26, 35	Gold	
Danube, International Commission of	102	Gold Delegation of 1932.....	49
Debts, Public and Private 45, 50, 55, 56, 58, 60, 63, 64, 69, 72-3, 98		Gold standard: question of restoration ...	49, 51, 52, 66, 98
Depression, World Economic and Financial 23, 26, 28, 35, 40, 43, 52, 55, 60, 61, 65, 69, 98, 99		Reserves.....	49, 50, 53, 57, 64, 75
Devaluation		Goods	
See Currency readjustment		Free circulation..	39, 44, 45, 46, 56, 65, 73, 98, 99
Diphtheria	12, 17	Transport by rail: revision of 1924 Conv. and ratification and application of revised Conv. (1933)....	76, 77, 103, 104
Disease		Greece	
See Health, etc.		Economic and financial situation.....	69
Domestic Economy	14, 18, 31-2	Refugees in	69
Drugs, Pharmaceutical: Control and Standardisation	8	Haas, Late M. Robert	
Dysentery	12	Director of Transit Section: tribute of 2nd Cttee. to his memory.....	76
Economic Committee		Health, Epidemics and Prevention of Disease	
Publications... 41, 42, 52, 60, 98, 99, 100 (<i>resol.</i>)		Child welfare: health aspects.....	12, 13, 14
Work, <i>see</i> Economic and financial questions		Committee, Health	
Economic and Financial Questions		Expiration of term of office	89, 106
Discussion.. 37-47, 48-54, 55-64, 65-71, 71-6, 83-5, 86-7		New regulations <i>re</i>	106
Draft <i>resols.</i> submitted by dels.		Diphtheria	12, 17
French and United Kgd. dels.	47-8	Dysentery, inoculation against.....	12
Haiti	54	Epidemiological Intelligence Service	
Poland.....	84 (<i>text</i>), 84-5	in Austral-Pacific Zone.....	11
United Kgd.	64-5	Eastern Bureau at Singapore: work ..	8, 9, 11, 89, 94
Rapporteur, appointment of.....	37	General Advisory Health Cl.: reorganisation	106
Report and <i>resols.</i> of 2nd Cttee.		Health administrations, public	
Discussion and adoption.....	83-5, 86-7	India	7, 8
Procedure <i>re</i> adoption by Ass.....	87	U.S.S.R.	12, 13, 89
Text	97-100	Malaria and malariology..	8, 9, 12, 25, 26, 89
Secretary-General's report, allusions to .	37, 38, 97, 98	Maternal mortality and morbidity, <i>see</i> under Maternity	
Economic Relations, International		Nutrition, <i>see that title</i>	
Discussion.. 37-47, 48-54, 55-64, 65-71, 71-6, 83-5, 86-7		Office international d'Hygiène publique	
Draft <i>resol.</i> of French and British dels. 47-8(<i>text</i>), 83		Consultation as regards reorg. of Health Org.	79, 106
Economic Cttee.'s report, allusions to ..	41, 42, 50, 52, 60, 98, 99, 100 (<i>resol.</i>)	Organisation, Health	
Report and <i>resol.</i> of 2nd Cttee. (<i>text</i>) 98-9, 99-100 (<i>resol.</i>)		Reorganisation proposals and new statutes	
Epidemiological Intelligence Service		Report and <i>resol.</i> of 2nd Cttee.	
See under Health, etc.		Discussion and adoption.....	79, 86
Exchange Restrictions		Text.....	106, 107 (<i>resol.</i>)
Question of abolition as related to int. economic relations		Work	
Discussion.. 38, 39, 42, 44, 45, 47, 48, 49, 51, 53, 55, 56, 57, 58, 60, 61, 63, 64, 65, 66, 69, 70, 72, 73, 83		Discussion.....	7-14, 36
Draft <i>resol.</i> of French and United Kgd. Govts.....	48 (<i>text</i>), 83	Rapporteur, appointment	7
Report and <i>resol.</i> of 2nd Cttee. 98, 100 (<i>resol.</i>)		Report and <i>resols.</i> of 2nd Cttee.	
Exports		Discussion and adoption.....	36
See Imports and exports		Procedure <i>re</i> adoption by Ass... ..	36
Fiscal Questions		Text	89-94
Discussion.....	44, 55, 58, 62, 63	Pacific Health Conf., 2nd Int. (1935) and future Confs.	11, 94
Draft <i>resol.</i> of French del.: amendment adopted.....	85	Pan-African Health Conf. (1935)	8, 13, 94
<i>Resol.</i> of 2nd Cttee.....	100	Physical education	11, 90, 92 (<i>report</i>)
Fish	28, 33, 34	Report and <i>resols.</i> of 2nd Cttee., <i>see above</i>	
		Organisation: Work.	
		Rickets	16, 29, 35
		Rural hygiene, <i>see that title</i>	
		Scarlet fever	17
		Scurvy	35
		Singapore Bureau, <i>see above</i> under Epidemiological Intelligence Service	
		Sleeping-sickness	26
		Study-tours in U.S.A. and U.S.S.R., etc.	11, 12, 89, 90
		Syphilis	90

	Page		Page
Health, Epidemics and Prevention of Disease (continued)		Maternity	
Tropical ulcers	26	Mortality and morbidity	12, 13, 14, 26, 89
Tuberculosis	16, 17, 25, 28, 29, 35	Nutrition as related to. 11-12, 13, 16, 17, 18, 19, 24, 26, 28, 29, 31, 32, 33, 34, 90, 91, 96 (resol.)	
Typhoid fever and inoculation against ..	12, 28	Meat	
Yellow fever	8, 94	Exports and imports of meat and meat preparations	74
Hours of Work		Nutritional aspects.....	13, 18, 23, 28, 33, 35
on Ships	56	Men, Free Movement of	
Housing, Urban and Rural		See Migration	
Exhibition, Int. Rural Housing (1937)	10, 11, 93	Migration	
Work of Health Org. and extension of scope of studies		American countries, possibilities of immi- gration and colonisation	54, 70-1
Discussion	8, 9-10, 13, 36	Free movement of labour, restoration: programme of I.L.O. and Migration Commission	
Report and resol. of 2nd Cttee. 90, 91-2, 93, 94 (resol.)	94 (resol.)	Discussion..	39, 44, 45, 46, 54, 56, 69-70, 70-1, 72, 73
Hungary		Draft resol. of Polish del....	84 (text), 84-5
Economic and financial situation.....	56-7	Report and resol. of 2nd Cttee.	98, 99, 100 (resol.)
Hydraulic Works in China	59, 106	Milk	
Imports and Exports		Action taken in various countries re control, distribution, etc. 16-17, 18, 19, 20, 21-2, 23-4, 25, 28, 33, 34, 35, 90, 95	
Bounties, export	55, 56	General study of question 17, 26, 27, 31, 91, 95 96 (resol.)	
of Meat and meat preparations.....	74	Monetary and Economic Conference (1933) .	48, 49, 60-1, 66, 75
Restrictions (tariffs, etc.): question of abolition 20, 26, 39, 41, 43, 44, 47, 48, 51, 52, 55, 56, 60, 61, 63, 65, 66, 68, 69, 71, 73, 74, 83, 99 See also Quotas.		Mortality, Maternal	
Situation in various countries.. 18, 20-1, 40, 45, 46, 63, 64, 67, 73		See under Maternity	
India		Mortality Rates 17, 18, 23, 28, 29, 31, 32, 34, 35, 89	
Health administration in.....	7-8	Most-favoured-nation Clause	41, 73
Industrial Production		Motorists	
Situation in various countries.. 39-40, 44, 56, 57, 75		Civil liability and compulsory insurance ..	17, 104
Infants		Netherlands	
Mortality.....	17, 18, 23, 28, 29, 31, 32, 34	Economic and financial situation	50-2, 70
Nutrition, see Nutrition: Children, etc.		New Guinea	
Information Service		Nutrition and health among natives.....	25
Wireless service, weekly	106	Nutrition and Foodstuffs	
Inland Navigation, Transport by		See also the foodstuffs required	
Enquiry	102	Children, infants and adolescents: nutri- tional requirements.. 11, 12, 16, 17, 18, 19, 21, 24, 25-6, 28, 29, 31, 32, 33, 34, 90, 91, 96 (resol.)	
Insurance		Chile, popular nutrition in.....	20, 91
Motorists, compulsory insurance of	77, 104	Destruction	19, 52, 79
Italo-Ethiopian Dispute		Discussion....	7, 8, 9, 10, 11, 12, 13, 14-23, 23-7, 27-36
Wireless communications re	106	Diseases caused by or related to malnutri- tion.....	16, 17, 25, 28, 29, 35
Labour Organisation		Expenditure on studies: estimates for 1937 and request for credits	30, 36, 96
Co-operation with Mixed Cttee. on Nutri- tion, see Nutrition: Workers, etc.		Far-Eastern countries, study of question by Conf. on Rural Hygiene (1937) ...	7, 8, 9, 29-30, 96, 97 (resol.)
Labour Questions		Health Org.'s work: review.. 10, 11, 32, 34, 90-1, 96, 96 (resol.), 97 (resol.)	
Hours of work on board ship.....	56	Infants' nutrition, see above Children, etc.	
Jews in Poland, situation.....	46	Institute, Int., of Agriculture: Co-ope- ration in study of question.. 16, 25, 29, 97 (resol.)	
Migration, see that title		Labour Organisation, Int., work, see below Workers' nutrition	
Nutrition of workers, see Nutrition: Workers' nutrition		Maternal welfare and mortality as related to.. 11-12, 13, 16, 17, 18, 19, 24, 26, 28, 29, 31, 32, 33, 34, 90, 91, 96 (resol.)	
Unemployment, see that title		Mixed Committee	
Leisure, Rational Employment of	11, 92	Continuation of work.. 16, 22, 36, 97 (resol.)	
Level-crossings, Signals at	77, 104-5	Credits for work (1937): request to Chairman of Supervisory Comm... 36	
Liquid Fuel employed in Air Traffic		Work and prelim. report	
Customs exemption: draft Agreement. 78-9, 105		Discussion.....	14-23, 23-7, 27-36
Luggage, Transport by Rail		Reports and resol. of 2nd Cttee... 90-1, 95-7	
Revision of 1924 Conv. and ratification and application of revised Conv. (1933)	76, 104	National Committees and national work .	7, 8, 12, 13, 15, 16, 17, 18, 19, 20, 21, 24-5, 27, 29, 31, 33-4, 95 (report), 96 (report), 97 (resol.)
Malaria			
See under Health, etc.			
Maritime Questions			
Buoyage rules, unification of	78, 105		
Conference at Geneva (1936).....	56		
Hours of work on board ship.....	56		
Pollution of the sea by oil	78, 105		
Profits, shipping	69		

	Page
Nutrition and Foodstuffs (continued)	
"Physiological Bases of Nutrition", <i>see</i> <i>above</i> Mixed Cttee. : Work	
Prices.. 14, 16, 19, 20, 21, 24, 26, 28, 29, 30, 33, 50, 56, 57, 96, 97	
Propaganda and promotion of education in popular nutrition.. 19, 20, 21, 22, 27, 31, 96 (resol.)	
Publications	
Labour Office report ("Workers' Nu- trition and Social Policy") 14, 24, 25, 27, 35	
Mixed Cttee.'s report. <i>see above</i> Mixed Cttee. : Work	
"Nutrition and Public Health"....	90
Report by Drs. Burnet and Aykroyd.	11, 25
Rapporteur	
Appointment	7, 36
Preliminary statement by	14-16
Reports and resol. of 2nd Cttee.	
Discussion and adoption.....	27-36
Text.....	90-1, 95-7
in Schools, <i>see above</i> Children, etc.	
Statistics of foodstuffs. 14, 16, 20, 25, 36, 97 (resol.)	
Technical Commission : work.....	23, 24, 29
Tropical countries, situation. 17, 26, 96, 97 (resol.)	
Unemployed.....	23, 28, 33, 96 (resol.)
Workers' nutrition and work of I.L.O. 14, 15, 16, 18, 21, 23, 24, 25, 26, 27, 28, 29, 33, 35-6, 96 (resol.), 97 (resol.)	
Office international d'Hygiène publique....	79, 106
Oil Pollution of the Sea	78, 105
Ottawa Agreements	40
Pacific Health Conference (1935)	11, 94
Pan-African Health Conference (1935) ..	8, 13, 94
Passengers, Transport by Rail	
Revision of 1924 Conv. and ratification and application of revised Conv. (1933)	104
Payments, Balance of	
<i>See</i> Balance of payments	
Physical Education	11, 90, 92 (report)
Poland	
Economic and financial situation. 45, 46, 86, 87	
Jewish population in.....	46
Political Problems	
Economic situation as related to settlement 50, 59, 37, 38, 44-5, 48, 60, 70, 71, 72, 85, 99 (report)	
Pollution of the Sea by Oil	
Work of Transit Org.	78, 165
Portugal	
Economic and financial situation.....	28, 62-4
Prices and Price-levels	
Agricultural prices ; foodstuffs. 14, 24, 26, 28, 30, 33, 50, 56, 57, 96, 97	
Problem as allied to other economic ques- tions.. 38, 39, 44, 49, 51, 55, 57, 60, 63, 64, 67, 72, 73, 75, 83, 98, 99	
Private Law, Int. Institute on Unification of Co-operation with Transit Org.....	17
Prosperity, Promotion of World	
Question as related to certain economic problems	
Discussion.. 38, 39, 40, 41, 44, 47, 49, 51, 56, 58, 59, 61, 65, 67, 69, 70, 71, 72, 85	
Report and resol. of 2nd Cttee. 98, 100 (resol.)	
Public Works, National	
Enquiry of Transit Org., etc.	79, 103
in Portugal	28, 63

	Page
Publications	
of Economic Cttee., <i>see under that title</i> on Nutrition, <i>see under that title</i>	
Quotas	
Abolition question as related to int. economic relations	
Discussion.. 38, 39, 43, 44, 45, 46, 47, 48, 49, 51, 52, 55, 56, 58, 60, 61, 63, 65, 66, 67, 68, 69, 70, 72, 74, 83	
Draft resol. of French and United Kgd. dels.	48 (text), 83
Report and resol. of 2nd Cttee. 98, 100 (resol.)	
Railway Questions	
Austro-Hungarian railways (of former monarchy): disputes <i>re</i> reorganisa- tion.....	79, 102
in China	59
Co-ordination of road and railway trans- port	77-8
Frontier stations and frontier junction stations: legal and administrative regime	76, 103-4
Level-crossings, signals at	77, 104-5
Tariff discrimination.....	77, 78, 102, 103
Transport of goods, passengers and luggage	
Revision of 1924 Conv. and ratifica- tion and application of int. Conv. (1933)	76, 104
Raw Materials, Commercial Accessiblity of	
Enquiry proposed by United Kgd. del. : Cttee. to study question: appoint- ment and composition	
Discussion.. 41-3 (statement), 43, 46, 52, 57, 65, 69, 70, 72, 73, 83-4	
Draft resol. of British del. 64-5 (text), 83-4	
Report and resol. of 2nd Cttee. 98, 100 (resol.)	
Rearmament	
<i>See under</i> Armaments	
Recovery, Economic	
<i>See</i> Prosperity, etc.	
Refugees in Greece	19
Rents.....	55
Restrictions	
Customs, <i>see</i> Imports, etc.: Restrictions	
Exchange restrictions, <i>see that title</i>	
Rickets.....	16, 29, 35
Road Traffic	
Accidents : unification of statistics	77, 104
China, roads in	59, 106
Co-ordination of road and railway trans- port.....	77-8, 102-3 (report)
Level-crossings, signals at	77, 104-5
Motorists : civil liability and compulsory insurance	77, 104
Signalling, road and mechanical light signals	77, 104, 105
Rural Housing	
<i>See</i> Housing, etc.	
Rural Hygiene	
American countries, future Conf. on Rural Hygiene	
Proposal by dels. of fifteen countries : text and adoption.....	36-7
Report and resol. of 2nd Cttee. 93, 94 (resol.)	
Discussion.....	7, 8, 9, 10, 12, 13, 29-30
European Conference, 1931.....	10, 36, 92, 93
Far Eastern Conf. in Java (1937) and preparatory work 8, 9, 10, 29-30, 37, 93 (report)	
Report and resol. of 2nd Cttee. 92-3, 94 (resol.)	
in U.S.S.R.	13
Scarlet Fever	17

	Page		Page
Schools		Transit and Communications	
Hygiene, school.....	13	Advisory and Technical Cttee.	
Nutrition of school-children, <i>see</i> Nutrition : Children		Activities, <i>see below</i> Organisation :	
Scurvy	35	Work	
Second Committee (Technical Organisations)		Composition and functions as related to question of reorg. of Transit Org.	81
Agenda and adoption	6, 7	Barcelona Conf. (1921).....	81
Chairman	4	Disputes, inter-State and rôle of Advisory Cttee. prior to reform of Transit Org.	80, 81
Close of session.....	87	Organisation	
Members, list of	4-6	Co-operation with	
Publicity of meetings	7	Chinese Govt. : Sec.-Gen.'s report.	79, 106
Rapporteurs, appointment.. 7, 36, 37, 71, 86		Private Law Institute at Rome...	77
Reports and resols., <i>see the questions concerned</i>		Reforms : difficulties raised in Special Cttee.'s report; future work <i>re</i> new statutes	
Vice-Chairman, election	7	Reports of 2nd Cttee.	
Security and Collective Security ... 48, 49, 50, 74		Discussion and adoption.... 79-82, 86	
Signalling, Road		Text	102, 107
<i>See under</i> Road traffic		Resolution of 2nd Cttee... 80 (<i>draft</i>), 107	
Signals at Level-crossings	77	Work	
Silver Crisis in China	59	Discussion.....	76-8, 78-9
Singapore Bureau		Rapporteur, appointment	7, 86
<i>See</i> Health, etc. : Epidemiological Intel- ligence Service: Eastern Bureau at Singapore		Report and resol. of 2nd Cttee.	
Sleeping-sickness	26	Adoption	86
Standard of Living		Procedure <i>re</i> adoption by Ass...	86
Question of improvement and situation in certain countries.. 17, 23, 30, 33, 47 (<i>draft resol.</i>), 58, 61, 63, 65, 69, 98, 99, 100 (<i>resol.</i>)		Text.....	101-6
Statistics		Removal of obstacles to communications Draft resol. of French and United Kgd. dels... 47-8 (<i>text</i>), 83, 100 (<i>resol.</i>)	
of Foodstuffs from nutritional aspect 14, 16, 20, 25, 36, 97 (<i>resol.</i>)		Section of Secretariat	
of Road accidents	77, 104	Tribute to memory of M. Robert Haas	76
Sugar	28, 33	Transport, Co-ordination of	77-8
Sweden		Tuberculosis	
Financial situation	96-7	<i>See under</i> Health	
Switzerland		Typhoid Fever	12, 28
Economic and financial situation	67-8	Unemployment	
Syphilis	90	Nutrition of unemployed.. 23, 28, 33, 96 (<i>resol.</i>)	
Tariffs, Customs		Public works in relation to, <i>see</i> Public works, national	
<i>See</i> Imports, etc. : Restrictions		Situation in various countries.. 23, 28, 33, 40, 45, 52, 60, 61, 64, 65, 75	
Taxation		Union of Soviet Socialist Republics	
<i>See</i> Fiscal questions		Economic and financial situation.....	75
Tobacco in Bulgaria	20	Health and study-tours in	12, 13, 89
Tourist Traffic	38, 64, 67, 68, 75	United Kingdom	
Town and Country Planning	10, 92	<i>See</i> Britain, etc.	
Trade		United States of America	
Obstacles to int. trade, <i>see</i> Economic relations, int. Exchange restrictions Imports, etc. : Restrictions Quotas		Health and study-tours in	11, 89
Situation in various countries.. 18, 20-1, 40, 45, 46, 63, 64, 67, 73		Vegetables .. 13, 18, 19, 21, 25, 26, 28, 33, 34, 35	
		Vitamins	
		Nutrition, <i>see that title</i>	
		Standards, int., <i>see</i> Biological standardisa- tion	
		Wages	23, 33, 36, 49, 55, 63, 68, 75
		Water Supplies	18, 28
		Wireless Station, League	
		Activities during 1935.....	105-6
		Yellow Fever	8, 94

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MEETINGS OF THE COMMITTEES

MINUTES

OF THE

THIRD COMMITTEE

(Reduction of Armaments)

CONTENTS.

	Page
LIST OF MEMBERS	5
AGENDA	8
FIRST MEETING, October 2nd, 1936, at 4 p.m. :	
1. Election of Chairman	9
2. Election of Vice-Chairman	9
3. Publicity of Meetings	9
4. Programme of the Committee's Work	9
SECOND MEETING, October 5th, 1936, at 3.30 p.m. :	
5. Reduction and Limitation of Armaments : General Discussion.	11
6. Appointment of the Rapporteur	21
THIRD MEETING, October 7th, 1936, at 3.30 p.m. :	
7. Examination and Adoption of the Draft Report to the Assembly.	22
8. Reduction and Limitation of Armaments : Application to the Report of Rule 14 (a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	25
9. Close of the Session	25
* * *	
<i>Annex</i> : Reduction and Limitation of Armaments : Report of the Third Committee to the Assembly	26

LIST OF MEMBERS OF THE THIRD COMMITTEE.

Chairman: Dr. Christian L. LANGE (Norway).

Vice-Chairman: His Excellency M. Necmeddin SADAK (Turkey).

<i>Afghanistan:</i>	His Excellency FAIZ Mohammed Khan, His Excellency Mohammed HAIDAR Khan (Substitute).
<i>Union of South Africa:</i>	Mr. TE WATER, Mr. H. T. ANDREWS (Substitute).
<i>Albania:</i>	His Excellency Dr. Fuad ASLANI, M. Th. LUARASSI (Substitute).
<i>Argentine Republic:</i>	His Excellency M. E. RUIZ GUIÑAZÚ, M. C. A. PARDO (Substitute).
<i>Australia:</i>	The Rt. Hon. S. M. BRUCE, Mr. F. L. McDUGALL (Substitute).
<i>Austria:</i>	His Excellency M. Emerich PFLÜGL, Dr. F. MATSCH (Substitute).
<i>Belgium:</i>	His Excellency Count CARTON DE WIART, M. M. BOURQUIN (Substitute).
<i>Bolivia:</i>	His Excellency M. A. COSTA DU RELS.
<i>United Kingdom of Great Britain and Northern Ireland:</i>	The Rt. Hon. Malcolm J. MACDONALD, Lord CRANBORNE (Substitute).
<i>Bulgaria:</i>	His Excellency M. N. MOMTCHILOFF.
<i>Canada:</i>	The Rt. Hon. W. L. Mackenzie KING, The Hon. R. DANDURAND (Substitute).
<i>Chile:</i>	His Excellency M. Luis V. DE PORTO SEGURO.
<i>China:</i>	His Excellency M. V. K. Wellington Koo, His Excellency Dr. TSIEN Tai (Substitute), M. C. K. SZE (Substitute), M. PAO Hua-Kuo (Substitute).
<i>Colombia:</i>	His Excellency Dr. G. TURBAY, Dr. J. M. YEPES (Substitute), Dr. R. GUIZADO (Substitute).
<i>Cuba:</i>	His Excellency Dr. Aurelio F. CONCHESO.
<i>Czechoslovakia:</i>	His Excellency M. Kamil KROFTA, His Excellency M. S. OSUSKÝ, His Excellency M. R. KÜNZL-JIZERSKÝ (Substitute).
<i>Denmark:</i>	M. P. MUNCH, M. E. DE SCAVENIUS, M. O. B. KRAFT (Substitute), M. J. SIMONSEN (Substitute).
<i>Dominican Republic:</i>	His Excellency Dr. Max HENRIQUEZ UREÑA.
<i>Ecuador:</i>	—
<i>Estonia:</i>	M. A. SCHMIDT, M. J. KÓDAR (Substitute).
<i>Ethiopia:</i>	Ato Lawrence TAEZAZ, Mr. Everett A. COLSON (Substitute).
<i>Finland:</i>	His Excellency Dr. R. HOLSTI, Professor V. VOIONMAA (Substitute), Dr. E. HIITONEN (Substitute).
<i>France:</i>	His Excellency M. J. PAUL-BONCOUR, M. VIÉNOT, M. L. JOUHAUX, M. GRUMBACH, M. C. PLANCHE, M. R. CASSIN.

<i>Greece :</i>	His Excellency M. N. POLITIS, M. A. DEMERTZIS (Substitute).
<i>Guatemala :</i>	—
<i>Haiti :</i>	His Excellency M. C. MAYARD, His Excellency M. A. F. FRANGULIS (Substitute).
<i>Honduras :</i>	—
<i>Hungary :¹</i>	—
<i>India :</i>	His Highness the Rt. Hon. the AGA Khan, Sir Denys BRAY (Substitute).
<i>Iran :</i>	His Excellency Mostafa Khan ADLE, M. N. ENTEZAM (Substitute).
<i>Iraq :</i>	Mr. Sabih NAJIB, Mr. Hashim JAWAD (Substitute).
<i>Irish Free State :</i>	Mr. D. DEVLIN, Mr. F. T. CREMINS (Substitute).
<i>Italy :</i>	—
<i>Latvia :</i>	His Excellency M. W. MUNTERS, His Excellency M. J. FELDMANS (Substitute). M. A. KAMPE (Substitute).
<i>Liberia :</i>	—
<i>Lithuania :</i>	His Excellency M. P. KLIMAS, His Excellency M. J. URBŠYS (Substitute).
<i>Luxemburg :</i>	His Excellency M. J. BECH, M. A. WEHRER (Substitute).
<i>United States of Mexico :</i>	His Excellency M. Narciso BASSOLS, M. Manuel TELLO (Substitute).
<i>Netherlands :</i>	M. V. H. RUTGERS, M. J. P. A. FRANÇOIS (Substitute).
<i>New Zealand :</i>	Mr. W. J. JORDAN, Mr. C. A. BERENDSEN (Substitute), Sir Cecil DAY (Substitute).
<i>Nicaragua :</i>	—
<i>Norway :</i>	Dr. C. L. LANGE, M. E. MASENG (Substitute), M. R. I. B. SKYLSTAD (Substitute).
<i>Panama :</i>	His Excellency M. Galileo SOLFS.
<i>Paraguay :</i>	—
<i>Peru :</i>	His Excellency M. F. TUDELA, M. J. M. BARRETO (Substitute).
<i>Poland :</i>	His Excellency M. T. KOMARNICKI, M. T. GWIAZDOSKI, M. W. KULSKI, M. K. TRĘBICKI (Substitute).
<i>Portugal :</i>	His Excellency Dr. A. DE VASCONCELLOS.
<i>Roumania :</i>	His Excellency M. C. ANTONIADE, His Excellency M. V. V. PELLA, His Excellency M. A. CRETZIANO (Substitute).
<i>Salvador :</i>	—
<i>Siam :</i>	His Excellency Phya RAJAWANGSAN, Luang BHADRAVADI (Substitute).
<i>Spain :</i>	His Excellency M. A. OSSORIO Y GALLARDO, His Excellency M. Carlos ESPLÁ (Substitute), M. Victor HURTADO (Substitute).
<i>Sweden :</i>	M. R. J. SANDLER, M. K. I. WESTMAN (Substitute).
<i>Switzerland :</i>	His Excellency M. G. MOTTA, M. C. GORGÉ (Substitute).
<i>Turkey :</i>	His Excellency M. N. SADAK.

¹ The Hungarian delegation explained, at the twelfth plenary meeting of the Assembly, the reasons why it did not see its way to take part in the work of the Third Committee.

*Union of Soviet Socialist
Republics :*

M. Boris STEIN,
M. V. EGORIEW (Substitute),
M. E. HOERSCHELMANN (Substitute).

Uruguay :

His Excellency Dr. A. GUANI,
His Excellency M. V. BENAVIDES.

Venezuela :

His Excellency M. M. AROCHA,
His Excellency M. C. PARRA-PÉREZ,
M. L. LORETO (Substitute).

Yugoslavia :

Dr. I. SOUBBOTITCH,
Dr. S. GAVRILOVITCH (Substitute).

AGENDA.

**QUESTIONS REFERRED TO THE THIRD COMMITTEE BY THE ASSEMBLY, DURING ITS MEETING
ON OCTOBER 2ND, 1936.**

- (a) The part of the Report on the Work of the League of Nations during the Year 1935/36 dealing with the question of the reduction and limitation of armaments ;
 - (b) The statements on the same subject made during the general discussion, particularly those concerning the resumption of the work connected with international disarmament.
-

THIRD COMMITTEE OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY.

(REDUCTION OF ARMAMENTS.)

FIRST MEETING.

Held on Friday, October 2nd, 1936, at 4 p.m.

Chairman: M. LANGE (Norway).

1. Election of Chairman.

M. AGHNIDES (Director of the Disarmament Section) declared the meeting open and called upon the Committee to elect a Chairman.

M. DE VASCONCELLOS (Portugal), seconded by M. HOLSTI (Finland), proposed M. Lange, delegate of Norway.

M. LANGE was unanimously elected Chairman.

2. Election of Vice-Chairman.

On the proposal of M. AROCHA (Venezuela), M. SADAK (Turkey) *was elected Vice-Chairman.*

3. Publicity of Meetings.

The Committee decided that its meetings should be public.

4. Programme of the Committee's Work.

The CHAIRMAN read a letter from the President of the Assembly, dated October 2nd, 1936, which read as follows :

“ The Assembly, having adopted, at its meeting to-day, a draft resolution submitted to it by five delegations, has decided to refer for examination to the Third Committee ;

“ (1) The part of the report on the work of the League of Nations during the year 1935/36 dealing with the question of the reduction and limitation of armaments ;

“ (2) The statements on the same subject made during the general discussion, particularly those concerning the resumption of the work connected with international disarmament.

“ I should be much obliged if you would communicate the foregoing to the Committee of which you are Chairman, and take such action on the present letter as you may think fit.”

The Chairman then observed that the Third Committee had not met in 1932, 1933, 1934 or 1935, owing to the existence of the Conference for the Reduction and Limitation of Armaments. That Conference had not so far been able to carry through its work. The Bureau of the Conference would probably meet at an early date. Nevertheless, the Assembly had decided to set up the Third Committee this year, not only to consider the part of the Secretary-General's report dealing with the question of disarmament and the statements made on that subject in the course of the general discussion, but also to enable the Committee to proceed to an exchange of views on the present aspect of the disarmament problem, in the hope of contributing to the achievement of the difficult task entrusted to the Conference.

All the Governments represented on the Committee had received in November 1935 the preliminary report on the work of the Conference for the Reduction and Limitation of Armaments, drawn up by the late Mr. Arthur Henderson, President of the Conference.¹ The report had just been circulated in a printed edition, which also contained an annex (No. 5)

¹ Document Conf.D.171(1).

showing in schematic form the provisional text of the Convention in the light of the modifications adopted at the first reading and the amendments submitted by the delegations to the Conference.

The Committee would certainly desire to take that opportunity of paying a heartfelt tribute to the memory of a man who had worked unremittingly and with complete loyalty for the great cause of peace and disarmament. During his long career, Arthur Henderson had rendered the most eminent services to the League. In spite of opposition, and at a time when everyone despaired of the cause of armament reduction and limitation, Mr. Henderson had not lost hope of the conclusion of a convention. His health had been impaired by the efforts he had made, and he had fallen as a valiant soldier in the cause of peace and disarmament.

Whatever the controversies that had divided the various delegations on the delicate subject of disarmament, their members had been unanimous in their recognition of Mr. Henderson and their affection for him. His personality was so human that no one could help loving the man who was universally known in his own country as "Uncle Arthur". He had had other intellectual and moral qualities. His devotion to an ideal and his sense of reality, his impartiality and his generosity, had made an indelible impression on everyone who had had the privilege of working with him. The Council of the League had paid him a moving tribute in the previous January, and the Chairman was sure that he was speaking for everyone there when he said how deeply they honoured the memory of Mr. Henderson.

(The Members of the Committee stood for a few moments in silence, in honour of Mr. Henderson's memory.)

The CHAIRMAN then observed that, in view of the existence of Mr. Henderson's preliminary report, which had been circulated nearly a year earlier, it would not be necessary for him to recount in detail the numerous vicissitudes of the Conference. He need therefore only make a brief reference to some outstanding facts relating mainly to its more recent activities.

Convened by the Council in accordance with the wish expressed on several occasions by the Assembly, the Conference had met on February 2nd, 1932; its last meetings had been held during the closing months of 1934 and the early months of 1935.

He would not refer to the general discussions of the Conference and the General Commission; nor would he recall the lengthy investigations carried out by the experts, the negotiations on equality of rights and security, the various resolutions of principle adopted by the Conference during the first phase of its work, etc. On the other hand, he would venture to touch briefly on the most recent decision taken by the General Commission, the organ of the Conference, on which all the participating States were represented. He referred to the resolution adopted on June 8th, 1934.¹ It marked a turning-point in the life and methods of work of the Conference. It was very largely based on practical considerations dictated by the political difficulties of the moment.

In that resolution, the General Commission had invited the Bureau of the Conference to seek, by whatever means it deemed appropriate, and with a view to the general acceptance of a Disarmament Convention, a solution of the outstanding problems without prejudice to the private conversations into which Governments might desire to enter in order to facilitate the attainment of final success by the return of Germany to the Conference. While making the necessary arrangements for a further technical study of the questions of security, air forces, and arms manufacture and trade, the General Commission had left it to the Bureau "to take the necessary steps at the proper time to ensure that, when the President convened the General Commission, it should have before it, as far as possible, a complete draft Convention".

On November 20th, 1934,² the Bureau, at the suggestion of its President, had decided that, from the range of problems dealt with by the Conference, there should be selected certain questions regarding which it would seem that agreement might be reached in the near future. In that connection, the Bureau had indicated:

- (1) The regulation of the manufacture of arms and trade in arms;
- (2) Budgetary publicity;
- (3) The setting-up of the Permanent Disarmament Commission (a specially important point).

In accordance with that decision of the Bureau, the Committees he was about to mention — all of which already existed — met during the early months of 1935: the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War; the Technical Committee of the Commission on National Defence Expenditure; and the Committee on Miscellaneous Provisions.

The result of the work of those committees was set out in the following documents:

(a) the Report of the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War,³ which contained a number of texts adopted at a first reading;

(b) the Draft Convention on the Publicity of National Defence Expenditure (a final draft)⁴;

¹ See Records of the Conference, Series B, Minutes of the General Commission, Volume III, pages 682-684.

² See Records of the Conference, Series C, Minutes of the Bureau, Volume II, page 246 *et seq.*

³ Document Conf. D.168.

⁴ Document Conf. D.160(1).

(c) the draft articles concerning the Permanent Disarmament Commission, which constituted Chapter IV of the report mentioned in (a) above.

The texts mentioned were certainly a valuable contribution to the solution of those problems.

It should be borne in mind, however, that none of those texts had, up to the present, been discussed either by the Bureau or by the General Commission of the Conference for the Reduction and Limitation of Armaments. They were, in a manner of speaking, the raw material of treaty clauses.

In the matter of the organisation and future work of the Conference, reference might be made to the Council's decision of January 22nd, 1936¹ — namely :

“ As soon . . . as a proposal for the convening of the Conference is made, either by the Rapporteur or by any Member or Members, the Council can empower the Secretary-General to consult the Bureau of the Conference on the question of summoning the Conference. The latter would then begin by electing a president and proceed to consider the general situation.”

Through the mouth of its Rapporteur, M. Ruiz Guñazú, who was now a member of the Third Committee, the Council had added :

“ The series of political events that have taken place since the General Commission's last meeting will perhaps suggest to the Conference a procedure and programme of work influenced by the changes that have taken place in the general situation.”

The Chairman reminded the Committee that the French delegation, acting in conformity with the resolution of January 22nd, 1936, had just laid before the Council the question of convening the Bureau of the Conference.² He expressed the hope that the Third Committee's discussions would form a useful preface to the work of the Bureau of the Disarmament Conference. That was in any case how he envisaged the Committee's task. The forum of the Assembly must be used to prepare public opinion for the more technical work which would take place in the Bureau. They must proclaim that, despite the suspension of work in the Conference, the problem still subsisted. As M. Sandler had so well said in the Assembly some years before, even if the work of the Conference failed, the problem would still remain on the League's programme.³

At the same time, the Chairman thought that the public should be warned not to expect too much. They were only too well aware that results would be limited, although it was to be hoped that they would be preparatory. Even those limited results could be obtained only if some Powers, and the strongest Powers, were prepared to make concessions with regard to certain positions which they had adopted, and in which they were more or less isolated.

He proposed to open at the next meeting a general discussion on the questions referred to the Committee by the Assembly and those which had been alluded to in speeches recently made in that body. In his opinion, the Committee had above all to consider the future of the Conference, or, rather, of the work for which the latter was called. The Committee must therefore explore the ground in order to get its bearings and help the Assembly to find its way more satisfactorily through the labyrinth of the vast problem of disarmament. If it thought fit, the Assembly might transmit the results of the Third Committee's discussions to the Bureau of the Disarmament Conference.

In conclusion, he expressed the hope that the Committee's discussions would have fruitful results.

SECOND MEETING.

Held on Monday, October 5th, 1936, at 3.30 p.m.

Chairman: M. LANGE (Norway).

5. Reduction and Limitation of Armaments: General Discussion.

M. DE SCAVENIUS (Denmark) said that the Danish delegation was prepared to support the French suggestion to convene the Bureau of the Disarmament Conference. Its reason for joining the other delegations which had asked that the Third Committee of the Assembly should be set up was to give countries not represented on the Bureau of the Conference the opportunity of stating their views. It would have been possible, of course, to call the Conference itself together, but the Committee would doubtless agree that to do so would serve no useful purpose in the present circumstances. They must first of all make sure by

¹ See *Official Journal*, February 1936, page 87.

² See document C.418.1936.IX. and the Minutes of the fourth meeting of the ninety-fourth session of the Council.

³ See *Official Journal*, Special Supplement No. 115, page 43.

negotiations in the Bureau, or by other means, that there was some possibility of obtaining practical results. Even before the Bureau was summoned, however, they should satisfy themselves that the situation was not too unfavourable.

First of all, the necessary machinery would have to be set up for seizing any favourable opportunity. The Danish delegation believed that the best procedure would be to constitute the Permanent Commission of which so much had been said at the Disarmament Conference, and on which agreement had been reached among the States represented there. The Commission could select the right moment for opening up discussions, but should avoid giving its meetings undue publicity, since, in the event of failure, there would be further disappointment.

The Disarmament Conference had thought of setting up that Commission by means of either a general or a special convention. At present, that procedure would scarcely be practical, because, even if they were successful in drafting such a convention, it would take a long time for it to be generally ratified. But the Permanent Commission could be established by a decision of the Council, like other League Commissions.

It was obvious that the participation of all countries would have to be secured, even those not belonging to the League, whose collaboration was essential if tangible results were to be obtained.

As soon as political conditions were favourable, the Permanent Commission could collect from the various countries information which would enable it to place before the Council a plan of the kind mentioned in Article 8 of the Covenant that might be submitted to the Governments for examination and decision.

While the Bureau was thus attempting to set up machinery for dealing with the work, the possibility of finding a solution for problems whose preliminary study had been well under way when the Disarmament Conference was adjourned would have to be examined.

He was thinking especially of the regulation of the trade in and manufacture of arms and implements of war, on which question the preliminary technical work had been concluded. The Committee which had discussed it had drawn up a report in the concrete form of articles for a convention.

The Bureau might look into the possibility of a political agreement between Governments representing different points of view, in the light of the situation which had resulted in France from the nationalisation of the armament industry. If a satisfactory agreement were reached, all the Governments could discuss the problem in the Permanent Commission.

The problem of the publicity of military expenditure was also ripe for solution from the technical point of view. But a political agreement had still to be obtained by negotiation; that would be an important task for the Bureau and the Permanent Commission. Thus, if there were a sufficient measure of agreement on these questions, they could be settled even before the Conference itself met.

Finally, the Commission would have to study the means of obtaining general adherence to the Convention of October 2nd, 1930, on Financial Assistance, and the Convention of September 26th, 1931, to improve the means of preventing war. Those Conventions had met with general approval at Geneva, but very few States had ratified them. None the less, they retained their importance. The response of the Governments to the step taken by the Assembly on July 4th, 1936,¹ showed that there was at least general agreement on the importance of concentrating the League's efforts to improve the means of preventing war. It was desirable that all States, whether Members of the League or not, should accede to these Conventions.

M. RUTGERS (Netherlands) said he realised that the optimism felt when the first meeting of the Conference for the Limitation of Armaments was held had now disappeared. The work of that Conference had revealed the many difficulties encountered by those who were earnestly concerned with the problem of the limitation and reduction of armaments. The Netherlands delegation accordingly approached the question with great hesitation, and with the feeling that it was not the time to indulge in new illusions which would only lead to new disappointments.

It was more than ever necessary for them to open their eyes to realities and face them courageously. The Disarmament Conference had discussed the principles and the details of the problem at great length. It had made use of all imaginable methods for dealing with each arm. At one moment it had seemed that the method of qualitative limitation might lead to tangible results; but, on closer inspection, difficulties had appeared which had up to the present remained insuperable.

Still more serious was the fact that the Conference had examined all kinds of methods, but had scarcely touched the thorny question of figures. Some documents containing figures certainly existed, but there had never been agreement about them; in fact, they had scarcely been discussed. The most perfect model tables had been drawn up, it was true; but the real essentials for their completion — the figures — were lacking.

He would not review all the difficulties that had prevented the Conference from reaching a satisfactory conclusion. They must, however, see whether circumstances had changed since the last meetings of the Conference in such a way as to justify a hope of better results. It had been said that one of the obstacles encountered by the Conference — namely, the question of equality — had disappeared. Various delegations which had been heard by the Assembly, especially the Hungarian delegation, had, however, shown that its disappearance was still far from complete.

¹ See *Official Journal*, Special Supplement No. 151, page 65.

On the other hand, in the past few months, many countries to which the political situation of Europe and the world gave cause for anxiety had obtained large sums for rearmament. The armament race was starting again; but, although that might be an additional reason for trying to limit armaments by international agreement, it must not be forgotten that certain countries felt that they were behind the others. That was undeniably true, but, as soon as those countries had caught up, others would be left behind, and would claim the right to re-equip their military forces; that applied specially to air forces, as their material became obsolete so quickly.

Even if a state of balance were reached, it would in any case be most precarious; but there was every reason to think that it never would be reached. This search for a balance of armaments showed with increasing clearness the lamentable way in which international affairs were drifting.

But something must be done. All countries refused to believe that limitation and reduction of armaments were impossible politically, if not logically. On the contrary, they were all conscious of the imperative need for disarmament, both in the economic interests of nations crushed beneath ever-increasing burdens, and in the interests of peace itself, on which the future of civilisation depended.

However, at the moment, it was impossible to cherish great hopes. Psychologically and politically it was certainly not the time to re-embark on all the tasks of the Disarmament Conference. Although to give up entirely would mean irremediable defeat and total ruin, they felt that any schemes they might conceive would necessarily be modest.

In what way could they look forward to carrying on the work of disarmament? The Netherlands delegation agreed with those who thought that it was first of all necessary to find out whether certain subjects complied with the following conditions: (1) Could they be dealt with separately, without prejudice to any other disarmament questions, which should be left open for the moment? (2) Was there a sufficient chance of success for them to be studied with some hope of arriving at a satisfactory solution?

The Netherlands delegation thought that there were three subjects fulfilling those conditions. First of all, he referred to the publicity of national defence expenditure, on which subject the organs of the Disarmament Conference had managed to draw up texts which had met with such a favourable reception that the resumption of the discussion would seem likely to lead to a positive result in a relatively short space of time.

Secondly, he mentioned the regulation of the manufacture of and trade in arms. He felt all the more free to speak on that question because the Netherlands Government was one of those that had signed and ratified the 1925 Convention on the Trade in Arms, and because Netherlands law had long ago made the Government responsible for the permanent supervision of arms manufacture and the arms trade.

It should, therefore, be possible to reach an agreement on those two points.

The same applied to the Permanent Disarmament Commission. The exhaustive investigations of the Disarmament Conference had shown that an agreement on that matter could be secured. He wished to remind the Committee at that point of the very interesting suggestions made by the Belgian delegation concerning the establishment of a permanent investigation commission. That suggestion called for further study.

Although it might seem advisable to continue certain sides of the work of the Disarmament Conference, that could not be done in the Assembly or in the Third Committee. It would first of all be necessary to call together the Bureau of the Disarmament Conference, on which several States were represented that did not take part in the meetings of the Assembly.

In conclusion, M. Rutgers thought that the Bureau of the Disarmament Conference should be summoned, and the Third Committee of the Assembly could then give it instructions which, without being rigid, would nevertheless be helpful.

M. MASENG (Norway) said that the Norwegian Government, through the speech of M. Koht, Minister for Foreign Affairs, had given very clear indication, during the general discussion in the Assembly,¹ of its keen desire that the League of Nations should resume as quickly as possible its work on the reduction and limitation of armaments. For those reasons, the Norwegian delegation had associated itself with the proposal for the constitution this year, after a stoppage of four years, of the Third Committee of the Assembly.

As far as it was concerned, the Norwegian delegation had had certain very definite aims in taking that step.

In the first place, in view of the French proposal, which the Norwegian delegation warmly supported, it wished to give all the Members of the League an opportunity of expressing an opinion on the problem of disarmament. The Bureau of the Conference only represented part of the Members of the League, whereas in the Assembly all the delegations could speak. The Norwegian delegation had therefore thought it desirable to ask that the Minutes of the Third Committee's discussions should be communicated to the Bureau of the Disarmament Conference.

The necessity of a general debate was a psychological matter. The present times were perilous. The ideology of the League of Nations was opposed by ideologies not only different but also frankly conflicting with it, by ideals glorifying force, reviving the theories and practices of the doctrines of "reason of State" which involved placing the interests of the State above the principles of international solidarity and independence. Such were the essential causes of the present crisis. The new armaments race was an obvious symptom

¹ See records of the seventh plenary meeting of the Assembly.

of this. At such a time, it was the duty of the Members of the League who remained true to the Covenant to state their attitude and to assume their responsibilities before world opinion.

This effort to improve the situation involved a whole programme of action, the elements of which had just been described in the general debate in the Assembly by the Norwegian Foreign Minister and by the representatives of the States with which Norway was happy to co-operate. They had been given concrete form in certain proposals relating to economic recovery, moral disarmament and especially the application of the principles of the Covenant, ideas and suggestions regarding which the Norwegian delegation awaited the proposals of the General Committee of the Assembly with great interest.

The proposal to set up a Third Committee this year formed an essential factor in that programme of action. Taken as a whole, the programme aimed at showing world public opinion that the ideology of the League of Nations was still alive and powerful among the Members of the League. It aimed at convincing public opinion in every country that a policy of peace and international solidarity existed, which could save the world if it was energetically and methodically applied; whereas the opposing ideology of war and force and that of "reason of State" would drive the world towards a cataclysm. All that was necessary was that the programme should be applied in time. It was to be hoped that the nations would realise that necessity.

The Third Committee was called upon to discuss the problem of the reduction and limitation of armaments. What did that mean at the present time? Obviously, there could be no question of anything more than a preliminary and introductory discussion.

The "Blue Book"¹ which had been circulated by the Secretariat showed how far advanced all the disarmament work was from the technical point of view. A draft Convention had been prepared; but that draft had not been adopted by the Conference, because political goodwill had been lacking. Nevertheless, there were chapters dealing with certain questions which could be converted into provisionally separate protocols, the acceptance of which would represent substantial progress.

M. Maseng wished to lay special stress on the great importance of the adoption of a protocol establishing a Permanent Disarmament Commission. The draft was complete and had been adopted at a first reading by the General Commission of the Conference; it would only need a few drafting amendments to be transformed into a protocol.

If the General Commission were convened and adopted such a protocol, the League would possess for the work of disarmament a body similar to those it already possessed for other aspects of its permanent activities.

The Disarmament Commission would have a two-fold task: first, to supervise disarmament, and, secondly, to prepare for future disarmament conferences. As regards supervision, there was a draft which was ready for adoption, that relating to publicity of armament expenditure. All the States had been agreed on this draft, and since it had been understood that a period of a few years should be allowed during which publicity of expenditure would be introduced before limitation of expenditure was undertaken, it would seem an excellent course to adopt the draft.

The question of the supervision of the manufacture of and trade in arms was not as near a solution. The draft had been completed, but it gave rise to reservations. Amendments had been proposed by certain States whose accession was essential before the draft could be made final. An effort must be made to achieve that result, and they must not abandon hope that dissenting States would give proof of solidarity and goodwill.

Besides supervision, there was the essential task of preparing for the future. The Permanent Disarmament Commission, if set up, would decide on the psychological moment at which the problem of the reduction and limitation of armaments could be permanently placed on the League's agenda. The League would then possess the necessary machinery. There would be reason to despair of the future and of the good sense of mankind if any doubt existed that that psychological moment of wisdom would arrive before it was too late; and in any case the League would not be doing its duty if it did not prepare for that eventuality.

M. SANDLER (Sweden) reminded the Committee that, during the general discussion, the Swedish delegation had expressed the view that statements from various quarters justified a public debate on disarmament in the Third Committee. The statement of the first delegate of France was deserving of special attention, and M. Sandler expressed his appreciation of the French action, in consequence of which there would be a discussion on disarmament by the Bureau of the Conference. It had been pointed out, and he thought rightly, that public opinion in many countries could not accept or understand the closing of the Geneva Assembly without any serious consideration, in one form or another, of the most anxious question of the moment — the question of armaments.

As an international political problem, and in consequence of the obligations assumed under the Covenant, the reduction of armaments remained on the League's programme automatically. The League could not evade it, therefore, and it was in the League's own interest that the body that had been set up to see that those obligations were carried out should resume its activities. The question was when work should be resumed. It would

¹ Document Conf.D.171(1).

rest with the Bureau of the Conference to decide ; but as only a limited number of delegations were represented on that body, it seemed desirable — and, indeed, necessary — to give every Member of the League an opportunity of stating, more specifically than could be done during the general discussion in the Assembly, its views on disarmament and on the best means of extricating the League from the present deadlock.

With that object, it had been proposed to set up the Third Committee as a preliminary step towards the meeting of the Bureau of the Conference. The Bureau would certainly be grateful to members of the Third Committee for any suggestion, any positive contribution, that would throw light on the opinions and attitudes of members of the Committee, and enable the Bureau to take its decisions with a full knowledge of the facts.

Important events had, of course, taken place during the two years that had elapsed since the Bureau had been engaged in its full-dress debates on the most suitable method of putting the limitation and reduction of armaments into effect. Nothing in the way of disarmament had yet been brought about by the negotiations opened during and parallel to those debates. The Conference's programme of work had had to be more and more reduced, and had ultimately come to a standstill. Meanwhile, the level of armaments had risen enormously. The balance between the armaments of the ex-belligerents of the great war had radically changed. That change in itself had simply wiped out certain problems. Others, however, had arisen, and should be frankly spoken of. The danger involved by the armament race and the prevailing lack of confidence still persisted, and indeed was becoming even more serious.

That was not the moment to make a critical analysis of the developments that had taken place. History would show what lessons must be drawn from the opportunities that had been lost. None the less, it was essential to see what possibilities there still were of not bequeathing to the younger generation a position of complete bankruptcy. It would be realised that, in actual fact, the starting-point was quite different from what it had been at the opening of the Conference.

In the existing circumstances, it seemed necessary to put off — though, it was to be hoped, not for long — the fulfilment of the general conditions required for a complete solution of the problem, and, for the time being, merely to attempt to devise more modest methods that would enable work to be resumed where it had been left off. The first delegate of France had suggested a scheme of work in three stages — supervision, limitation and reduction. The Swedish delegation was prepared to take its share in any action that was necessary to restart the idle machinery.

In his inaugural speech, the Chairman of the Third Committee had also referred to three questions which, on the technical side, had very nearly reached maturity — the regulation of the manufacture of and trade in arms, budgetary publicity and the constitution of a Permanent Disarmament Commission. He had been rightly inspired to place those three problems in the forefront.

For the moment, M. Sandler would consider only the first of those questions ; he thought that an agreement on the subject would probably lead to decisions regarding the constitution of a Permanent Commission and regarding budgetary publicity.

In connection with the supervision of armaments, it would be remembered that, on April 13th, 1935, a Committee of Enquiry had adopted at the first reading a report¹ on the state of the work, and that report was deserving of careful attention. It contained detailed provisions which were the outcome of prolonged discussions among experts ; unfortunately, they revealed a wide gap between the views of the " maximalists " and those of the " minimalists ", with a series of intermediate proposals that aimed at reaching " a fair average ". Differences of opinion were numerous ; but the first difficulty that had to be overcome before work on disarmament could be resumed seemed to be that of the extent of the system of supervision and publicity for manufacture.

Some delegations, and those not the least important, had not approved of the detailed form of publicity proposed by the majority of the Committee ; they had only accepted the obligation of sending to the proposed Permanent Commission a quarterly return of the total value, under different heads, of the manufactured articles finished during the previous quarter. Most of the members of the Committee had not been able to regard those measures as constituting a real and effective system of supervision. That seemed likely to be the question that would present itself to the Bureau first of all, when it had to decide whether a resumption of the work could lead to any substantial results. If the various attitudes to which he had referred had not changed, the prospect that a resumption of work would lead to any useful results seemed excessively small.

It was to be hoped that at the meeting of the Bureau, if not even during the present discussion, further information would be produced, and would be such as to enable some real, though limited, progress to be made. In expressing that hope, the Swedish delegation accepted its share of the responsibility for the proposal that the Third Committee should be constituted. It was quite well aware — as was clear from the statements made on its behalf during the general discussion in the Assembly — of the links between disarmament and other important political, economic and moral questions, and of the vital necessity of co-ordinating the efforts of the States Members of the League and States which were not members.

Among the causes of the prevailing uneasiness, both in regard to armaments and in all the League's other fields of activity, the Swedish delegation had already referred² to the " extreme nationalism which reigned over considerable parts of the world, the absence, in

¹ Document Conf.D.168.

² See records of the tenth plenary meeting of the Assembly.

numerous countries, of a free public opinion, and the League's lack of universality". In that connection, it should be emphasised that, as Mr. Eden had said, disarmament must be not only military but also mental. Throughout the history of man, the most dangerous instrument of war had always been man himself, who directed all the other weapons of destruction. Yet man, being a complex organism, was at the same time endowed with a divine quality that enabled him to rise up against his own evil instincts. Man the destroyer could become man the builder.

It was more necessary than ever to gather together in every nation, regardless of opposing doctrines, those constructive elements which existed and must exist in any human civilisation and whose disappearance would mean the end of the human race. In the most difficult times, an appeal must be made to that proud, noble and human sentiment which was expressed as well by "*quand même*" in French, as by "*und doch*" in German.

Be that as it might, the discussion on disarmament was reopening, and the Third Committee was awakening from its slumbers. It was possible to be quite modest in their immediate hopes, as the Swedish delegation was, but at the same time to say "all the same, the demonstration was worth while". It represented an appeal to all the delegations to clear up the situation and join in a constructive effort.

M. HOLSTI (Finland) said he could do little more than express agreement with what had been said by previous speakers, but he would like to draw the Committee's attention to the letter which the Finnish Government had addressed to the Secretary-General on August 31st, 1936,¹ and, in particular, to the passage in that letter relating to the Convention on Financial Assistance. Small States had great difficulties in competing with the great Powers in rearming, and an international convention giving guarantees of assistance would be of the greatest help to them. Now that competition in rearming had started afresh, the Finnish delegation was more than ever of opinion that such a treaty should be brought into force, in order to increase the security afforded by the League to its Members and to save the small States from wasting a great deal of money on armaments.

M. PAUL-BONCOUR (France) said that, for the sake of clearness in the debates and out of friendly deference to the delegations which had asked for the Third Committee to be summoned, the French delegation had refrained from speaking first, as it would otherwise have thought it its duty to do, since, through its Foreign Minister, it had, as it were, raised the tombstone under which the Disarmament Conference lay buried, and proposed that the Bureau of that Conference should meet in order that it might judge of the desirability of summoning the Conference.

M. Paul-Boncour thanked the delegates of Denmark, the Netherlands, Norway, Sweden and Finland for having stated their views so ably; it was now the French delegation's turn to explain the reasons for its action, or rather to amplify those which had already been mentioned in the Assembly by M. Delbos.²

First of all, in order that no doubt might exist in the minds of the members of the Committee, M. Paul-Boncour wished to make it clear that that step had been taken following upon a decision reached by a Government whose members had devoted a large part of their public lives to working for the prevention of war and to promoting disarmament. That decision represented a new and strenuous effort to complete the national equipment. As the first delegate of the United Kingdom had so frankly claimed in the Assembly, M. Paul-Boncour claimed for his country the right to act in the same way without laying France open to the suspicion that she was not true to a pacific policy on behalf of which she had already agreed to sacrifices that had sometimes been found excessive. It was in order to serve that pacific policy and to be in a position to fulfil her international obligations under the Covenant and the individual agreements which she had been able to conclude in the spirit of the Covenant, and also to provide for her own security, that France had been obliged to assume burdens from which she asked nothing better than to be released in the universal release which would result from a general convention for the reduction of armaments.

Far from being contradictory, her action of to-day supplemented the measures of yesterday, and it was the moment when the most indisputably pacific nations were obliged to join in that armaments race that France chose, in order to stop the race if possible, to foster the hope that it was still possible. The eagerness with which the Scandinavian, Netherlands and Finnish delegations had asked for a meeting of the Third Committee, whose activities were bound up with the work of disarmament and which had only interrupted its work because the Disarmament Conference was sitting, afforded evidence of the feelings with which France's appeal had been received. M. Paul-Boncour wished to draw attention to that eagerness, which he duly noted, and without harbouring illusions, he thought that that agreement, which seemed unanimous, as to the desirability of examining the existing possibilities, provided abundant justification of France's initiative.

He would confine his observations to what he had just said, for it was neither the time nor the place for framing a programme or even for proposing one.

M. Paul-Boncour thanked the Chairman for pointing out that it was for the Third Committee to propose a plan of work for the Bureau of the Conference. The grounds that had been given for summoning it showed that everyone in that Committee realised that its members could only exchange views which, owing to the fact that some States not

¹ Document A.31.1936.VII, page 18.

² See records of the seventh plenary meeting of the Assembly.

represented on the Bureau were represented in the Third Committee, might give a better idea of the preoccupations of the Members of the League.

There could therefore be no question of a hard and fast programme. The French Government would not, however, have judged the time ripe, from the moral or political point of view, for a resumption of the work in favour of a reduction of armaments if it had not thought it possible to achieve practical results. Regrettable though the Disarmament Conference's long silence had been, an unsuccessful meeting would be still more dangerous, as the previous speeches had clearly shown.

If they were wise enough to limit their programme, the technical studies already made would afford some starting-point. They were embodied in texts, and could pass into international law if the Governments acceded to them in the political plane. That was another example of the fact that the organs of the League of Nations often did work the utility of which was too little known and the importance of which was ignored by the detractors of the League. If the Conference had been silent for a long time past, its Committees had fulfilled their tasks; and, as patient toilers on behalf of that thankless Conference, they had reached conclusions in matters which provided the essential basis of any convention for the reduction of armaments — namely, publicity and supervision.

As regarded publicity, the Committee possessed a draft Convention which dealt so comprehensively with the problem that all that was now wanting was the political accession of the Governments.

The same was true as regarded supervision. If the League was not in possession of a draft Convention, at any rate it had the Polish delegation's report,¹ which contained definite texts adopted at a first reading on the supervision of the trade in and manufacture of arms. These texts were so explicit that the French Government had been able to embody in its internal legislation the actual conclusions of the report and, going still further, had been able to decree the nationalisation of war material factories.

He was not going to propose any measure of that kind. States could choose, in exercising their sovereignty, between the various forms of supervision. The report which was before the Committee proposed sufficiently varied and elastic solutions to give each country a wide choice, provided it was understood that no convention was possible without that initial supervision.

Other problems might arise. Without disregarding the interdependence of the three forms of armament — land, naval and air — it was possible to conceive of a convention on air limitation and assistance.

The Danish and Swedish delegates had spoken of a permanent disarmament commission. M. Paul-Boncour welcomed that idea, which had been a favourite one of the late Mr. Henderson. M. Paul-Boncour did not immediately endorse that proposal, because he wished to think it over and put a few questions to those who had revived it.

If they looked in the very interesting book which had been published on the question of disarmament at the chapter concerning a Permanent Commission, they saw nothing else in the column which could be described as negative (*i.e.*, that which partly counterbalanced and neutralised the advantages derivable from the first, since a host of amendments or reservations contradicted on many points the principles which appeared to have been accepted) than the observations of the French and Turkish delegations, which had not a restrictive but an amplifying effect.

Nevertheless, M. Paul-Boncour asked his colleagues to consider that that Commission, to which Mr. Henderson himself and many others had attached extreme importance, and without which no Convention for the Reduction of Armaments could work, presupposed the existence of a convention. He did not see very well how the Commission could exist if it was not provided with material by a convention. On the other hand, he could easily conceive of it after the conclusion of a convention, however limited. That Commission must have an object, and he would welcome any explanations from those who had recommended its establishment.

He drew attention to another point, which was that the Bureau of the Conference and the Conference itself were still in existence. They were hardly noticeable, it was true; but it was the Third Committee's task to revive them and to give them once more a genuine existence after many months of purely legal existence. The States represented at the Conference, of which the Bureau was only the mouthpiece, were not exactly the same as the States represented on the Third Committee or at the Assembly. Here, too, he would like further details regarding the views of the advocates of the Permanent Disarmament Commission on the latter's composition and operation.

In the observations he had submitted, M. Paul-Boncour had simply wished to show that, apart from the great moral and political significance of the French delegation's initiative, that delegation had practical possibilities in view without which there would be the risk, fraught with terrible consequences for all, of a fruitless revival.

M. Wellington Koo (China) said that the proposal for a resumption of work on the disarmament question had the approval of China, which, although a distant country, was intensely interested in disarmament. It was now over two years since the work of the Disarmament Conference had been suspended, and what had happened since that time was well known to all. The general situation had been greatly aggravated, and the continuous increase in armaments had added to the state of international unrest; while the necessity of increasing national armaments laid a heavy burden of taxation upon the people, and

¹ Document Conf.D.168.

retarded the prospect of economic recovery. The picture was not a pleasant one to contemplate.

The question arose as to whether there was anything that could be done to improve the situation. As he had said in the Assembly,¹ however modest their efforts might be, it might still be desirable to revive the Disarmament Conference, either through the Bureau or the General Commission. During its two years of work, the Conference had covered a great deal of ground; and, although eventually it was suspended, much progress had been made. There had been many points of agreement which had stood out strikingly, although of course on many points there had been disagreement which had proved insurmountable. There was the possibility that the points of agreement which had been reached might still be embodied in some form of instrument which would help to safeguard peace; and afterwards they might continue the search for a settlement of those points on which differences still existed.

In the second place, a number of important events had occurred which seemed to encourage a resumption of work on the disarmament question. A number of agreements had been concluded on the initiative of the United Kingdom Government dealing with the limitation of naval armaments. It was true that those agreements were not universal in character; but they marked a definite step forward and represented a modest achievement in the particular sphere of naval disarmament.

On the other hand, on the question of the control and regulation of the manufacture of and trade in arms and implements of war, some Governments had already taken important legislative action, notably the French Government. Those were some of the facts which pointed to a more hopeful prospect and encouraged the hope that the cause of disarmament was not at present past recovery. In the present state of anxiety prevailing almost all over the world, it was desirable that a question so important as that of disarmament, which was inseparably and inevitably linked to the question of general peace, should not be left on one side, but should be tackled with renewed energy. The very effort to deal with it again would have a beneficent influence on public opinion; and, on a question of such universal importance, he believed it was necessary once more to arouse public interest and to exercise any influence capable of creating an atmosphere favourable to the continuance of the work.

The disarmament question was one of tremendous magnitude. It was bound up with the question of peace or war; and there was therefore no need to feel discouraged because two years ago, after a strenuous effort lasting over twenty-six months, it had been necessary to suspend work. It was a question upon which effort might well be renewed; setting on one side the points of agreement, attention should be directed to those points which still presented difficulties. It was true that the work had been greatly hampered by the fact that all Powers were not represented on either the Assembly or the Disarmament Conference. It was important that conversations should go on with a view to reaching agreement with those Powers which were not represented; but, on the other hand, it was equally important that further efforts should be made *pari passu* to reduce little by little the outstanding points of disagreement among the Powers that were represented.

In other words, some permanent machinery was necessary to ensure, not only that the work of conversations should go on between represented Powers and unrepresented Powers, but also that the work of reconciliation, of searching for common ground between the Members of the League, should be continued.

The cause of disarmament was fundamental to the question of universal peace. So long as it was desired that peace should be consolidated and safeguarded, so long would efforts be made to reach the goal of success in the matter of disarmament. However difficult of attainment the goal might be, it was necessary to push on towards it with unremitting energy.

Mr. MacDONALD (United Kingdom) said that Article 8 of the Covenant set Members of the League an important task with regard to disarmament. The achievement of some measure of arms limitation and reduction was so essentially a part of the work of establishing peace that the League must keep that task in mind, whatever the difficulties in the way of its accomplishment.

The achievement of disarmament remained a principal objective. His Majesty's Government had given proof of its firm adherence to this cause. Throughout the long endeavours of the Disarmament Conference, His Majesty's Government, despite a certain uneasiness as to the scale of its armaments in relation to those of some other countries, and despite criticism from certain sections of its countrymen, had refrained from engaging in rearmament lest it should prejudice the chance of reaching an international treaty for arms limitation. It was only when its hopes of that had been dashed, when it became clear that the Conference was not going to achieve its object at the first attempt, that His Majesty's Government modified its policy.

Since then, the United Kingdom Government had embarked, as Mr. Eden had said in his speech before the Assembly,² upon a considerable programme of re-equipment of the three fighting services. His Majesty's Government was not arming because it had aggressive designs against any people; its rearmament was a threat to no one, but an insurance of its own people. Its great imperial responsibilities, which stretched round the world, and its international undertakings had forced upon it the duty of strengthening its forces;

¹ See records of the ninth plenary meeting of the Assembly.

² See records of the sixth plenary meeting of the Assembly.

and he for his part believed that in a rearming world a strong Britain was not an additional disturbing force but a steadying influence for peace.

His Majesty's Government was making great progress with its programme, and would continue with it unless and until the nations of the world reached an international agreement for the limitation and reduction of armaments. Such an agreement remained an object of its policy; it was ready to co-operate wholeheartedly in any practicable attempt to secure it.

The work of establishing peace, one condition of which was a disarmament treaty, would never be easy; but it must never be given up. However often hopes were disappointed, nations must return again and again to the task. The history of the Disarmament Conference up to date contained many lessons: one was that no effort, however unsuccessful in its major object, was entirely wasted. The Conference had performed a great mass of work which would be of inestimable value when it again resumed its labours.

Another lesson was this: Peace was not going to be won as a result of one comprehensive, magnificent effort. It would be secured by a series of lesser efforts, by a succession of advances following one upon the other. The obstacles lying in the path of the peacemakers must be cleared away as progress was made step by step.

The Chairman had been wise, therefore, in suggesting that the Committee should accustom itself to the idea of a modest achievement in the near future. It would be idle to suppose that, in the present situation, it would be possible to sit round a Conference table and work out a number of agreements, covering the whole problem of disarmament, to which the Foreign Ministers of the various nations would immediately append their signatures. The endeavour had been made to do that, and it had to be confessed that it had failed.

That did not mean that the project would have to be abandoned. The first step should be to ascertain the causes of the recent failure, and to endeavour to get rid of those causes; to solve the troubles which lay at the root of the failure. When they had been resolved, or their magnitude had been reduced, a return could be made to the attempt to reach an agreement for arms limitation and reduction.

The principal cause obstructing success had been the lack of confidence between nations in Europe, and it was the immediate task of statesmanship to restore that confidence. His Majesty's Government was ready to play its part in that work.

On these grounds, he shared the doubts expressed by the delegate of France as to the utility of setting up the Permanent Disarmament Commission at present. The Commission had been intended to play a certain indispensable part in carrying out the Convention for the Reduction and Limitation of Armaments. It had not been intended to be an organ for the initiation of schemes in connection with disarmament. That was the task of the Disarmament Conference itself. Therefore, the setting-up of the Commission would seem to be premature until there was some supervisory work for it to do.

That did not mean that His Majesty's Government thought there was nothing whatever to be done on matters connected with disarmament. There were aspects of the problem which it thought should be pursued. It believed it might be possible to make some modest achievement, to record some advance in certain directions. For example, there was already in existence a draft Convention drawn up by one of the sub-committees of the Disarmament Conference concerning publicity for national defence expenditure. Publicity for such expenditure would itself be a contribution towards creating that confidence which was essential, and that, therefore, would seem to be a proper matter on which to continue to work. As Mr. Eden had said to the Assembly, if a Convention on the lines drawn up by the sub-committee proved generally acceptable, it would meet with the warm support and approval of His Majesty's Government. Such an agreement would be an encouragement to proceed to the next step, a fresh consideration of the twin questions of trade in and manufacture of arms. Like the Swedish delegation, the United Kingdom delegation was anxious to make some definite progress. His Majesty's Government was in favour of an agreement for the control of trade and manufacture, but could not accept an agreement which was not generally acceptable to the principal arms-manufacturing countries. An agreement to which one or more of those countries was not a party would not contribute to confidence and security.

In His Majesty's Government's view, the aim should be to secure the maximum agreement to which all the principal manufacturing countries would conform. The attempt to do more might well lead to no agreement at all. A modest agreement, embodying useful principles and practice, was more desirable than no agreement at all; and, from that foundation, it would be easier to build later on a more ambitious structure of control. His Majesty's Government was anxious only to secure practical results.

He wished to refer to one other matter. The security of the British Empire depended mainly on the strength of the British navy. This was true to such an extent that one Prime Minister recently expressed the national sentiment when he said: "The navy is us". Therefore it was a measure of the sincerity with which his country supported the idea of arms limitation that, ever since the war, successive British Governments had negotiated a succession of naval limitation treaties. A new treaty to that end was signed in London at the beginning of the present year, and negotiations were now proceeding with a view to obtaining the accession to the treaty of additional naval Powers. To achieve that object, His Majesty's Government had undertaken a series of conversations with other Governments. Those conversations were making some progress; but, whilst there were still certain questions

outstanding, it would be premature for him to give more detailed information. The Secretary-General was, however, kept informed of developments as they occurred, and His Majesty's Government would continue to follow that procedure.

Such was the spirit in which His Majesty's Government viewed the present situation concerning disarmament. It could not hide from itself that its work on that problem had received a setback; but it had not abandoned its belief that a treaty for the limitation and reduction of armaments must ultimately be achieved, if peace was to be secured. The problem remained as yet unsolved. His Government was prepared, whenever opportunities came, to tackle it again by whatever means might hold out the greatest hope of success.

M. RUIZ GUIÑAZÚ (Argentine Republic) wished to make a contribution to the Committee's work as former Rapporteur to the Council on disarmament questions and as a member of the Bureau of the Conference.

On January 22nd, 1936, he had had the honour, as Rapporteur, to make the following proposal¹ to the Council, which had accepted it :

"As soon . . . as a proposal for the convening of the Conference is made, either by the Rapporteur or by any Member or Members, the Council can empower the Secretary-General to consult the Bureau of the Conference on the question of summoning the Conference."

The French proposal was true to the spirit and letter of that Council decision. The members of the Committee who had already spoken had supported the French proposal, of which the whole Committee seemed to be in favour.

The Bureau would have to make a survey of the political horizon and to revive one or more of the Conference's committees, such as the Permanent Committee, the Committee on Budgetary Publicity or that dealing with the supervision of the manufacture of and trade in arms.

The Council, when examining the French proposal, would have to proceed to a preliminary exchange of views for the purpose of fixing a date both sufficiently close and politically opportune for summoning the Bureau and communicating to it the Minutes of the Third Committee's discussions in order that they might be taken into account when the work was resumed. When the Committee's report reached the Assembly, the latter would probably wish to communicate it to the Council for transmission to the Bureau of the Conference. It was hoped that the Council and the Bureau, which were smaller organs than the Assembly, would be guided by the ideas exchanged in that Committee before taking, each in its own province, the decisions they might consider necessary.

One last point was that the Council, having referred to a world conference the settlement of all problems regarding the reduction and limitation of armaments, it would perhaps be proper to submit all these problems to the Conference itself, which would give a final decision on the various questions raised in the Third Committee.

Count CARTON DE WIART (Belgium) said that the Belgian delegation was entirely in agreement with the reasons that had led a number of delegations to call for the convening during that Assembly of the Third Committee, which had to deal with problems connected with the reduction and limitation of armaments. In the Belgian delegation's opinion, the important thing was to assert its faithfulness to a principle and a duty which remained among the most essential tasks of the League. The delays and disappointments suffered in that connection by the friends of peace must not be allowed to destroy or obscure the capital importance of the task. As a concrete proposal, the Belgian delegation willingly supported the idea of summoning the Bureau of the Conference as soon as the time seemed ripe.

As regarded the suggestions which the Assembly might make to the Bureau, the Belgian delegation fully agreed with the programme outlined by the Netherlands delegation. That programme, which was a limited one, and had to be so if it was to be practical, included the problem of the regulation of the manufacture of and trade in arms. The Third Committee was aware that one of the considerations which had unfortunately delayed the ratification by several States of the 1925 Convention on the Trade in Arms was the absence of another international instrument on the regulation and control of manufacture. Those two problems seemed to the Belgian delegation to be closely interconnected.

It also attached the greatest importance to all progress which might be achieved in regard to the publicity of armaments. The effect of such progress on the establishment or re-establishment of confidence had been rightly emphasised in the United Kingdom delegate's speech.

M. LITVINOFF (Union of Soviet Socialist Republics) said he would make only a very short statement, because all that his Government had to say in the matter of disarmament had been said time after time by its representatives in the Preparatory Committee for the Conference on Disarmament, at the Conference itself, at the meetings of the Bureau and at the Assemblies of the League. All they had said on all those occasions still held good. They

¹ See *Official Journal*, February 1936, page 87.

had put forward many proposals for radical and for modest advances. There had been hardly a proposal brought forward by other Governments which had not had the consent and approval of his Government. Obstacles to the realisation of such proposals had considerably increased both in number and in force. Nevertheless, they had to thank the French Government for its initiative in putting the problem of disarmament, of which they should never lose sight, on the agenda of the present Assembly.

Even if they could not now achieve any actual disarmament, it might be useful to draw up schemes of work to be taken in hand when practicable. Work on those lines would necessarily be somewhat academic, not because they wished it to be academic, but owing to the force of circumstances. His Government wished to express the hope that that work would not take the place of other necessary work of the Assembly, but would run parallel to it. They had before them declarations by many Governments to the effect that they had been forced to increase armaments. That being so, it seemed to him very important that they should adopt some measures to prevent those armaments being put to use before they could disarm. Any measures proposed to the Assembly which seemed likely in any way to lessen the chances of Governments being forced to use their armaments should be immediately elaborated in order that they might produce results.

It was with those reservations that he associated himself with all the proposals made. He wished to assure all his colleagues that, if the measures they elaborated there for disarmament were not carried into effect, it would not be due to the insufficient contribution of the Soviet Government but, on the contrary, it would be despite the contribution, the very large contribution, of assistance which his Government would lend to such measures.

M. RUTGERS (Netherlands) wished to reply to the question put by the French delegate.

M. Paul-Boncour's question might be summarised as follows : Why mention the Permanent Disarmament Commission among the questions which it would be desirable to study and deal with separately ? That body would only be useful after the adoption of a Disarmament Convention, and if there were no convention, what would its powers be ? The United Kingdom delegate had stated that he shared the French delegate's doubts.

M. Rutgers replied that the competence of the Permanent Disarmament Commission defined in the draft Convention would clearly not be the same if they confined themselves to the two Conventions dealing with the manufacture of and trade in arms and budgetary publicity. If they wished to achieve a positive result, even if only on those two special questions, a body to study the question would be necessary. In the document now before the Committee,¹ it would be seen that in the clauses on budgetary publicity constant reference was made to the Permanent Disarmament Commission.

It was doubtless not for the Committee to discuss all the details of organisation and competence of the Permanent Commission ; but a supervisory body would be necessary to assist the Bureau and the Conference itself.

M. Rutgers recalled in that connection the opinion of Mr. Henderson, who, on November 20th, 1934,² when the work of the Bureau of the Conference came to an end, laid special stress on the necessity of creating a Permanent Commission and determining its powers.

M. ADLE (Iran) paid a tribute to the French initiative. Pursuing its pacific policy the Government of Iran wished every success to the efforts made to bring about disarmament.

He wished, however, to make the most express reservations regarding the revival of the 1925 Convention, which had already lapsed, for the Iran Government could not accept that part of the text of this eleven-year old Convention which concerned the supervision of the traffic in arms in the Persian Gulf.

The CHAIRMAN declared the general discussion closed.

6. Appointment of the Rapporteur.

On the proposal of Mr. MACDONALD (United Kingdom), the Committee appointed its Chairman, M. LANGE, to act as Rapporteur.

¹ Document Conf.D.160(1).

² See Records of the Conference, Series C, Minutes of the Bureau, volume II, page 251.

THIRD MEETING.

Held on Wednesday, October 7th, 1936, at 3.30 p.m.

Chairman: M. LANGE (Norway).

7. Examination and Adoption of the Draft Report to the Assembly.

The CHAIRMAN opened the discussion on the draft report and resolution.¹

Paragraph 1.²

M. POLITIS (Greece) drew attention to the following sentence :

“ From that time, the Conference, though legally existing, has suspended its labours.”

He proposed the omission of the words “ though legally existing ”, which seemed to suggest doubt as to the existence of the Conference.

M. Politis' proposal was adopted.

Paragraph 1 as amended was adopted.

Paragraph 2.

“ The armaments race which followed this interruption of the Conference's work and which weighs heavily on the economic life of many countries, Members of the League of Nations and non-member States alike, has again made the reduction and limitation of armaments a problem of great urgency. The rearmament of one country was followed by the rearmament of its neighbour or neighbours, and the danger that all of them would be financially exhausted at an early date convinced some of their number, if not all, that the opportunity of the present annual meeting should be taken to make a further attempt to put an end to this race towards grave and unknown dangers.”

Mr. MACDONALD (United Kingdom) objected to the words “ all of them would be financially exhausted at an early date ”, which inferred that the countries rearming were risking finding themselves financially exhausted in the near future. No doubt the continuation of the armaments race would, in the long run, exhaust the various countries, but the English text did not reproduce that idea exactly.

In agreement with the Chairman, Mr. MacDonald accepted the words “ and the danger that ultimately all of them would be financially exhausted convinced . . . ”.

M. POLITIS (Greece) proposed to modify the words “ to make a further attempt ”, in the last sentence of the paragraph. He did not think it was the Commission's intention itself to make a serious effort to arrest the armaments race and consequently proposed that the existing text should be replaced by “ to seize the possibility of making an effort to arrest . . . ”.

The CHAIRMAN thought this was perhaps going too far and proposed to say “ the opportunity of the present annual meeting should be taken to stimulate efforts to put an end to this race . . . ”.

Paragraph 2 as amended was adopted.

Paragraph 3.

Paragraph 3 was adopted.

Paragraph 4.

M. KOMARNICKI (Poland) proposed the amendment of the first paragraph, the text of which seemed to him too ambitious.

For the words “ on all the aspects of the problems ”, he proposed to read “ on certain aspects of the problems ”. It could not be said that it had been possible to consider all the aspects of the problems in the Commission's three meetings.

¹ For final text of the report and resolution, see Annex (page 26).

² The paragraphs are numbered in accordance with the final text of the report.

M. PAUL-BONCOUR (France) proposed the wording "the main aspects of the problems...".
M. Paul-Boncour's proposal was adopted.

Paragraph 4 as amended was adopted.

Paragraphs 5 and 6.

Paragraphs 5 and 6 were adopted.

Paragraph 7.

Mr. MACDONALD (United Kingdom), supported by M. KOMARNICKI (Poland) proposed that the words "at which a solution is possible in the near future", at the end of the second sentence, should be replaced by the words "at which a solution may be possible".

The CHAIRMAN considered that the omission of the words "in the near future" would seem to imply that the problem on which the Commission had worked for years was insoluble.

M. KOMARNICKI (Poland), as Rapporteur of the Committee for the Regulation of the Trade in and Manufacture of Arms of the Disarmament Conference, considered that if, from the technical point of view, those questions were ripe, mention should be made in the text of the idea that the conclusion of agreements was subordinated to certain political conditions yet to be fulfilled.

Mr. MACDONALD (United Kingdom) proposed the words "at which a solution may be possible at a relatively early date".

Mr. MacDonald's proposal was adopted.

M. POLITIS (Greece) proposed the omission of the last sentence of paragraph 7: "The Commission has paid special attention to these two criteria, in order that public opinion may be spared fresh disappointments".

M. Politis' proposal was adopted.

Paragraph 7 as amended was adopted.

Paragraph 8.

Paragraph 8 was adopted.

Paragraph 9.

Mr. MACDONALD (United Kingdom) considered that the first sentence of paragraph 9: "As regards more particularly the supervision of the manufacture of and trade in arms, it must be recognised that the efforts made in the national sphere, especially the recent French legislation . . .", seemed somewhat to minimise the efforts made in certain other countries. While appreciating highly the French efforts, the United Kingdom delegation considered it would be better to draft the sentence as follows: "The Committee recognises with satisfaction that efforts have been made in the national sphere by certain countries, amongst others, by France".

M. PAUL-BONCOUR (France) accepted this text. All the French delegation wished was to show what the French Government had contributed to the work of the Committee and the later work for disarmament, and to emphasise that it was for each country, in the exercise of its full sovereignty, to choose the method of regulation which appeared to it to be the most efficacious.

Paragraph 9, as amended by the United Kingdom delegate, was adopted.

Paragraph 10.

"As to the publicity of national defence expenditure, the Committee noted that there is a technically complete plan which can be adopted and applied as soon as the necessary political decisions are taken. There can be no doubt that a positive result in this particular field would largely contribute to restoring confidence between Governments".

M. POLITIS (Greece) proposed to replace the words "as soon as the necessary political decisions are taken" by the words "as soon as circumstances became favourable". The actual text might imply that the Governments were negligent if it were said that the draft plan was only waiting for political decisions.

The CHAIRMAN, while emphasising the need for political decisions before the draft plan could be adopted and applied, proposed to say "the decisions of the competent authorities".

M. POLITIS (Greece) accepted this proposal.

Further, he proposed to omit, in the last sentence of the paragraph, the words : " There can be no doubt that a positive result in this particular field would largely contribute to restoring confidence between Governments ", which seemed to be a somewhat exaggerated statement.

The CHAIRMAN considered that a positive result in this field would contribute effectively to the re-establishment of confidence between the peoples who would then be kept informed of the preparations made by other Powers. Further, it might be considered that this was the execution of the obligation in Article 8 of the Covenant in regard to exchange of information.

The Chairman therefore asked M. Politis to agree to the text being left unchanged.

M. POLITIS (Greece) was ready to accept the view of the majority of the Committee, but he felt it was going rather too far to say that the publicity of expenditure would make for the re-establishment of confidence between Governments. There were other reasons for distrust.

The CHAIRMAN pointed out that the words " would contribute " meant that this publicity was not the only condition for the re-establishment of confidence.

M. DE VASCONCELLOS (Portugal) proposed to omit only the word " largely " — for, if agreement were really reached on the publicity of expenditure, it would show that confidence had already returned and that many obstacles had already been overcome.

The CHAIRMAN proposed the following text for paragraph 10.:

" As to the publicity of national defence expenditure, the Committee noted that there is a technically complete plan, which can be adopted and applied as soon as the decisions of the competent authorities have been taken. There can be no doubt that a positive result in this particular field would contribute to restoring confidence between Governments. "

Paragraph 10 as amended was adopted.

Paragraphs 11 and 12.

Paragraphs 11 and 12 were adopted without modification.

Paragraph 13.

M. KULSKI (Poland) wished it to be mentioned in the Minutes that the idea that " an endeavour should be made to obtain general accession to the Convention on Financial Assistance of October 2nd, 1930, and the General Convention to improve the Means of preventing War " had not been discussed by the Commission. If the Convention to improve the Means of preventing War were discussed, the Polish delegation would probably have to make a reserve in view of the fact that it had always made objections to this Convention, both during the course of its preparation and in the Security Committee of the Disarmament Conference.

Paragraph 13 was adopted.

Paragraph 14 (new).

M. HOERSCHELMANN (Union of Soviet Socialist Republics) pointed out that the report should mention a remark made by the first delegate of the Soviet Union. M. Litvinoff had said that the work on the question of disarmament could not take the place of the efforts made towards collective security, efforts which might, it would appear, lessen the risk of seeing Governments obliged to utilise existing armaments. The solution of these problems would facilitate the work of disarmament.

To fill this omission, he proposed to add, after paragraph 13, a new paragraph reading as follows :

" The opinion was also expressed that the resumption of work on disarmament could in no sense replace the efforts of the League of Nations to ensure collective security, and to avoid the necessity for making use of existing armaments, which are increasing. A solution of questions of this kind would facilitate work on disarmament. "

Paragraph 14 was adopted.

Paragraphs 15 and 16.

Paragraphs 15 and 16 were adopted.

Paragraph 17 and Draft Resolution.

The CHAIRMAN referred to his first draft of the second paragraph of the draft resolution, which was as follows :

" Welcomes the action taken with a view to convening the Bureau of the Conference for the Reduction and Limitation of Armaments at an early date. "

In a corrigendum to the draft report he had, however, at the request of a delegation, laid before the Committee the following alternative text for that paragraph :

“ Welcomes the action initiated by the French Government with a view to the convocation of the Bureau of the Conference for the Reduction and Limitation of Armaments at the earliest date which would be politically opportune.”

M. PAUL-BONCOUR (France) recognised that the Council, when it came to the question of convening the Bureau, would have to take into consideration political conditions. It would be unfortunate to convene the Bureau at a time when it could make no useful proposal. But this preoccupation would seem to be sufficiently taken account of in paragraph 16. It would be better, he considered, not to mention this point in the text of the resolution, for the words “ the most opportune from the political point of view ” might be given many interpretations. Would it not be better to retain the expression “ early convocation ”, for he feared a certain contradiction between convocation “ at the earliest possible date ” on the one hand and the statement that this date should be “ the most opportune from the political point of view ”.

M. Politis had stated correctly that disproportionate hopes must not be awakened at the possibility of realisation, but that also, on the other hand, the opposite extreme must be avoided.

While it was wise, in his opinion, to have referred in paragraph 16 to certain political considerations, it would be better to omit those considerations in the actual text of the resolution.

However, he would not insist upon his proposal, if his colleagues did not share his opinion.

The CHAIRMAN would accept the view of the Committee on M. Paul-Boncour's appeal in favour of the original text, which greatly touched him. He would suggest the addition, in the original text, after the word “ action ” of the words “ initiated by the French Government ”.

M. PAUL-BONCOUR (France) proposed a new text, taking into account the preoccupations set forth by the delegation which had suggested the original amendment. This text might read as follows :

“ . . . the early convocation, at the most opportune date, of the Bureau of the Conference. . . . ”

The CHAIRMAN read out the new text of the resolution as follows :

“ The Assembly,

“ Firmly convinced of the need of pursuing and accelerating the efforts made to bring about the reduction and limitation of armaments provided for in Article 8 of the Covenant :

“ Welcomes the action initiated by the French Government with a view to the early convocation at the most opportune date of the Bureau of the Conference for the Reduction and Limitation of Armaments, and

“ Requests the Council to communicate to the Bureau and to the Governments of the countries represented on the Conference the present report and the Minutes of the Third Committee's discussions.”

The resolution was adopted.

M. PAUL-BONCOUR (France) wished, in the name of the Committee, to express its thanks to the Chairman who had succeeded in rapidly drawing up an objective report which took into account the character of the discussion.

The report as a whole and the resolution were adopted (Annex).

8. Reduction and Limitation of Armaments: Application to the Report of Rule 14 (a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.

The CHAIRMAN observed that, in accordance with Rule 14 (a) of the Rules of Procedure of the Assembly, the Committee must decide if it considered that a discussion of the report in plenary meeting was or was not necessary.

The Committee decided that such discussion was not necessary, in view of the nature of the Committee's debates and the fact that the report had been adopted unanimously.

9. Close of the Session.

The CHAIRMAN expressed his thanks to the Committee for the way in which it had worked. Without exaggerating the lines of the discussions which had taken place, it was a matter for congratulation that this question of general disarmament, one of the essential duties of the League of Nations, had again figured on the agenda of an Assembly.

He also thanked his colleagues for the confidence which they had shown in him in electing him both Chairman and Rapporteur of the Committee.

The Chairman declared the session closed.

ANNEX

Official No : A. 64. 1936. IX.

REDUCTION AND LIMITATION OF ARMAMENTS.

REPORT OF THE THIRD COMMITTEE TO THE ASSEMBLY.

Rapporteur : Dr. Chr. L. LANGE (Norway).

1. The Conference for the Reduction and Limitation of Armaments, which was convened by the Council of the League of Nations in accordance with the recommendation made on various occasions by the Assembly, met on February 2nd, 1932. Since that date, pending the completion of the work of the Conference, the Third Committee of the Assembly has not been constituted.

After a period of great activity, the rate of progress of the Conference's work gradually slackened, especially from 1935 onwards. The last work carried out by some of its organs dates back to the spring of that year. From that time, the Conference has suspended its labours. Nevertheless, its various organs — the General Commission, the Bureau, the Committees and Sub-Committees — are available to resume their duties at any moment, as soon as there is an improvement in the adverse situation that checked their activities.

2. The armaments race which followed this interruption of the Conference's work and which weighs heavily on the economic life of many countries, Members of the League of Nations and non-member States alike, has again made the reduction and limitation of armaments a problem of great urgency. The rearmament of one country was followed by the rearmament of its neighbour or neighbours, and the danger that ultimately all of them would be financially exhausted convinced some of their number, if not all, that the opportunity of the present annual meeting should be taken to stimulate efforts to put an end to this race towards grave and unknown dangers.

3. Thus, during the course of the present year, both the Council and the Assembly were seized of the problem : on two occasions — on July 1st and September 26th, 1936 — the French delegation made known to the Assembly the desire of the French Government to see the resumption of the work of disarmament, and, on September 27th, the French delegation brought the question before the Council. Further, the delegations of Denmark, Finland, the Netherlands, Norway and Sweden, having requested the convocation of the Third Committee, the Assembly, acceding to their request, decided to set up this Committee for the purpose of proceeding to a general examination of the existing situation.

4. The Third Committee, which met on October 2nd, immediately held a general discussion on the main aspects of the problems referred to it by the Assembly.

This discussion brought out the permanent and statutory character of the duties imposed on the organs of the League of Nations by Article 8 of the Covenant.

In other words, the Third Committee was of the opinion that the question of the reduction and limitation of armaments must remain on the agenda of the League of Nations as an international political problem. The League should therefore not abandon this task, whatever difficulties may be experienced in carrying it out.

While the methods to be adopted may vary according to the political circumstances of the moment, the object — and it cannot be achieved by a single effort but only by a series of successive and persevering efforts — will remain the same.

5. The Assembly referred to the Third Committee for consideration.

(a) The part of the Secretary-General's report dealing with the question of armaments ;

(b) The statements made on this subject during the general discussion ;

In addition, certain delegations called attention, at the meeting on October 5th, to the observations on disarmament contained in the replies regarding the application of the Covenant of the League of Nations.

Lastly, the preliminary report of the late Mr. Henderson, President of the Conference, served as a valuable guide, and numerous speakers referred to it during the general discussion.

6. As regards the present position of the work carried out under the auspices of the League of Nations in the matter of the reduction and limitation of armaments, the Committee

concentrated its attention on the main facts in the last stage of the Conference's work. It examined, above all, the decision taken by the Bureau of the Conference on November 20th, 1934.

On that occasion the Bureau considered that the problems dealt with by the Conference should be examined and a certain number of them selected in regard to which an agreement might apparently be reached at an early date.

The Bureau indicated, in particular :

- (a) The regulation of the manufacture of and trade in arms ;
- (b) Budgetary publicity ;
- (c) The establishment of the Permanent Disarmament Commission.

In accordance with this decision of the Bureau, the Committees indicated below (all were already in existence) met during the first months of 1935 : the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War, the Technical Committee of the Commission of National Defence Expenditure, and the Committee on Miscellaneous Provisions.

The results of this work are set out in the following documents :

(a) Report of the Committee on the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War (document Conf.D.168), which contains a number of texts adopted at a first reading ;

(b) Draft Convention on the Publicity of National Defence Expenditure (document Conf.D./C.G.160(1)) ;

(c) The draft articles concerning the Permanent Disarmament Commission, which constitutes Chapter 4 of the draft prepared by the Arms Committee (document Conf.D.168 above-mentioned, page 21).

7. The Third Committee accepted the idea expressed by the Bureau on November 20th, 1934 — namely, that, while general solutions should be held over until a later date — which it was hoped would not be too distant — certain questions should be given immediate consideration. In the Committee's opinion, the three questions mentioned above can be dealt with separately and, moreover, have reached a stage at which a solution may be possible at a relatively early date.

8. The view was pressed in the Committee that a start should be made with the draft Convention on Publicity of National Defence Expenditure. If agreement were reached on that subject, then an attempt should be made to proceed with the question of the regulation of the trade in and private and State manufacture of arms and implements of war.

9. As regards more particularly the regulation of the manufacture of and trade in arms the Committee recognises with satisfaction that efforts have been made in the national sphere by certain countries — amongst others, by France. Moreover, the texts prepared in 1935 by the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War mark a clear advance on previous work in the same field.

Serious efforts are nevertheless necessary to reduce and, if possible, eliminate the divergencies still existing in regard to the precise object of publicity and the extent of supervision.

It was also pointed out that progress in this field is only possible if all the manufacturing countries agree.

10. As to the publicity of national defence expenditure, the Committee noted that there is a technically complete plan which can be adopted and applied as soon as the decisions of the competent authorities have been taken. There can be no doubt that a positive result in this particular field would contribute to restoring confidence between Governments.

11. Several delegations stressed the importance of setting up the Permanent Disarmament Commission at an early date. Before that Commission is constituted, however, agreement must be reached on the questions to be brought under its control — *e.g.*, publicity of national defence expenditure or the regulation of the trade in and manufacture of arms.

12. Among the questions which may be dealt with at a comparatively early date, the French delegation indicated that of a convention on limitation and assistance in regard to air armaments.

13. Several delegations drew attention to the desirability of pursuing the work in other fields as well. For instance, the idea was expressed that an endeavour should be made to obtain general adhesion to the Convention on Financial Assistance, of October 2nd, 1930, and the General Convention to Improve the Means of preventing War, of September 26th, 1931. In the case of the first, the Finnish delegation suggested that the signatory States might contemplate the deletion of Article 35 of the Convention, which made the entry into force of that instrument and its maintenance in force conditional on the application of a plan for the reduction of armaments.

14. The opinion was also expressed that the resumption of work on disarmament could in no sense replace the efforts of the League of Nations to ensure collective security and to avoid the necessity for making use of existing armaments, which are increasing. A solution of questions of this kind would facilitate work on disarmament.

15. From the outset of its work, the Committee was unanimously of opinion that its task was in no sense to draw up a sort of programme of future work for the reduction and limitation of armaments. Constitutionally, this work is at present entrusted to the Conference for the Reduction and Limitation of Armaments. This Conference includes, in addition to the Members of the League, non-member States whose co-operation is of the utmost importance. The procedure for the resumption of the work of the Conference was, indeed, dealt with in a decision of the Council, dated January 22nd, 1936, but this decision merely indicates the connection existing between the permanent organs of the League of Nations and the Conference itself and is intended to meet the situation created by the death of the President of the Conference, who had been appointed by the Council.

The Council has at present before it a request from the French Government to convene the Bureau of the Conference. It is for the Bureau itself and, if necessary, for the General Commission to take decisions regarding the future course of the Conference's work.

The observations made during the Third Committee's discussions and those included in the present report are, therefore, nothing more than suggestions. Nevertheless, the Committee hopes that the views exchanged in the Assembly may help to give an impetus to the Conference's work.

16. While the Committee expresses the hope that there will be an early meeting of the Bureau, it nevertheless realises that the date of convocation and the result of its discussions depend very largely on the important negotiations which are so frequently mentioned at present.

17. In view of the considerations expressed during its discussions, the Third Committee submits the following resolution to the Assembly :

" The Assembly,

" Firmly convinced of the need of pursuing and accelerating the efforts made to bring about the reduction and limitation of armaments provided for in Article 8 of the Covenant :

" Welcomes the action initiated by the French Government with a view to the early convocation at the most opportune date of the Bureau of the Conference for the Reduction and Limitation of Armaments, and

" Requests the Council to communicate to the Bureau and to the Governments of the countries represented on the Conference the present report and the Minutes of the Third Committee's discussions."

INDEX

	Page		Page
Agenda		Publicity of Committee's Meetings	
<i>See under</i> Third Committee		<i>See under</i> Third Committee	
Air Armaments	10, 13, 17, 27 (report)	Rapporteur, Appointment of	21
Armaments, Reduction, etc.		Rearmament and Economic Effects	13, 15, 16, 17-18, 18-19, 21, 22, 26 (report)
<i>See</i> Reduction and limitation of arma- ments		Reduction and Limitation of Armaments	
Bureau of World Conference		Air armaments, <i>see that title</i>	
<i>See under</i> Reduction, etc., of armaments : Conference		Conference, World	
Chairman of Committee		Bureau	
<i>See under</i> Third Committee		Convocation proposed by French Govt. and date 9, 11, 11-12, 13, 14, 15, 16-17, 20, 24-5, 25 (resol.), 28 (report and resol.)	
Collective Security and Disarmament	24, 27 (report)	Past and future work; work of 3rd Cttee. to be referred to Bureau 10, 11, 13, 14, 15, 16, 17, 20, 25 (resol.), 28 (resol.)	
Conference for Reduction and Limitation of Armaments		Committees, Sub-Committees 10, 17, 18, 20, 23, 26, 27	
<i>See under</i> Reduction, etc., of armaments		Non-member States, participation in work 10, 18, 28	
Convention, Draft, on Disarmament	10, 11, 14, 20	President : tribute to memory of Mr. Henderson 10	
Disarmament		Report of President 9-10, 10, 26	
<i>See</i> Reduction and limitation of arma- ments		Suspension of work 11, 17, 22, 26 (report)	
Documents referred to Third Committee	9, 26	Work and future 9-11, 11-21, 22-5, 26-8 (report)	
Equality of Rights of States	10, 12	Discussion in 3rd Cttee. 9-11, 11-21, 22-5	
Expenditure, National Defence		Draft Convention 10, 11, 14, 20	
<i>See</i> National defence expenditure		Naval armaments, <i>see that title</i>	
Financial Assistance : Convention (1930)		Permanent Disarmament Comm. : ques- tion of creation and functions 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 27 (report)	
Importance of ratification 12, 16, 24, 27		Qualitative limitation 12	
Henderson, Arthur		Question as perm. item of League agenda 11, 14, 26	
President of Conference on Reduction of Armaments : tribute to his memory	10	Report of 3rd Cttee., <i>see that title</i>	
Land Armaments	17	Resolution of 3rd Cttee. adopted Oct. 7, 1936 25, 28	
Limitation of Armaments		Report of Third Committee	
<i>See</i> Reduction and limitation of arma- ments		Communication to Bureau and certain countries 25 (resol.), 28 (resol.)	
Manufacture of, and Trade in, Arms : Regulation		Examination and adoption 22-5	
Convention on Trade in Arms (1925) 13, 20, 21		Presentation to Assembly : application of new procedure 25	
Future programme and work of Conf. 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 27 (report)		Text 26-8	
Nationalisation in France 12, 17, 23, 27		Resolution of Third Committee	25, 28
Members of Committee		Security, Security Committee	10, 16, 19, 24
<i>See under</i> Third Committee		Third Committee	
Moral Disarmament	14, 16	Agenda 8, 9	
National Defence Expenditure : Publicity		Chairman and election 5, 9	
Work of Conf. and future programme 10, 12, 14, 15, 16, 17, 19, 20, 21, 23-4, 27 (report)		Close of session 25	
Nationalisation of Armament Industry in France	12, 17, 23, 27	Members : list 5-7	
Naval Armaments, Limitation of		Minutes of meetings, procedure re 13, 20, 25 (resol.), 28 (resol.)	
London Conf. and Agreements. 17, 18, 19		Programme of work 9-11	
Permanent Disarmament Commission		Publicity of meetings 9	
Question of creation and functions 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 27 (report)		Rapporteur, appointment 21	
Programme of Work of Committee		Reconstitution 9, 11, 13, 14, 15, 16, 20, 26	
<i>See under</i> Third Committee		Report to Assembly	
Publicity, Budgetary		Communication to Bureau and cer- tain countries 25 (resol.), 28 (resol.)	
<i>See</i> National defence expenditure		Examination and adoption 22-5	
		Presentation : application of new procedure 25	
		Text 26-8	
		Resolution adopted Oct. 7, 1936. 25, 28	
		Vice-Chairman and election 5, 9	
		Trade in Arms : Regulation	
		<i>See</i> Manufacture, etc.	
		Universality of League, Lack of	16
		Vice-Chairman	
		<i>See under</i> Third Committee	
		War, Convention on Means of Preventing (1931)	
		Importance of ratification 12, 24, 27	

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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

FOURTH COMMITTEE

(Financial Questions)

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	5
FIRST MEETING, September 23rd, 1936, at 11.30 a.m. :	
1. Opening of the Session in the New Building	7
2. Election of the Vice-Chairman	7
3. Adoption of the Agenda	7
4. Publicity of the Meetings	7
SECOND MEETING, September 26th, 1936, at 3.30 p.m. :	
5. Examination of the General Budget for the Nineteenth Financial Period (1937) : General Discussion : Statement by the Secretary-General	7
6. First and Second Reports of the Supervisory Commission, dated May 25th and September 24th, 1936, respectively : Statement by the Chairman of the Supervisory Commission	13
7. Audited Accounts of the Seventeenth Financial Period (1935) and Relevant Passages in the Reports of the Supervisory Commission	14
8. Financial Situation of the League of Nations on September 21st, 1936.	14
THIRD MEETING, September 28th, 1936, at 10.30 a.m. :	
9. Examination of the General Budget for the Nineteenth Financial Period (1937) : General Discussion (<i>continuation</i>)	15
FOURTH MEETING, September 30th, 1936, at 3.15 p.m. :	
10. Settlement of the Assyrians of Iraq : Resolution adopted by the Council on September 25th, 1936	20
11. Allocation of the Expenses of the League : Extension of the Term of Office of the Committee for the Duration of the Assembly	20
12. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part I : Secretariat : Section I, Chapter I : Assembly, Council, Conferences and Committees	20
13. Section I, Chapter II : Investigations, Enquiries and Liaison	22
14. Section I, Chapter III : Salaries and General Services	26
15. Section I, Chapter IV : Work covered by Special Grants	28
16. Section I, Chapter V : Profit and Loss on Exchange	28
17. Section I, Chapter VI : Supervision of Revenue and Expenditure	28
FIFTH MEETING, October 2nd, 1936, at 3.30 p.m. :	
18. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part I : Secretariat (<i>continuation</i>) : Section I, Chapter III : Salaries and General Services (<i>continuation</i>)	30
19. Section I, Chapter IV : Work covered by Special Grants (<i>continuation</i>)	31
20. Section II, Chapter VII : Permanent Equipment, etc.	33
21. Section II, Revenue	33
22. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part IV : Permanent Central Opium Board	34
23. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part V : Nansen International Office for Refugees	34
24. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VI : Buildings at Geneva	34
25. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VII : Pensions ; Part VIII : Settlement of the Assyrians of Iraq	34
26. Contributions in Arrear : Reappointment for One Year of the Committee for the Settlement of Contributions in Arrear	34
27. Contributions in Arrear : Examination and Adoption of the Report of the Committee for the Settlement of Contributions in Arrear	34
28. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part II : International Labour Organisation	36
29. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part III : Permanent Court of International Justice	37
SIXTH MEETING, October 5th, 1936, at 3.30 p.m. :	
30. Supplementary Credits : Question of the Time-limit for the Submission of Requests for Supplementary Credits	38
31. Appointment of a General Rapporteur	39
32. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VII : Pensions : Sixth Report of the Administrative Board of the Staff Pensions Fund and Supplement thereto	39
33. Reports of the Supervisory Commission : Examination of those Chapters not adopted during the Examination of the Budgetary Estimates : Disposal of the Surplus from the 1935 Financial Year	43
Amendments to the Financial Regulations	43
Pensions for Future Registrars and for Members of the Permanent Court of International Justice	46
34. Composition of the Supervisory Commission : Amendment proposed by M. Rosenblum, Delegate of the Union of Soviet Socialist Republics, to the submitted by M. de Ottlik, Delegate of Hungary	46

	Page
SEVENTH MEETING, October 6th, 1936, at 4.30 p.m. :	
35. Reports of the Supervisory Commission : Examination of those Chapters not adopted during the Examination of the Budgetary Estimates (<i>continuation</i>) :	
Recruitment and Promotion (in the Scale) of Members of Section	47
Utilisation of the Credit of 750,000 francs shown in Part VI (" Buildings at Geneva ") of the 1936 Budget, Chapter 2, " Occupation of the New Buildings ", and carry Forward to 1936 of the Balance of the same Credit in the 1935 Budget	47
Payments to the Budget of the Secretariat by States non-Members of the League of Nations	47
Guarantee Fund : New Text for Article 33a of the Financial Regulations	47
New Buildings	48
Correspondents and Temporary Collaborators	48
36. Intellectual Co-operation : Proposal of the Argentine Delegation	49
EIGHTH MEETING, October 7th, 1936, at 3.30 p.m. :	
37. Effects of the Devaluation of the Swiss Franc on the Finances of the League	49
38. (a) International Assistance to Refugees ; (b) Intellectual Co-operation : Requests for Supplementary Credits from the Sixth Committee	51
NINTH MEETING, October 8th, 1936, at 3 p.m. :	
39. Effects of the Devaluation of the Swiss Franc on the Finances of the League (<i>continuation</i>) : Report of the Supervisory Commission	53
TENTH MEETING, October 8th, 1936, at 10.15 p.m. :	
40. Composition of the Supervisory Commission : Draft Resolution proposed by M. de Ottlik, Delegate of Hungary, and Amendment thereto submitted by M. Rosenblum, Delegate of the Union of Soviet Socialist Republics	57
ELEVENTH MEETING, October 9th, 1936, at 10.30 a.m. :	
41. Supplementary Credits : Examination and Adoption of the Report of the Supervisory Commission	66
42. Composition of the Supervisory Commission : Examination and Adoption of the Report of the Fourth Committee to the Assembly	71
43. Examination and Adoption of the Supplementary Budget for 1937 and Relevant Passages of the Report of the Supervisory Commission	71
44. Disposal of the Surplus for the Financial Year 1935 : Proposals of the Supervisory Commission	72
TWELFTH MEETING, October 9th, 1936, at 3.30 p.m. :	
45. Allocation of the Expenses of the League of Nations : Reports of the Committee on the Allocation of Expenses	73
46. Allocation of the Expenses of the League of Nations : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly	80
47. Allocation of the Expenses of the League of Nations : Appointment of a Rapporteur to the Assembly	80
48. Settlement of the Assyrians of Iraq : Report of the Supervisory Commission	80
49. Election of Members of the Administrative Board of the Staff Pensions Fund	80
50. Contributions in Arrear : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly	80
51. Financial Questions : Examination and Adoption of the Draft General Report of the Fourth Committee to the Assembly	80
THIRTEENTH MEETING, October 10th, 1936, at 11 a.m. :	
52. Election of an Additional Member of the Supervisory Commission, in accordance with the Resolution adopted by the Assembly at its Sixteenth Meeting held on October 10th, 1936	81
53. Election of the Three Members of the Committee to consider what Amendments it might be desirable to make in Article 1 of the Financial Regulations	81
54. (a) Election of an Additional Member of the Supervisory Commission ; (b) Election of the Committee to consider what Amendments it might be desirable to make in Article 1 of the Financial Regulations : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly	81
55. Close of the Session	81

LIST OF ANNEXES.

1. Provisional Agenda	82
2. Composition of the Supervisory Commission : Report submitted by the Fourth Committee to the Assembly	82
3. Allocation of the Expenses of the League of Nations : Report submitted by the Fourth Committee to the Assembly	83
4. Contributions in Arrear : Report submitted by the Fourth Committee to the Assembly	86
5. Financial Questions : General Report submitted by the Fourth Committee to the Assembly	87
6. Election of an Additional Member of the Supervisory Commission, and Election of the Committee to consider what Amendments it might be desirable to make in Article 1 of the Financial Regulations : Report submitted by the Fourth Committee to the Assembly	94

LIST OF MEMBERS OF THE FOURTH COMMITTEE

Chairman: His Excellency M. Alberto GUANI (Uruguay).

Vice-Chairman: Mme. C. A. KLUYVER (Netherlands).

<i>Afghanistan:</i>	His Excellency Mohammed HAIDAR Khan.
<i>Union of South Africa:</i>	Mr. H. T. ANDREWS.
<i>Albania:</i>	M. Lec KURTI. M. Thomas LUARASSI (Substitute).
<i>Argentine Republic:</i>	His Excellency M. José Maria CANTILO. M. Carlos Alberto PARDO (Substitute).
<i>Australia:</i>	Mr. Raymond G. WATT.
<i>Austria:</i>	Dr. Franz MATSCH.
<i>Belgium:</i>	His Excellency Count CARTON DE WIART. M. J. COUCKE (Substitute).
<i>Bolivia:</i>	His Excellency M. Adolfo COSTA DU RELS. M. Alfonso QUEREJAZU (Substitute).
<i>United Kingdom of Great Britain and Northern Ireland:</i>	Mr. W. S. MORRISON, M.C., K.C., M.P. Sir Frederick PHILLIPS, K.C.M.G., C.B. (Substitute).
<i>Bulgaria:</i>	M. Nicolas STOYANOFF. His Excellency M. Nicolas MOMTCHILOFF (Substitute).
<i>Canada:</i>	Mr. Oscar Douglas SKELTON, Lieutenant-Colonel George P. VANIER, D.S.O., M.C. (Substitute).
<i>Chile:</i>	His Excellency M. Fernando GARCÍA-OLDINI. M. Enrique J. GAJARDO V. (Substitute).
<i>China:</i>	His Excellency M. LIANG LONE. M. PAO Hua-Kuo (Substitute).
<i>Colombia:</i>	Dr. FRANCISCO UMAÑA BERNAL. Dr. Rafael GUIZADO (Substitute).
<i>Cuba:</i>	His Excellency Dr. Aurelio Fernández CONCHESO.
<i>Czechoslovakia:</i>	His Excellency M. Štefan OSUSKÝ. His Excellency M. Rudolf KÜNZL-JIZERSKÝ (Substitute).
<i>Denmark:</i>	M. Ole Björn KRAFT. M. R. CHRISTIANI (Substitute).
<i>Dominican Republic:</i>	His Excellency Dr. Max HENRIQUEZ UREÑA.
<i>Ecuador:</i>	—
<i>Estonia:</i>	M. August SCHMIDT. Dr. Nicolas KAASIK (Substitute). M. Johannes KÓDAR (Substitute).
<i>Ethiopia:</i>	Ato Lawrence TAEZAZ. Mr. Everett A. COLSON (Substitute).
<i>Finland:</i>	His Excellency Dr. Harri G. HOLMA. Dr. Ensio HIITONEN (Substitute).
<i>France:</i>	M. VIÉNOT. M. Jean RÉVEILLAUD (Substitute).
<i>Greece:</i>	His Excellency M. Raoul BIBICA-ROSETTI. M. Michel MELAS (Substitute).
<i>Guatemala:</i>	—
<i>Haiti:</i>	His Excellency M. Constantin MAYARD. His Excellency M. A. F. FRANGULIS (Substitute).
<i>Honduras:</i>	—
<i>Hungary:</i>	His Excellency M. László DE VELICS. M. Georges DE OTTLIK. M. Etienne GOMBÓ (Substitute).
<i>India:</i>	Mr. Charu Chandra BISWAS, C.I.E.
<i>Iran:</i>	Dr. GHADIMY.
<i>Iraq:</i>	—

<i>Irish Free State:</i>	Mr. Francis T. CREMINS. Mr. Denis DEVLIN (Substitute).
<i>Italy:</i>	—
<i>Latvia:</i>	His Excellency M. Ludvigs EKIS. His Excellency M. Jules FELDMANS (Substitute).
<i>Liberia:</i>	His Excellency Baron Othon DE BOGAERDE. M. Fenton MORAN (Substitute).
<i>Lithuania:</i>	His Excellency M. Juozas URBŠYS. M. S. A. BAČKIS (Substitute).
<i>Luxemburg:</i>	M. Gaston DIDERICH.
<i>United States of Mexico:</i>	His Excellency M. Narciso BASSOLS. M. Manuel TELLO (Substitute).
<i>Netherlands:</i>	Mme. C. A. KLUYVER.
<i>New Zealand:</i>	Mr. William Joseph JORDAN. Mr. C. A. KNOWLES, C.B.E. (Substitute).
<i>Nicaragua:</i>	—
<i>Norway:</i>	M. Carl J. HAMBRO. M. R. I. B. SKYLSTAD (Substitute).
<i>Panama:</i>	His Excellency M. Galileo SOLÍS.
<i>Paraguay:</i>	—
<i>Peru:</i>	His Excellency M. Francisco TUDELA. M. Pedro UGARTECHE (Substitute).
<i>Poland:</i>	His Excellency M. Jan DE MODZELEWSKI. M. Paweł STARZEŃSKI (Substitute).
<i>Portugal:</i>	His Excellency Dr. Augusto DE VASCONCELLOS.
<i>Roumania:</i>	His Excellency M. Victor BADULESCO. M. Georges CRUTZESCO (Substitute). M. Dino CANTEMIR (Substitute). M. Ionel MOCSONYI-STYRCEA (Substitute).
<i>Salvador:</i>	—
<i>Siam:</i>	His Excellency Phya RAJAWANGSAN. Luang BHADRAVADI (Substitute). Khun Bibidh VIRAJJAKAR (Substitute).
<i>Spain:</i>	His Excellency M. Carlos EsPLÁ.
<i>Sweden:</i>	M. A. I. ANDERSON. M. K. I. WESTMAN (Substitute). M. S. J. SÖDERBLOM (Substitute).
<i>Switzerland:</i>	M. William RAPPARD. M. Camille GORGÉ (Substitute).
<i>Turkey:</i>	M. Hassan Riza SOYAK. His Excellency M. Necmeddin SADAK (Substitute).
<i>Union of Soviet Socialist Republics:</i>	M. Boris STEIN. M. Edouard HOERSCHELMANN (Substitute). M. Boris ROSENBLUM (Substitute).
<i>Uruguay:</i>	His Excellency Dr. Alberto GUANI or His Excellency M. Victor BENAVIDES.
<i>Venezuela:</i>	His Excellency M. C. PARRA-PÉREZ or His Excellency M. M. AROCHA. M. Carlos Eduardo FRÍAS (Substitute).
<i>Yugoslavia:</i>	Dr. Ivo ANDRITCH. Dr. Stoyan GAVRILOVITCH (Substitute).

FIRST MEETING.

Held on Wednesday, September 23rd, 1936, at 11.30 a.m.

Chairman: M. GUANI (Uruguay).

1. Opening of the Session in the New Building.

The CHAIRMAN, opening the session, drew his colleagues' attention to the fact that this was the first meeting to be held in the magnificent room in which the Committee was assembled. He also reminded his colleagues of the important part the Fourth Committee had played in connection with the erection of the new Palace. It might well be proud of the work accomplished. Its execution had been closely followed by the Supervisory Commission, especially its Chairman, M. Osuský, a member of the first committee set up by the Assembly, in 1927, to deal with the question of the new buildings.

The Chairman tendered the most cordial thanks to the Swiss Government. Not only had it assumed responsibility for the decoration of the room above the one in which the Committee was sitting, but it had asked one of the most distinguished Swiss artists to paint the symbolic fresco over the presidential dais in the present committee-room.

On behalf of the Committee, he warmly thanked all who had collaborated in the magnificent work of erecting the new Palace of the League of Nations.

2. Election of the Vice-Chairman.

Mme. KLUYVER (Netherlands) *was unanimously elected Vice-Chairman.*

3. Adoption of the Agenda.

The provisional agenda was adopted (Annex 1).

4. Publicity of the Meetings.

It was agreed that the Committee should meet in public, unless otherwise decided.

SECOND MEETING.

Held on Saturday, September 26th, 1936, at 3.30 p.m.

Chairman: M. GUANI (Uruguay).

5. Examination of the General Budget for the Nineteenth Financial Period (1937) : General Discussion : Statement by the Secretary-General.

The SECRETARY-GENERAL made the following statement : I intend to divide my statement into four parts, in the hope that this may make it easier for you to form an opinion regarding some of the main sets of figures. Before commencing, may I, however, mention a consideration suggested by the news we have just received regarding the devaluation of the Swiss franc. I rather feel that the figures I am about to quote to you are in the nature of algebraical symbols and that the value they express is still indeterminate.

The matters to which I propose to refer are the following :

- (1) The financial situation at the end of the last financial period ;
- (2) The situation during the present financial period ;
- (3) The budget for the financial period 1937 for all the organisations ;
- (4) The budget for the Secretariat in particular.

The year 1935 closed with a considerable cash surplus — in point of fact, 9,034,280 francs. I owe you certain explanations on this point, which may be summarised as follows : this surplus is the result of a financial and psychological clearing-up of the situation with regard to contributions in arrear.

You are aware how much anxiety this situation caused among members of this Committee at each of the previous Assemblies. Certain steps were taken : you appointed a Committee which conducted very active and effective negotiations with each of the States

concerned. I shall revert to this matter later. For the moment, I will merely say that these negotiations have resulted in a clearing-up of the situation.

The contributions for the present financial period are being paid with noticeably increased regularity and, moreover, we have been paid large sums relating to past financial years.

This is the explanation of the greater part of the surplus of nine millions.

If, seeking to discover ratios, we analyse the various receipts for last year, we note that the proportion of contributions paid in respect of that period was 88.27%, as against 71.97% in 1934. The difference between these two figures shows immediately the improvement in the regularity of payments to which I have just referred.

Payments in respect of arrears amounted to 24.72%, as against 21.55% in 1934. Our total receipts (contributions in respect of the current year and contributions in respect of previous years) have reached an extraordinary proportion which has never before been known — 113% of the budget. Last year we were paid 13% more than the total of the budget. I need not say that this situation will not occur again and that we shall never again see receipts exceeding the figures for the budget as voted.

Expenditure amounted to 83.52%, as against 80.93% in 1934.

These few figures indicate the situation in respect of the last financial period.

In the present financial period, the satisfactory conditions of last year have continued, without, of course, the influx of arrears, and, indeed, it is to be hoped that an influx of this kind will never again be seen.

The contributions received in respect of the present period and the previous periods amounted on August 31st¹ to 75% of the budget, as against 77% in 1935. Since August 31st, several payments have been made, as you have been informed in an additional document dated September 21st.² For all practical purposes, the proportion of payments this year is equal to that of last year. I regard this situation as satisfactory.

Of the budgetary sums received, 76% of the budgets of the International Labour Office and of the Permanent Court of International Justice has been paid over to these organisations. You are aware that our sole duty in this matter is to transmit to these two organisations the proportion of contributions due to them. This figure — 76% — does not, therefore, represent effective expenditure on our part, but merely a transfer of contributions to these organisations.

As regards the Secretariat, on the contrary, the proportion I quote indicates actual expenditure. Up to August 31st last, the expenditure of the Secretariat amounted to 48.45% of the total budget. The position has been explained to you in detail in the document regarding the financial situation to which I referred a little while ago.

I do not think, then, that I am over-optimistic when I express my belief that the present budget will conclude without a deficit.

I now come to the budget for 1937 and will venture once more to quote a list of figures, which I think are necessary to enable you to judge the situation.

Let us take as a starting-point the financial year 1932, the total budget for which amounted to 33,687,994 francs. From that year onwards, the figures decreased annually down to the budget of last year. Stage by stage budgets fell from 33,687,994 francs in 1932 to 28,279,901 in 1936. The budget which I now submit to you for next year shows a slight increase compared with this figure of 28,279,901; it amounts, in fact, to 28,729,497 — that is to say, an increase of 450,000 francs. This figure is the outcome of increases and decreases. The Secretariat budget has been increased by 54,328 francs only. I will revert to this point later. The budget of the International Labour Office has been increased by 909,000 francs; but you will doubtless remember, in this connection, that the 1936 budget showed a reduction, as compared with previous budgets, of 3,061,150 francs, because in that year the International Labour Office obtained the benefit of contributions from non-Member States which had been paid in respect of two financial periods together. The reduction last year was therefore abnormal, and to a certain extent artificial. Consequently, this increase of 909,000 francs to which I refer for the financial period 1937 should, to be seen in its true proportions, be compared with the figure for the financial period 1935.

The increase in the budget of the Permanent Court amounts to 240,000 francs. Practically the whole of this increase is due to an augmentation of credits for judges' pensions and the payment of a certain sum to the family of a deceased member of the Court.

Finally, the credit for the Staff Pensions Fund has been increased by 142,000 francs. Of this figure, however, a sum of 122,000 francs does not connote an increase of actual expenditure. We have made our calculations by taking into account contributions paid for two years by States non-Members of the League but Members of the International Labour Office; our remarks in respect of that organisation also apply to the Pensions Fund. The figures are the result of a double contribution made in one year.

Alongside these increases I would draw your attention to the following reductions:

The contribution to the Nansen Office has been decreased by 80,000 francs in conformity with the general plan for the winding-up of that Office decided upon by the Assembly.

The credit of 750,000 francs for installation in the new buildings has been deleted. I will refer to this point in connection with the Secretariat.

¹ Document A.30.1936.X.

² Document A.30(a).1936.X.

In accordance with the Assembly's decision, the credit for Assyrian refugees has been decreased by 100,000 francs as compared with the amount shown in the 1936 budget.

The net result, as I have already said, is an increase of about 450,000 francs in the total expenditure. This increase, however, will have no effect on the amount of the contributions that the Members of the League of Nations will be asked to pay for the year 1937. If you will refer to pages 4 and 5 of the budget circulated to you,¹ you will see that, if the Supervisory Commission's proposal to refund to States part of the surplus of which I spoke just now is accepted, the total sum which the States Members of the League will have to pay will amount to 26,835,000 francs in 1937, as against 26,791,000 francs in 1936, or an increase of only 44,000 francs.

The value of the unit for 1937 will therefore be 28,825 francs, against 28,777 in 1936, which represents a difference of 48 francs per unit.

I draw the Committee's attention to this point because my efforts, in which I have been assisted, supported and encouraged by the Supervisory Commission, have in the last four years been concentrated on keeping the contribution of the States Members as stable as possible.

In connection with the Secretariat's budget, I shall explain to you how we have been able, despite natural increases in expenditure, to maintain the figures at a level permitting of the stability of this contribution.

As regards contributions in arrear, you have in your possession a very detailed report from the Committee dealing with that subject.² I simply wish to recall the most important figures. You will no doubt remember that, when the Assembly set up this Committee to deal with the question of arrears, the latter had reached the large sum of 23 million francs. This figure undoubtedly had a demoralising effect. In the first place, it was demoralising to see it appearing in the financial statements which we published periodically. This figure was also demoralising for those who had, so to speak, contributed to it, since, obviously, when a country is faced with two, three or four years' contributions to pay, the effort appears to be too great and causes discouragement. Faced with the figure of 23 million francs, the Committee began negotiations with nearly all the States concerned. The Committee proposes that you should write off a sum of 12 million francs. After examining the situation of the different States, it has proposed, on the basis of the powers conferred on it, that this sum should be cancelled. On the other hand, arrangements have been concluded regarding a total of 9 million francs. At the present time, the arrears in respect of which no arrangement has been made amount to only one million and a half, after the last payments made since August 31st.

I think that you should congratulate yourselves on the situation. At the cost of a book-keeping sacrifice, you have acquired, as I said at the beginning of these remarks, a sound financial situation, regularity of payments, and a sense of respect for contracts such as are represented by the contributions. This result is much better than keeping up the practice of counting arrears as outstanding claims.

I should like to take this opportunity of paying a tribute to the work done by the Committee you have appointed. Its task was a thankless and painful one. This Committee has had to take great responsibilities, which are reflected in the figures I have laid before you. I am convinced that, with more authority than I possess, you will wish to thank the delegates you have appointed for performing their task in such an efficient manner.

I now come to the Secretariat's budget, regarding which I have only a few words to say. The Secretariat's budget for 1937 amounts to 14,645,000 francs, which represents an increase of 54,000 francs as compared with 1936. I should like to point out that, since the year I have chosen as the point of departure — the year 1932 — the regular increases in salary, which constitute an automatic and unavoidable cause of increase in the Secretariat budget, have amounted to a total of 875,000 francs. Since 1932, by the simple operation of the statutory rules, the budget of the Secretariat should have increased by 875,000 francs. Furthermore, you voted last year, for the costs of installation in the new buildings, a sum of 750,000 francs, which appeared in a special section of the budget and which is now incorporated in the budget of the Secretariat. Despite the statutory increase in salaries, despite this incorporation of a considerable credit for the increase in the expenditure of the services necessitated by such vast premises — much larger than those which we previously occupied — the budget of the Secretariat for 1937 represents an increase of only 54,000 francs.

This is not a case of juggling with figures. We first of all observed a policy of extremely rigid economy, as you will no doubt recognise. Then, in the last two years we have introduced a system which has been considerably developed in the proposals we are submitting to you this year, to meet the criticisms which, under the name of "over-budgeting", have been several times repeated from year to year in this Committee.

As you know, we have always maintained that we did not "over-budget", and that all the expenditure which we entered in the budget was the result of estimates in keeping with decisions taken by the Assembly of the League of Nations. But some of these estimates happened to correspond to eventualities which always had to be provided for but were rarely realised. Thus, in practice, large sums remained unexpended each year and constituted a surplus at the end of the year. These criticisms which you made have not been wasted;

¹ Document A.4.1936.X.
² Document A.29.1936.X.

we have thought them over. Last year we already brought you a partial solution ; this year we are bringing you a more comprehensive one.

The system we are proposing to you consists in leaving in the budget the categories of credits corresponding to estimates which in most cases are not realised. Why have we left them in the budget ? The reason is that, should they be realised, we should have to find a credit enabling us to incur the expenditure in a regular manner. If these estimates were not entered in the budget, we should find ourselves, when these eventualities arose, without any regular authority to meet this expenditure. This expenditure has therefore been left in the budget which you have before you, and I would draw your particular attention to pages 9 and 11 of the text. You will find at the end of Chapters I, II and III, under the heading " Loss : Lump-sum deduction " — in Chapter I, 600,000 francs ; in Chapter II, 200,000 francs ; and in Chapter III, 200,000 francs, making a lump-sum deduction of one million, which constitutes a large reduction in the credits, due to the fact that these estimates do not correspond to certainties.

Of course, we have only been able to make these reductions thanks to another system, inaugurated last year : the constitution of a Guarantee Fund. Sums have been taken from the surpluses, and again this year you will receive proposals to appropriate similar sums for the Guarantee Fund. The purpose of this Fund is as follows : If the Council has to incur political expenditure, for example, such as that provided for in Section I of the budget, " Council : Unforeseen expenditure, Political, 500,000 francs ", the Guarantee Fund provides the credits required for this expenditure, which nevertheless remains regularly charged to a credit that you have voted. The same applies to all similar categories of expenditure.

This system has relieved this year's budget of one million francs. Only if the Guarantee Fund was exhausted would it have to be reconstituted. But we do not anticipate that all the credits which can be supplied out of this Guarantee Fund could be spent at the same time ; this is a most improbable eventuality.

Lastly, I shall say a word about the buildings. The credits which you provided for the construction of this Palace are now represented by an edifice worthy of you and of the League of Nations. The construction will be completed next year, and I expect that next September you will inaugurate the new Assembly Hall, as this year, I hope, the Council Hall will be inaugurated.

The exact figure for the building cannot yet be precisely determined. Strict and justified vigilance has been exercised by the Supervisory Commission. I do not think that the final figure will very much exceed the figure which was anticipated. But you are aware that, for a building of this kind, there can never be absolute certainty ; it is possible that part of the annuity for the building fund which still appears this year in the budget submitted to you will be required for the final settlement of accounts. All that I can say is that no new credit, no credit different from those existing in the budget, will be necessary. It is purely as a matter of prudence that I am giving you these indications.

Such are the few reflections which I venture to put before you in order to draw your attention to the essential characteristics of the budget and to relate it to those which have preceded it.

M. HAMBRO (Norway) thought it would be unwise at the moment, in view of the monetary decisions just alluded to, to open a general discussion on the budget. He had a few remarks to make, however, on the principles governing the recruitment and appointment of staff, particularly as appointments of the greatest importance would shortly be made. He pointed out that the first Deputy Secretary-General appointed under the new system introduced in 1932 had handed in his resignation.

It was more essential than at any previous epoch in the history of the League to stress the international character of the Secretariat and the importance of keeping it free from the repercussions of nationalist conflicts. It was more necessary than ever for the Secretariat to maintain that spirit of toleration which had been referred to in the Assembly by the first delegate of the United Kingdom.¹

In 1932, the Assembly had decided that every higher official of the League should make the following declaration at a public meeting of the Council :

" I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as Secretary-General (Deputy Secretary-General, . . .) of the League of Nations, to discharge my functions and to regulate my conduct with the interests of the League alone in view, and not to seek or receive instructions from any Government or other authority external to the League of Nations."

A similar declaration was made, though not before the Council, by all officials who were given permanent contracts.

While he had no intention at the moment of criticising the actions of League officials in the past few years, he thought the Fourth Committee should state emphatically that no infringement of the principles laid down in 1932 could be tolerated. Everyone knew how often pressure from political quarters was brought to bear on the higher officials, and it was

¹ See *Official Journal*, Special Supplement No. 155, page 44.

the Committee's duty on such occasions to strengthen the Secretary-General's hand by drawing attention to the rules adopted after much thought and consideration.

It had also been laid down in 1932 that, if the Secretary-General was a national of a country with a permanent seat on the Council, the Deputy Secretary-General should be a national of a State not permanently represented on that body. That rule, arrived at with great difficulty, was essential to the whole structure of the League and was regarded as sanctified.

A third decision was that every senior official might have in his section or service one Member of Section of his own nationality. The reason for that was that, in the past, senior officials had had only officials of their own nationality, which had been found to be contrary to the principle of universality.

The League was passing through a critical period, and one of the chief duties of the Fourth Committee was to safeguard the principles governing the composition of the staff of the Secretariat and other League Organisations. M. Hambro therefore urged the Committee to study the relevant passages in the records of the thirteenth ordinary session of the Assembly.¹

He thought it his duty to make those remarks at the very outset, because criticisms had been made in various Parliaments throughout the world, including the National Assembly of his own country. It was felt that not all League officials had the same high conception of the League's impartiality and universality as had always inspired the Secretary-General. The latter did his utmost to defend those principles, and in doing so he had the full support of the Fourth Committee.

COUNT CARTON DE WIART (Belgium) supported M. Hambro's arguments. Similar views, he said, were held by many delegations. It was essential that the League should maintain its aloofness from such influences as might be exercised by particular States, and there was no better means of attaining that ideal than to meet the desiderata of which M. Hambro had made himself the spokesman.

He also paid tribute to the Secretary-General's vigilance in seeing that the principles M. Hambro had stressed were observed. The Secretary-General could be sure of the full support of every member of the Fourth Committee in his difficult task.

M. DE VASCONCELLOS (Portugal) said he still remembered the discussions that had led to the enunciation of the principles just reaffirmed. For his part, he could not but support the views advanced by the delegates of Norway and Belgium. He felt sure he was speaking for every member of the Fourth Committee when he said that the Secretary-General had found means of applying these principles and would see that they were respected, both directly and indirectly, in the future.

M. LIANG (China) agreed with M. Hambro that the essence of the League was universality. That principle should be maintained both in its work and in the composition of its staff.

China had only one national in the Secretariat, although her annual contribution amounted to 1,200,000 Swiss francs. The salaries of the nationals of some countries amounted to as much as 130 %, 150 % and even 500 %, of their annual contributions. The corresponding figure for China was 3 %. Other countries had no nationals in the Secretariat. That was not the Secretary-General's fault ; but, if a more equitable distribution of posts should be possible in years to come, the League would undoubtedly become more popular as well as more universal.

He realised that, for special reasons, there were a good many nationals of some countries at the Secretariat. At the same time, China would like to put forward more candidates in future, and reserved the right to place proposals regarding recruitment before the Secretary-General.

The principles laid down by the thirteenth Assembly should be strictly maintained. While this was undoubtedly an administrative question, it went far beyond administration, because it affected the bigger question of the efficiency and universality of the League.

M. OSUSKÝ, Chairman of the Supervisory Commission, said that, in 1932, the Fourth Committee had asked him to sit on the Committee to consider the reorganisation of the higher posts in the Secretariat, not as a representative of his country, but as Chairman of the Supervisory Commission. That was in order to give him an opportunity to express an opinion as to the probable value and effectiveness of some of the proposals then under discussion in the Committee in question. When the latter had decided to propose to the Fourth Committee, and the Fourth Committee to the Assembly, that, if the Secretary-General belonged to a State which was a permanent Member of the Council, the Deputy Secretary-General should be selected from among the nationals of non-permanent Members, it had done so for special reasons, which should not be forgotten at the present time. The representation of the permanent Members of the Council among the higher posts in the Secretariat was a question of nationality ; on the other hand, it had been made clear that the choice of the person who would be required, on occasion, to represent the Secretary-General had nothing to do with that question. The aim, in filling that important post, had been to select the candidate with the highest qualifications, and the Powers not represented on the Council had

¹ See *Official Journal*, Special Supplement No. 107.

urged that he should be appointed, not on the ground of nationality, but for his efficiency, and that, if possible, he should be selected from among the nationals of Powers not permanently represented on the Council. Those Powers would then feel that they were thought to be as capable as the others of making a useful contribution to the League's work.

That being so, the system introduced in 1932 would obviously be jeopardised if nationality were taken into account in making the appointment, when the sole guide should be the qualifications of the candidates. The Powers not permanently represented on the Council had nothing to gain — indeed, they had everything to lose — if the test of efficiency were abandoned for that of nationality. It was a matter of the greatest importance to them to see that the principles adopted in 1932 were maintained.

M. FELDMANS (Latvia) was under the impression that an official who resigned from the Secretariat was usually replaced by another official of the same nationality. Was that correct? If so, he thought it desirable to recommend that, as far as possible, any official who resigned should be replaced by an official of another nationality. The nationals of certain Powers would thus have greater opportunities of obtaining posts in the Secretariat.

Mr. BISWAS (India) said that he had listened to M. Hambro with considerable interest, but also with some concern. He had not previously been aware that the Assembly had laid down principles for the recruitment of the staff. From the remarks of M. Hambro, he had gathered that such rules had been laid down for recruitment of the entire higher staff, but the remarks of succeeding speakers suggested that the rule existed only for appointment of the Deputy Secretary-General, or the "second-in-command", as it was put.

What were the facts? As regards this particular post, if he had understood aright, the Assembly in 1932 had decided that the post should be held by a national of a State not permanently represented on the Council. If so, he did not quite follow why M. Hambro should have thought it fit to draw particular attention to it. That was why Mr. Biswas had felt some concern at his remarks. Was there any fear that the principle was about to be jettisoned in filling up the post now? He had heard the Chairman of the Supervisory Commission say that, in making the appointment, efficiency should be the sole test. Did that mean that no regard was to be had to the other principle which, in 1932, had been laid down? He would be glad to have an assurance that there was no intention of departing from the established procedure.

In that connection, it seemed to him that there was no reason why, always bearing in mind the claims of efficiency, the universal or representative character of the Assembly should not be reflected in the composition of the Secretariat, not merely in the higher divisions, but throughout.

There was no doubt that some States Members were beginning to feel restive. Rightly or wrongly, the achievements of the League during the past year or two had not inspired much public confidence. It had even been suggested in his own country that India should sever her connection with the League. He sincerely hoped that that line would not be taken, because he believed in the League and believed it had a future. At the same time, it was just as well to take note of the spirit of restiveness and try to placate public opinion as far as possible. One way of doing so would be to secure a fair and equitable representation of all nationalities in the Secretariat.

Mr. Biswas approved of the Secretary-General's plans for the appointment of temporary collaborators, and hoped the claims of the different countries would be taken into account.

The CHAIRMAN, intervening, pointed out that some of the matters to which the delegate of India was referring were not on that day's agenda, though there would be an opportunity of discussing them on another occasion.

Mr. BISWAS (India) said he would deal with those matters at a later stage.

M. AROCHA (Venezuela) said that only a short time ago he himself had been an official of the Secretariat, to which he was proud to have belonged for fourteen years. He was therefore fairly familiar with what went on there — with the pressure brought to bear on the Secretary-General in connection with certain appointments. He had in mind, not only the appointment of senior officials, but even of officials of lesser importance. In his opinion, it would not be out of place — it was even necessary — for the Secretary-General to know that the Fourth Committee, and through it the Assembly and the Governments, intended to assist him in his efforts to enforce the principles laid down in 1932. Venezuela had no official in the Secretariat, or the International Labour Office, or the Permanent Court of International Justice. He hoped that, other qualifications being equal, the Secretary-General would keep that in mind should a Venezuelan candidate come forward.

M. OSUSKÝ, Chairman of the Supervisory Commission, explained that, when he had said that efficiency should be the chief concern in filling the post of Deputy Secretary-General, he had, of course, meant within the limits laid down in 1932. It would be remembered that

M. de Azcárate had been selected in spite of a prejudice against the choice of a national of a semi-permanent Member of the Council, solely because of his suitability for the post.

It might be thought, because of the question raised by M. Hambro, that the first choice for the post of Deputy Secretary-General in 1932 had proved a failure. That was by no means the case, and, in order to prevent any misunderstanding, he would say at once that the Supervisory Commission had the highest esteem for M. de Azcárate and had had many proofs of his efficiency, loyalty and high character. The Commission viewed his departure with the greatest regret.

The SECRETARY-GENERAL said he had listened most carefully to the observations exchanged during the meeting. He would certainly not have confined himself to a tacit acceptance of the reminder concerning the principles laid down in 1932. The remarks of the delegate of India gave him an opportunity, however, to say that he was in complete agreement with the members of the present Fourth Committee who had taken part in the discussions in 1932. He had not taken part in them himself, for obvious reasons, but he had read the Minutes very carefully. His long experience at the Secretariat — especially since he had been Secretary-General — fully confirmed the wisdom of the resolutions adopted and the principles laid down.

The present staff was certainly to be commended for its absolute loyalty to the League, but that sense of loyalty must be handed on when changes were made in its composition and new staff was appointed. He specially thanked those delegates who had referred to the appointment of a Deputy Secretary-General. The question was of the utmost importance, especially at a time when he had to deplore the loss of one of his best collaborators, M. de Azcárate. It was essential that he should have the fullest confidence in those who worked in close touch with him. It had been said that the qualifications of the candidates were of fundamental importance. He could assure the Committee that the same motives as had led to the choice of M. de Azcárate would guide him in the choice of a successor. He was very grateful to those members of the Fourth Committee who had been good enough, by their observations, to assist him in his choice.

6. First and Second Reports of the Supervisory Commission, dated May 25th and September 24th, 1936, respectively : Statement by the Chairman of the Supervisory Commission.

M. Osuský, Chairman of the Supervisory Commission, placed the reports of the Supervisory Commission before the Fourth Committee. He explained that there were two reports. The first (document A.5.1936.X), dated May 25th, 1936, dealt with a number of questions enumerated on the first page; the second (document A.5(a).1936.X) had only just been issued. It had been drawn up at the close of the session, at which the Supervisory Commission had considered various questions it had been unable to settle in May.

He would refer later to the Supervisory Commission's examination of the budget and audited accounts, but for the moment he would confine himself to certain points dealt with in the first and second reports of the Supervisory Commission.

The first question was that of the new League buildings. It would be remembered that, in accordance with a resolution adopted by the Assembly in 1934, the Supervisory Commission was requested to study any financial questions that might arise in connection with the construction of the new buildings; it was natural that the Supervisory Commission, together with the Secretary-General, should have devoted special attention during the past year to the progress of the work. It would readily be understood that the construction of a building like that of the League had caused the Supervisory Commission and the Secretary-General considerable anxiety. For the moment, he would spare the Fourth Committee an account of the financial, technical, and other aspects of the question — aspects which, in any case, it would have an opportunity of discussing at a later stage. He would refer to them when the relevant items in the budget came up for discussion.

The Supervisory Commission had been instructed to draw up rules for the recruitment and promotion (in the scale) of Members of Section. It had devoted considerable time to that question, and had re-examined it during the past year in the light of the proposals made by the Polish delegation.¹ It believed it had arrived at a reasonable and defensible solution. He would go into the Commission's suggestions more fully when the relevant item was on the agenda.

Next came the question of temporary correspondents and collaborators of the Secretariat. The Supervisory Commission had felt that the Secretariat should not be a piece of administrative and technical machinery out of touch with the national life of the various Members of the League. It had therefore examined, with the Secretary-General, the best means of establishing closer and more continuous relations between the Secretariat and the nations belonging to the League. As a result, model rules for the consideration of the Fourth Committee had been drawn up. He would deal with those rules in due course.

At a later stage, also, he would go into the solution the Supervisory Commission proposed with regard to pensions for members of the Permanent Court of International Justice; the time appeared to have come to put the matter on a sound basis.

¹ See *Official Journal*, Special Supplement No. 141, pages 58 and 91.

The Supervisory Commission had considered the position of the Staff Pensions Fund. As the Committee was aware, the Fund was administered by an Administrative Board, not by the Secretary-General or the Supervisory Commission. Nevertheless, the latter had examined the documents and reports published by the Board, and felt bound to draw the Fourth Committee's attention to the position of the Fund, since the financial responsibilities shouldered by the League in respect of the Fund could not be isolated from the general financial situation. The Supervisory Commission's report, dated September 24th, 1936,¹ put forward considerations which the Fourth Committee should discuss, for, if steps were not taken in time, the League might be involved in expenditure which would have a very serious effect on its finances. In any event, the Fourth Committee would be asked to say whether, in its opinion, the present system was the most suitable method of safeguarding the general interests of the League.

The Supervisory Commission had also examined various amendments to the Financial Regulations. The wording proposed would be found in its first report,² but he would point out at once that, owing to the constitution of the Guarantee Fund, it had been possible to reduce the budget estimates for 1937 by 1,200,000 francs. That showed that the Supervisory Commission, in proposing the formation of the Fund, and the Fourth Committee, in agreeing in 1935, had pursued the right policy.

One of the amendments to the Financial Regulations which had been considered by the Supervisory Commission related to Article 16a. The Commission had agreed to inform the Fourth Committee, in future, of the consequences of the preliminary vote as to the principle which it might adopt during the discussion of supplementary credits. It proposed certain rules for the Fourth Committee's consideration. As Chairman, he desired to point out that the Supervisory Commission had accepted that task with some reluctance, and only at the urgent request of the Netherlands delegate.

7. Audited Accounts of the Seventeenth Financial Period (1935) and Relevant Passages in the Reports of the Supervisory Commission.

The CHAIRMAN opened the discussion on the audited accounts for 1935 (documents A.3, A.3(a), A.3(b) and A.3(c).1936.X) and relevant passages in the reports of the Supervisory Commission (documents A.5.1936.X, Section A, and A.5(a).1936.X), Chapter I).

M. Osuský, Chairman of the Supervisory Commission, said that the Commission proposed that the Fourth Committee should approve the audited accounts for 1935. They showed a large surplus, and he took the opportunity to pay a tribute to the work of the Committee on Contributions in Arrear, and especially of its Chairman, M. Hambro. As a member of that Committee, M. Osuský could testify to the activity, the great imagination and the resourceful diplomacy displayed by M. Hambro, as well as to his kindness. It was mainly due to him that the Committee on Contributions in Arrear had been able, not only to reach a settlement in regard to the past, but to arrange matters in such a way as to give an effective guarantee for the future that, as far as possible, contributions would come in regularly. The 1935 surplus itself was not due to chance; the way had been paved by the Secretary-General and the Supervisory Commission, who had endeavoured to ensure that, at the time of a difficult political crisis for the League, its finances should be sound.

The audited accounts for the seventeenth financial period (1935) and the relevant passages in the reports of the Supervisory Commission were approved.

8. Financial Situation of the League of Nations on September 21st, 1936.

The Committee took note of the reports on the financial situation of the League on September 21st, 1936 (documents A.30 and A.30(a).1936.X).

¹ Document A.5(a).1936.X, page 3.
² Document A.5.1936.X, page 10.

THIRD MEETING.

Held on Monday, September 28th, 1936, at 10.30 a.m.

Chairman: M. GUANI (Uruguay).

9. Examination of the General Budget for the Nineteenth Financial Period (1937) : General Discussion (continuation).

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, said that the monetary developments of the previous Saturday raised the question whether it would not be desirable to postpone the discussions of the Fourth Committee until further information was available as to the probable results on the League's finances of the currency decisions taken by a number of countries. It was plain that, as the contributions of Members of the League were payable in gold francs while the expenditure incurred was mostly in Swiss francs and guilders, the new situation must mean a reduction in the amount of the contributions of the Members of the League. But it had been impossible to go into the question up to the present. Accordingly, in agreement with the Secretary-General, the Director of the International Labour Office and the Registrar of the Permanent Court of International Justice, he would ask the Fourth Committee, on behalf of the Supervisory Commission, to take up and continue the examination of the budget of the League at once. Obviously, the examination could only be in the nature of a first reading, and no definitive decisions could be taken until after the Supervisory Commission was in a position to submit its conclusions to the Fourth Committee on the basis of proposals by the responsible officials of the three organisations.

Mr. MORRISON (United Kingdom) thought that M. Réveillaud's suggestions were very much to the point. Close scrutiny of the effect of the devaluation of the franc on the League's finances would, of course, be needed, and the question should be referred to the Supervisory Commission for consideration. That, however, did not preclude discussion of the general aspects of the current budget. It was to be hoped that the general effect of devaluation would be a lightening of the burdens incumbent on those States which had felt the weight of the charge most in the past.

Speaking with diffidence as a newcomer in the presence of so many authorities on the League's finances, he desired to say that, having given careful consideration to the budget as a whole, he had very few comments to make. The Supervisory Commission, the Treasury and the Secretariat were to be complimented on the way in which they had been able to maintain past economies and cope with such matters as arrears. That did not mean that the time for vigilance was over. Constant vigilance, it had been said, was the price of liberty; it was the price, no less, of sound finance. It was to be hoped, therefore, that the experience of the past would be taken as guidance for the future.

The United Kingdom delegation had frequently drawn attention to the danger of over-budgeting. He rejoiced in the progress that had been made in avoiding this evil practice, and he had every hope that less and less trouble would be experienced in this connection in the future, as the position in regard to the problem of arrears improved.

That led him to refer to the question of reserve funds, for reserve funds were one of the best ways of avoiding over-budgeting. With the establishment of adequate reserves, the League should be able to look forward to a period of much closer budgeting. The importance of reserves would become apparent, if for any reason — for example, in a time of international tension — the incomings of the League were interrupted.

Mr. Morrison was the first to recognise the real progress that had been made in the restriction of expenditure; but existing economies must be maintained. In this matter of economy, it was very difficult to gain ground, but fatally easy to lose ground once gained.

He was anxious to pay his tribute to the work of the Committee on Contributions in Arrear and its Chairman, M. Hambro. The outstanding arrears had now been reduced within relatively inconsiderable limits; but the effect which the very existence of those arrears, however small, might have on the prestige of the League should not be left out of sight. It was one of the easiest and commonest arguments of detractors of the League to point to the fact that arrears existed. There should be *no* arrears.

Mr. Morrison had no far-reaching reforms of a general character to suggest for the current year. He would support any attempts at further economy, and he congratulated those responsible for past attempts in that direction.

Count CARTON DE WIART (Belgium), after supporting the United Kingdom delegate's general remarks, made a few brief observations on M. Réveillaud's preliminary question. He thought the latter's proposal should meet with the approval of the members of the Fourth

Committee. They should then examine the items of the budget, together with the principles governing the League's expenditure, reserving consideration of the effects of the monetary situation on both contributions and expenditure. Whenever events of the kind announced on the previous Saturday occurred in a country, it was naturally exposed to a kind of return shock known as readaptation. According to the interests at stake, that shock affected, more or less rapidly, salaries, pensions and indemnities. All who had any experience of devaluation were well aware of that. The return shock must be foreseen, and there must be no yielding to its pressure prematurely or without due consideration.

It should be remembered that the events of the past Saturday gave cause for great optimism. It was announced that what had been called the alignment of currencies coincided with an agreement likely to have the most satisfactory results through the stabilisation of currencies and the promise of a common stand against the advance of that self-sufficiency and super-nationalism from which the world economic structure had already suffered so much. However, besides hope, there must be caution and circumspection, and care must therefore be taken not to proceed without due thought to the readjustment and adaptation of expenditure. Otherwise, a bad example would be set, seeing that the League's decisions were international.

In conclusion, Count Carton de Wiart supported the proposal that the 1937 budget should be examined by the Fourth Committee as carefully as usual. Should the Committee decide to refer the question raised by M. Réveillaud to the Supervisory Commission, it must not be assumed that the Belgian Government's acceptance of that procedure signified that the Government was in favour of adjusting expenditure.

M. GARCÍA-OLDINI (Chile) was very grateful to the Supervisory Commission, the Committee on Contributions in Arrear and the Treasurer. All had made great efforts, the results of which were striking. All the Members of the League appreciated those efforts highly.

He had only a few brief comments to make as regards the situation created for the League by the currency decisions taken by a number of countries. Contrary to what had been said, a process of readaptation had, in fact, been in progress in the majority of countries throughout the world for a long time past. But there were certain countries — and certain institutions — which had been prevented by circumstances from following the same course. Attention had already been drawn, in the previous year, by a number of delegations, and by the French Premier in particular,¹ to the abnormal character of a situation in which currency had been depreciated and expenditure cut down in a number of countries, while the standard of living of the League of Nations remained unaffected. Now, thanks to the monetary developments mentioned, the process of adaptation was being extended to the League. The Supervisory Commission would perhaps be able, before the end of the session, to make an approximate estimate of the extent to which the developments in question would affect, not merely the financial situation of the League as a whole, but also its budget.

It was true that a section of the expenditure of the League was incurred in currencies other than the Swiss franc, but by far the greater part of its expenditure was in Swiss francs. As soon, therefore, as the limits of the devaluation of the Swiss franc were known, it would be possible, by a simple arithmetical operation, to ascertain the extent to which the Swiss franc expenditure was reduced in relation to the gold franc.

There was a further point he wished to make. The League of Nations was based on the Covenant. But analysis of the Covenant showed that a large number of the League's activities were not activities deriving, properly speaking, from the Covenant. They were excrescences on the normal functions of the League which had gradually accumulated. It was only necessary to read the budget to realise the extent to which that was so. Certain of those activities involved heavy burdens on the budget of the League; and, although, in practice, they did not concern all the Members of the League, all Members were nevertheless compelled, in virtue of their membership, to meet the expenditure involved. A process of clearing up was going on throughout the world at the present time in every direction. Equilibrium was being sought in every quarter. Might it not be prudent, at a time when the atmosphere was not particularly favourable for the League, to seek for some means of eliminating certain of the League's activities in which all the Members were not directly concerned? He believed a thorough study should be made of what was, and what was not, an organic development from the Covenant; and a dividing-line should be drawn between those activities which were of a general character and concerned all countries on the one hand and those which were of a special character on the other.

It might be objected that such problems did not fall within the competence of the Fourth Committee; but M. García-Oldini did not see before what other Committee they could be raised. He had raised them before the Fourth Committee because it was their financial aspects with which he was concerned.

In conclusion, M. García-Oldini expressed the hope that the ideas he had put forward would one day bear fruit.

M. DE MODZELEWSKI (Poland) thought that the severest critics must be satisfied that year with the budget of the League. As a result of the vigilant spirit of economy on the part of the responsible officials and the Supervisory Commission, a maximum of economies had been attained. The League finances were now being well administered. The budget showed no increase — he was thinking mainly of the budget of the Secretariat — and, in addition, a

¹ See *Official Journal*, Special Supplement No. 141, page 20.

reserve fund had been created to cope with the problems of over-budgeting. The Fourth Committee could only, he thought, congratulate those responsible for the budget, and adopt the budget itself.

Such was the situation in which there fell the thunder-clap of currency devaluation. The effect of those developments on the position of the League clearly called for very serious consideration.

As M. Réveillaud had pointed out, a great part of the League's expenditure was in Swiss francs. The devaluation of the Swiss franc was, therefore, from certain points of view, a fortunate event for the League of Nations, seeing that current expenditure was met in Swiss francs. Moreover, it must not be forgotten that the League possessed certain capital assets in gold — for example, that of the Staff Pensions Fund. On the other hand, Switzerland was a country which did not possess raw materials. It was obliged to import them. It was therefore to be anticipated that the cost of living might rise.

It was necessary to consider, under those circumstances, the positive and negative effects of recent currency developments on the several items of the budget. The Supervisory Commission would give careful consideration to those effects, as soon as it received information on the subject from the responsible heads of the three organisations.

M. de Modzelewski accepted M. Réveillaud's proposal, and agreed with the latter that the Fourth Committee should begin at once the study of the budget and carry it as far as possible at a first reading. When the conclusions of the Supervisory Commission were available, it would be possible to forecast — so far as that was humanly possible — what readjustments would have to be made and what precautions would have to be taken for the future.

M. HAMBRO (Norway) found himself in entire agreement with the procedure proposed by M. Réveillaud and M. de Modzelewski. He had been very glad to hear the United Kingdom delegate's references to the problem of reserve funds. Mr. Morrison's remarks — made with all the authority which attached to the representative of the Treasury of the United Kingdom — would be warmly endorsed by every member of the Supervisory Commission. A reserve fund had been constituted. It was to be hoped that it would never require to be used. But the fact of its existence was a great safeguard for the League.

As M. de Modzelewski had already pointed out, the devaluation of the Swiss franc would not affect the structure of the budget, though it would, of course, affect the financial position of the League as a whole. It would obviously be useless to discuss the general repercussions of devaluation; the League had too many out-payments to make in other currencies — not to mention the whole budget of the Permanent Court of International Justice. But there was no reason why the Committee should not discuss the details of the budget from the structural point of view, so as not to hold up the work of the Assembly.

M. ROSENBLUM (Union of Soviet Socialist Republics) said that the budget of the League was based on the annual contributions of the Members, and those contributions were based on the quotas assigned to the different Members. Any change in the quotas must obviously affect the budget. As the Soviet Government did not consider that, so far as it was concerned, the proposals of the Committee for the Allocation of Expenses were justified, he reserved his delegation's right to submit observations of principle on the budget after the question of the allocation of the League's expenditure had been discussed. He accordingly requested the Committee to leave its final approval of the budget until such time as complete agreement had been reached in regard to the contributions of the different States Members.

The CHAIRMAN took note, on behalf of the Committee, of the Soviet delegation's statement.

Mr. ANDREWS (Union of South Africa) associated himself with the proposals of the Supervisory Commission and M. Hambro in regard to the procedure in the matter of the current budget.

The South African Government desired to congratulate the Supervisory Commission, the Secretary-General and the International Labour Office on the stabilisation of budgetary expenditure which had been effected during the past year. Criticism, whether rightly or wrongly directed, had been very assiduous in previous years, and the present budget therefore constituted a very happy sequel and a positive reaction to those criticisms.

He would avail himself of the opportunity to refer to one or two other matters connected with the budget, and in particular in regard to the question of contributions in arrear, and would like to emphasise that the existence of arrears still remained a subject for severe criticism in extra-European countries. In his own country, to quote a single example, the question had been raised as recently as February last by the Public Accounts Committee of the Union Parliament, and was made a matter of the most pungent comment, at the moment when the Union Government's contribution to League expenses was under consideration.

The Fourth Committee had debated this particular question for a number of years, and there would be no need, therefore, for him to repeat the arguments which had been levelled in criticism of what threatened at one time to become a deplorable defect in League finances. Those criticisms, however, had found repetition in his own country, and the observations of the Public Accounts Committee, to which he had referred, was a reflection of public opinion in the matter.

Since that time, however, the report of the Committee for the Settlement of Contributions in Arrear had been presented, and he would like to offer his sincere congratulations to its Chairman, M. Hambro, and his associates, for their splendid efforts to liquidate what was readily acknowledged to be a most delicate problem. Mr. Andrews expressed the earnest hope that the agreements reached with those States in arrears would be satisfactorily discharged, and that, for the future, the League would not be burdened with that problem.

At the same time, however, as the United Kingdom delegate had also pointed out, Mr. Andrews felt it was very easy to slip backwards, and he hoped, therefore, in the interests of all States Members, that the utmost vigilance would continue to be exercised by the Committee in order to avoid any further accumulation of arrears or deterioration of the situation. After consideration of the earlier report¹ of the Committee on arrears, his Government had been prepared to support its proposal in regard to overdue contributions — namely, that States which did not pay their contributions on due date should be surcharged at a simple interest rate of 4% per annum. In view, however, of the more recent report,² which reflected a most satisfactory situation in respect of the collection of arrear payments, he agreed that, in the circumstances, this sword of Damocles was perhaps not immediately necessary. He would urge, however, that the proposal should only remain in suspense for future use if required.

Turning to another matter — that of the allocation of the expenses of the League — Mr. Andrews wished to add that the South African Government had given careful consideration to the report of the particular Committee charged to deal with that subject³ and which, *inter alia*, had recommended an increase in the Union Government's annual contribution by one unit from 15 to 16 units. He was able to inform the Committee that his Government would not object to that increase, so long as it was understood that it was not regarded as permanent. If, therefore, the League should find adequate funds at its disposal, or if economic conditions should render payment of the increased contribution difficult, the Union Government would reserve to itself the right of requesting the League to review the question of allocation. His country was no doubt in a happy position economically at the moment, but the Fourth Committee would appreciate the necessity for a conservative attitude on its part. Subject to that, however, his Government accepted the increase of one unit.

In conclusion, Mr. Andrews observed that the Supervisory Commission's report⁴ contained a definite proposal in relation to the development of the system of correspondents and temporary collaborators with an eye to the need for extending League liaison with extra-European Member States. It had always been felt in South Africa that, although liaison with the League existed, yet much remained to be done to strengthen it. The proposal, therefore, to initiate a scheme whereby some dozen collaborators, chosen from the national administrations of different countries or from other suitable centres, might be appointed to the Secretariat was greatly to be welcomed. In particular, he was glad to know that a period extending from six months up to one or even two years of collaboration in the League Secretariat was envisaged. That was a great improvement on the present idea of temporary collaborators assisting during the limited period of the annual Assembly only, and for his part, he would say the longer the period, the more valuable would it be. The scheme was only in its beginnings, but it was positive and constructive and would be welcomed by his Government.

Mr. BISWAS (India) reserved the right to deal with particular items of the budget at a later date. At the present juncture, he was concerned to express India's satisfaction with the general improvement of the League finances. It had been largely at the instance of India that the Supervisory Commission had been appointed, and there could be no question that its efforts during the past year had been crowned with success, and he was anxious to offer his congratulations on its achievements.

He desired, further, to pay a tribute to the work of the Committee on Contributions in Arrear, and its Chairman, M. Hambro, on their successful endeavours. Much had been done, though more remained to do. Mr. Biswas noted that the Committee had for the present left in abeyance the proposal to charge 4% on overdue accounts. The Indian delegation was prepared to agree to the postponement of any such action for the moment. But, in the event of the enforcement of the proposed interest charge again coming up for consideration, he threw out the suggestion that it might facilitate the collection of overdue amounts if a rebate were allowed for prompt payment.

Economies had been made in various directions; but the need for vigilance continued, as he was sure the Secretary-General realised. The League contribution to the Pensions Fund was possibly too high.

India, in connection with economies, supported the proposal to amalgamate the Delhi office of the International Labour Office and the League office in Bombay.

Mr. Biswas welcomed the suggestions with regard to collaborators and correspondents. Much of the criticism of the League which was vocal in India was due, he thought, to the defective publicity given to the work of the League. It would have an excellent effect, both as regards the League and as regards India, if collaborators were brought from India for periods of six months, one year or two years. There was, at present, only one correspondent of

¹ Document A.15.1935.X.

² Document A.29.1936.X.

³ Document A.10.1936.II.A.

⁴ Document A.5(a).1936.X, page 5.

the League in Bombay and another in Calcutta. Mr. Biswas could vouch for the good work done by the latter; but he had not so much as an office. Correspondents should be given a small equipment allowance, and their numbers should be increased. There should, for example, be a correspondent in Madras and (if the League office were transferred from Bombay to Delhi) in Bombay.

M. STOYANOFF (Bulgaria) reminded the Committee that an agreement had been reached between the League and the Bulgarian Government for the settlement of Bulgarian arrears. The Committee on Contributions in Arrear had agreed to reduce the Bulgarian contribution for 1936 from five to three units. He asked for the same reduction for 1937.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, thanked the Fourth Committee for its response to the suggestion he had put forward at the beginning of the meeting on behalf of the Supervisory Commission, and for its decision to leave, for the moment, the question of the effects on the budget of the League of recent decisions in connection with currencies.

He was anxious to assure the various members of the Committee who had spoken that the Supervisory Commission and the heads of the three organisations would not fail to take into account the various suggestions put forward.

It was only natural that certain particular issues — such as the questions of arrears, allocation of expenses, etc. — should have been raised in connection with the general discussion. All those questions hung together inextricably and governed the financial administration of the League. It was only natural, therefore, that the satisfaction expressed by the various speakers should have had relation to the activities of the several organs of the League, whose efforts had led to the happy results which the Committee was now in a position to record. The fact that the problem of arrears had been solved had made it possible for the Committee for the Allocation of Expenses to meet all legitimate demands, while, on the other hand, the fact that it was now possible to count on more regular revenue receipts had made it possible for the responsible heads of the administrations to carry their economies to the furthest point.

The Supervisory Commission, for its part, had made its contribution to the improved finances of the League by its efforts to cope with the problem of over-budgeting, which had been denounced so often by different delegates, headed by those of the United Kingdom and the British Dominions. The representatives of the British Empire were, indeed, the focus of the opposition in this connection, speaking as they did with the confidence derived from the knowledge that their own Treasuries were a model to the Treasuries of the whole world.

At first, the Supervisory Commission did not see how to meet the desires expressed. It was loath to lop redundant branches, when it knew that there was trouble at the root of the tree in the shape of the permanent deficit represented by the contributions in arrear. There was now every reason to hope for regular revenue receipts, and this had made it possible for the Supervisory Commission to use the axe in connection with over-budgeting. The reductions made last year — in the form, for the first time, of lump-sum reductions — amounted to 600,000 francs; this year they amounted to 1,200,000 francs. It would always, of course, be necessary to keep a margin for unforeseen developments; but it would be possible, after a certain interval of experience, to reduce the margin. Already it might be said that the present budget gave a much more accurate picture of the real requirements of the League.

M. Réveillaud desired to point out, in this connection, in regard to the lump-sum reductions in the budget of the Secretariat, that it had been thought safer, in the preceding year, to confine them to Chapters I and II of the budget, in which the hidden reserves were most conspicuous. This year a lump-sum reduction had been made in connection with Chapter III (Salaries and General Services). The Secretary-General deserved great credit for that reduction. The salaries chapter was one which the administrations were very anxious to keep intact, since it was out of that chapter that the responsible heads of the administrations were able to meet demands made and to give way, up to a point, to national pressure. But the Secretary-General had agreed, notwithstanding, to a lump-sum reduction of 200,000 francs in connection with the credits for vacant posts. That represented a very complete degree of co-operation on the part of the administration with the Supervisory Commission.

He further drew attention to the fact that the Secretary-General had chosen the current year for giving effect to the proposal for the establishment of posts of correspondents and temporary collaborators. That arrangement would make it possible, without swamping the ranks of the permanent officials, to meet the legitimate claims of certain Governments. It would mean a continuous flow of interchanges with the different countries, and would create a link with distant continents, which would greatly facilitate propaganda in favour of the League.

The detailed examination of the budget was about to begin. The Committee had decided to proceed without reference to the consequences of the devaluation of certain currencies. He asked the Committee to proceed also without reference to the question of lump-sum reductions, following in that respect the policy adopted by the Supervisory Commission (see page 3 of document A.5.1936.X). The Committee should limit itself in the main to the economics that might be proposed in the various items of the budget. He might say that the Supervisory Commission had already scrutinised those items one after the other with the greatest care, and had made such cuts as were possible. M. Réveillaud believed that, in the light of those efforts, which had been facilitated by the goodwill of the heads of the administrations, it was hardly possible to look for further reductions.

He accordingly asked the members of the Committee to direct such legitimate comment as they might have to make preferably to questions of a general character, such as personnel, development of the various activities of the League, Staff Pensions Fund and so on, as they arose in connection with the discussion of the different items of the budget. The figures of the lump-sum reductions in the budget would thus be left till the end, though there again he, personally, did not believe it would be proper to make any larger cuts. The cuts proposed amounted to 1,000,000 francs in the case of the Secretariat, and he ventured to say that, under present circumstances, it would be dangerous to go any further.

FOURTH MEETING.

Held on Wednesday, September 30th, 1936, at 3.15 p.m.

Chairman: M. GUANI (Uruguay).

10. Settlement of the Assyrians of Iraq : Resolution adopted by the Council on September 25th, 1936.

The CHAIRMAN stated that, at its tenth plenary meeting, the Assembly had decided to refer the following resolution, which had been adopted by the Council on September 25th, 1936¹, to the Fourth Committee :

“ The Council,

“ Takes note of the report of the Council Committee for the Settlement of the Assyrians of Iraq and approves the present report by the representative of Spain, its Rapporteur ;

“ Expresses the hope that the United Kingdom and Iraqi Governments, so far as they are concerned, will give a favourable reception to the financial suggestions contained in the Council Committee's report ;

“ Decides to transmit the Committee's report to the Assembly, together with an extract from the Minutes of this meeting of the Council recording the discussions on the present question, in order that the competent Committee of the Assembly may consider it when the annual budget of the League of Nations is examined.”

He suggested that this resolution be referred to the Supervisory Commission for examination and report.

The Chairman's proposal was adopted.

11. Allocation of the Expenses of the League : Extension of the Term of Office of the Committee for the Duration of the Assembly.

The CHAIRMAN, in accordance with the precedent established in 1935 in respect of contributions in arrears, suggested that the term of office of the Committee for the Allocation of Expenses should be renewed. That Committee, for the appointment of which the Fourth Committee had been responsible, had been constituted in 1935.² The suggestion was that any delegations wishing to make observations as to the scale of contributions would be heard by the Committee on the Allocation of Expenses.

If the Fourth Committee agreed to that proposal, the Allocation Committee would consist of :

M. Carlos Alberto PARDO (Argentine) ;
Sir Frederick PHILLIPS (United Kingdom) ;
M. Jean RÉVEILLAUD (France) ;
M. Narciso BASSOLS (Mexico) ;
M. Carl J. HAMBRO (Norway) ;
Phya RAJAWANGSAN (Siam) ;
M. Hasan Riza SOYAK (Turkey) ;
M. ROSENBLUM (Union of Soviet Socialist Republics).

The Chairman's proposals were adopted.

12. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part I : Secretariat : Section I, Chapter I : Assembly, Council, Conferences and Committees.

The CHAIRMAN pointed out that, in examining the budget estimates for 1937 (document A.4.1936.X), the Committee should also take account of the two reports from the Supervisory Commission (documents A.5 and A.5(a).1936.X).

¹ See *Official Journal*, November 1936, page 1162.

² See *Official Journal*, Special Supplement No. 141, page 34.

Count CARTON DE WIART (Belgium) called attention to Chapter I, Items 3 and 4, Conferences and Committees. Those items concerned amongst others the League's work for the suppression of the traffic in women and children and for child welfare, to which the Belgian as well as other Governments attached great importance. Very encouraging results had already been achieved in a sphere to which no one could be indifferent. Through the two Committees which dealt with these problems, the League had secured valuable co-operation and sympathy, even in countries which were not Members. Its recommendations had already been embodied both in international conventions and in the internal legislation of various countries, to say nothing of the reforms introduced in private bodies and institutions. If any proof were wanted of the League's desire not to overlook the financial requirements of those social activities, it would suffice to refer to the conclusions adopted by the Fifth Committee and approved by the thirteenth Assembly in 1932.¹

"Considering that the work done by the Advisory Commission for the Protection and Welfare of Children and Young People and by its secretariat is of primary social importance — a fact which is unanimously recognised in all countries — and that this work is wholly in conformity with the duties which the Covenant places on the League of Nations;

"Noting with regret that the means at the disposal of this Commission and its secretariat have already been drastically reduced and appear to be disproportionate to those assigned to other forms of League activities :

"The Fifth Committee, although it is prepared, in view of the present financial situation, not to ask this year for any increase in the budgetary estimates for the Commission and its secretariat — an increase nevertheless required for the proper expansion of its work, and in particular for : (1) the publication of the Minutes of the two Committees of which the Commission consists, which has been discontinued for the past year, and (2) the participation in its work of experts for certain special questions referred to it;

"Confidently hopes that the Fourth Committee will adopt without reduction the budgetary estimates for 1933, both ordinary and supplementary, submitted to it for the Advisory Commission for the Protection and Welfare of Children and Young People and its secretariat."

In pursuance of this resolution, the credit for the Advisory Commission was increased from 20,820 Swiss francs for 1932 to 30,884 Swiss francs for 1933. But since then it had dropped steadily—namely, from 27,910 francs in 1934 to 26,610 francs in 1935 and 23,850 francs in 1936. And no more than a sum of 21,650 francs was provided in the draft budget for 1937.

A new situation had recently arisen which was bound to entail expenditure higher than that appropriated to child welfare and the suppression of the traffic in women and children. On September 26th, 1936, the Council had adopted the report of the representative of France which would involve a complete change in the composition and procedure of the two Committees. They would be combined into one Advisory Committee on Social Questions which would include the representatives of Governments who had not as yet participated in the work and also of experts who would replace the assessors hitherto sent by certain big organisations who had been responsible for the cost. Count Carton de Wiart then read the following passage from the report of the representative of France to the Council :²

"Since the doubts that have arisen are connected with the question of the participation of assessors, I should like briefly to remind you of our policy on that question. We do not contemplate, nor have we ever contemplated, depriving the Commission of expert assistance or expert views, which it may find, and has, indeed, frequently found, most valuable. We merely propose that the Governments represented should be accorded rights commensurate with their responsibilities, whenever the latter may be directly involved; in other words, that the Commission as a Governmental body should be left free to determine its own agenda and to decide as to the recourse to be had to the co-operation of voluntary assistance. Once we have laid down this principle, on which I do not think that there can be any difference of opinion, we can rest assured that, in practice, there will be very extensive co-operation, and that, in choosing its assessors, the Commission will continue to display that absolute fairness which has always animated its activities. Moreover, in accordance with the second sub-paragraph of paragraph 10 of the plan adopted at Paris, the Social Questions Committee will be free to invite any of its correspondent members to take part in its meeting who, in its opinion, have submitted specially interesting observations in writing, and whose assistance in examining any given question appears particularly valuable. The Committee has, in paragraph 10, made provision for nominating one or more assessors for the study of particular subjects and this will allow of the possibility of appointing a limited number of assessors for a specified period.

"If you agree with these remarks, I propose that the plan I submitted in May be finally adopted."

The scheme commented upon in the French representative's report, which was about to be put into effect, was none other than that suggested by the former Advisory Commission in response to the Council's invitation.

¹ See *Official Journal*, Special Supplement No. 108, page 42.

² See *Official Journal*, November 1936, page 1174.

Naturally, that change, which dated back only a few days, had not been reflected in the draft budget for 1937. It must be taken into account, however, before the budget was passed. There was no doubt that the credits for the work would have to be increased, to what extent, had still to be determined. He did not think there should be a very large increase. The chief items affected would be the appropriation for experts — which was very low at present — and the appropriation for printing. No doubt the Fifth Committee would make specific proposals. In any event, the Fourth Committee and the Supervisory Commission should now be familiar with the new aspects of the question.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, did not think Count Carton de Wiart's proposal could be examined that day. The Fourth Committee was bound by the Financial Regulations. It would have to ascertain whether a new credit was involved or an increase of existing credits. It seemed to him that the second was the more likely, and, in that case, the competent committee would have to communicate to the Fourth Committee its views as to the substance of the matter, together with a preliminary estimate of the cost of the proposed change. That estimate would be sent to the Supervisory Commission, which would have to report to the Fourth Committee.

Count CARTON DE WIART (Belgium) said that his intention was merely to bring to the notice of the Fourth Committee and the Supervisory Commission the new factor introduced by the Council resolution of September 26th. It entailed a definitive change in the Child Welfare and Traffic in Women and Children Committees, and, consequently, an increase in the appropriations for those Committees. He did not want to suggest any amount for the moment — the Fifth Committee would no doubt make suggestions — but he did not think it would be considerable. In any event, he was anxious that the item in question (page 44 of the budget) should not be adopted without his observations as to an increase — which he considered to be indispensable — being taken into consideration.

M. RAPPARD (Switzerland) said Count Carton de Wiart had twice pointed out that the Council resolution would entail a definitive change in the Committees in question. But financial decisions reached by the Council could not be regarded as definitive, as accomplished facts, until the Assembly had given its consent.

Count CARTON DE WIART (Belgium) was in complete agreement as to the principle concerned. At the same time, the circumstances were such that the Council had done no more than carry out a decision adopted by the Assembly in 1935.

Chapter I was adopted.

13. Section I, Chapter II : Investigations, Enquiries and Liaison.

Mr. BISWAS (India) noted that about a dozen temporary collaborators were to be chosen from the national administrations of different countries. The same provision — 40,000 francs — had been made, however, as for a far more restricted scheme in 1935 and 1936. Even the appropriation for correspondents had been reduced from 75,000 francs in 1935 to 73,000 francs in 1936 and 70,000 francs in 1937.

The Supervisory Commission, in concurrence with the Secretary-General, had pointed out that the sum appropriated for temporary collaborators would not cover the cost. It was suggested that, as an exceptional measure, the necessary sums should be transferred from Chapter III, Salaries, although it was recognised that that was not quite in accordance with the Financial Regulations. Mr. Biswas ventured to think that was not a satisfactory method. The new experiment was one to which India — and he believed other countries — attached the greatest importance. If the occasion were to be marked, as it should be, adequate provision should be made under the proper head. If considerable savings on salaries were anticipated, that item should be reduced, and should still further — as yet unforeseen — savings be made, it would be open to the authorities then to make a transfer and to increase the number of temporary collaborators.

He asked whether the travelling expenses of temporary collaborators were covered by Item 10 of Chapter II, Travelling Expenses of Officials, or were included in Item 8, Correspondents and Temporary Collaborators. He also asked why, if all credits for correspondents and temporary collaborators were grouped under Items 8 and 9 (see page 14 of the draft budget), provision was made in Chapter III (see page 27) for correspondents at the Bombay and Tokio offices.

In conclusion, he said that India had always advocated economy. When expenditure was really justified, however, she would never stand in the way.

The SECRETARY-GENERAL thanked the delegate of India for his observations. They testified to the interest he was good enough to display in the Secretariat's suggestions as to temporary collaborators. He assured Mr. Biswas that, in proposing the introduction of the

system of correspondents and temporary collaborators, he had no intention of making a fruitless gesture. Far from it. Some explanations on this matter were, however, called for.

When the Supervisory Commission had examined the draft budget in May last, he himself had suggested the appointment of correspondents and temporary collaborators. The Supervisory Commission, recognising that the suggestion was an interesting one, had asked that a study be made so that more definite proposals could be put forward in September. In the meantime, the budget drawn up at the end of the May session had been printed; the Supervisory Commission's report expressing approval of the Secretary-General's proposals had appeared in September. It should not be concluded from the present form of the budget that there was no intention of giving effect to those proposals. He had been anxious to avoid taking any measures that would increase the budget, but the delegate of India could be sure that the savings on salaries would provide adequate funds for correspondents and temporary collaborators.

It was quite true that the correspondents at the Bombay and Tokio Offices were not included under Item 8. That was because the budget had been prepared in May. In 1937, all correspondents would be grouped under the same item.

Mr. BISWAS (India) thanked the Secretary-General for his explanations and accepted his assurances.

COUNT CARTON DE WIART (Belgium) said the Belgian delegation strongly approved of the establishment of posts of temporary collaborators. In his opinion, that system was bound to render great service to the League. It possessed a twofold advantage in that it would enable officials of the various national civil services or competent national bodies to get a direct insight into the work of the League, while at the same time the latter would be able to act as a nursery for the training of selected officials, since in future it would be possible for it by that means to test the qualifications of a certain number of candidates before they were given a permanent appointment. The Secretary-General and the Supervisory Commission should be warmly congratulated on the excellent innovation.

M. GARCÍA-OLDINI (Chile) also approved the establishment of posts of correspondents and temporary collaborators. The utility of that innovation might be considered from different standpoints. In his eyes, its most admirable feature was that those officials, who would come from all the countries Members of the League and would remain at Geneva in order to acquire a knowledge of the League's work, afterwards returning to their respective countries, would be the best propagandists for that institution, which was still very little known, whose work was not understood and which was not thought very highly of by public opinion at the moment. He regretted to note, however, that the establishment of those posts coincided with the suppression of a post which was of the greatest importance to Latin-American nations — namely, the Bureau for Liaison with Latin America. In that connection, he pointed out that the Latin-American Bureau had been reorganised in virtue of a resolution adopted by the 1924 Assembly, point 4 of which read as follows :

“ It is understood that the Latin-American Bureau, which was constituted in order to meet particular exigencies, must not be regarded as a permanent organisation. It is desirable that nationals of Latin-American countries should be admitted as permanent members in such a way that one of these nationals shall be appointed in each Section of the Secretariat.”

The suppression of the Latin-American Bureau was therefore to depend on the appointment of a Latin-American national in each Section of the Secretariat. If he was rightly informed, a Latin-American national had not as yet been appointed in each Section of the Secretariat, and provision had not, therefore, been made for the particular exigencies which had been provisionally met by the Latin-American Bureau.

Moreover, the 1924 resolution did not, he thought, go nearly far enough. The problem of the nationality of officials would one day have to be dealt with from a new angle. A great deal was heard about the universality of the League; that universality was necessary, but it was not merely an abstract concept, a juridical rule, but a principle which should be applied to the organs of the Secretariat if it were desired that the action of the latter should bear the necessary stamp of universality. The thought and aims of the nations differed, and from their reconciliation would emerge the living universality which the Secretariat should represent. The Secretariat was an essential part of the League, which would only become universal if the Secretariat also became universal. The League acted through its political organs — the Council and the Assembly. Those organs were, however, temporary and their action was intermittent; they were not always composed of the same persons. The only permanent organ of the League ensuring the continuity of its work was the Secretariat, which was therefore of fundamental importance.

M. García-Oldini went on to say that, in the case of the temporary organs of the League — the Assembly and the Council — responsibilities could be assessed by continents on the basis of the number of representatives. For instance, in the Assembly, Latin America's share of the responsibility for the decisions taken amounted to 30% and in the Council to 21%. The number of Latin-American officials on the Secretariat did not correspond to those proportions. The contribution of Latin-American thought to the efforts made by the Secretariat to find solutions for the problems with which it was faced was quite inadequate; that was a state of affairs which could not be allowed to continue.

Taking another criterion, he pointed out that the countries of Latin America defrayed about 10% of the League's expenses. Even if the question were judged by that standard, the representation of Latin America on the Secretariat was inadequate. In short, Latin America had not the means in the Secretariat of making known her thoughts, aspirations and desires, and he would therefore repeat that, sooner or later, the composition of the Secretariat would have to be considered from a different angle from that from which it had hitherto been approached, and he hoped that when the time came the considerations he had just put forward would be taken into account.

In conclusion, until the particular exigencies mentioned in the 1924 resolution had been met in some other way, he would be unable to vote for the suppression of the Latin-American Bureau.

The SECRETARY-GENERAL said that the Chilian delegate, in the course of his impressive general survey of international co-operation, had raised two questions : one, of a very general nature, related to the number of Latin-American nationals on the Secretariat ; the other, of a special nature, concerned the suppression of the Latin-American Bureau. The general question was, in fact, one to which the Secretary-General was devoting a great deal of attention. He did not propose to discuss the proportions mentioned by M. Garcia-Oldini, who had himself shown that the percentage of representation allotted to those States varied according to whether the number of seats which they possessed in the Assembly or the Council, or the amount of their contribution, was taken as the criterion. In any case, that question could be taken up later.

With reference to the Latin-American Bureau, he pointed out that, as far as the budget in its present form was concerned, the heading B. " Liaison " of Chapter II was of universal application ; it did not refer to any particular group of countries or to any particular continent, because the need for liaison existed among all nations. Up to the present, liaison with Latin America, China, etc., had been provided for in different parts of the budget ; it now came under a single heading, including, in particular, correspondents and temporary collaborators. This marked the starting-point of a new policy and of the future development of liaison in general. In the past, the Latin-American Bureau had consisted of a Member of Section. That member still formed part of the Secretariat, but, instead of being called the Latin-American Bureau, he was now one of the Secretariat attached to the Principal Officers ; that was the only difference.

The work of liaison had been placed under the direction of one of the highest officials in the Secretariat, whose departure the Secretary-General very much regretted ; he would point out, however, that the development of the work would not be checked on that account, as an official of the same grade would be put in charge of it.

M. RÉVEILLAUD (France), Rapporteur to the Supervisory Commission, explained that, notwithstanding the interest it always took in the Secretary-General's proposals, it would not have accepted his suggestions in regard to the suppression of the Latin-American Bureau if it had thought it likely that the influence of the Latin-American continent in the League would thereby be diminished. So far as he was concerned, he had, he thought, clearly shown what importance he attached to the growth of that influence. But in point of fact the present question was merely a technical one.

The Latin-American Bureau had been set up in 1924, because it had been considered that Latin America was not adequately represented on the Secretariat. A considerable credit had been voted to remedy that deficiency, but it had not been possible to allocate it to certain definite items, owing to its nature, and a post of " Liaison with Latin America " had accordingly been created ; that liaison had consisted in missions, technical work, etc. The Fourth Committee knew on what useful work on behalf of Latin America those sums had been expended. When the Secretary-General had proposed, in order to make the position clear, to suppress on paper the Latin-American Bureau, while retaining the services of the able official who was highly esteemed by them all, and to appoint a number of correspondents and temporary collaborators to develop relations between the Secretariat, Latin America and other countries or continents, the Supervisory Commission, in view of the importance it attached to liaison in general, and to liaison with Latin America in particular, could not but acquiesce in that proposal and give it its fullest approval.

M. PARRA-PÉREZ (Venezuela) wished to speak both as a member of the Supervisory Commission and as the representative of a Latin-American country. He had been very much impressed by the picture drawn by the Chilian delegate, but would not venture to comment on the considerations so ably expounded by the latter. He would prefer to speak about the part he had played in the discussions of the Supervisory Commission.

The Secretary-General had studied very carefully, not only the question of the necessary liaison with Latin America, but the problem of liaison in general, and, when he had submitted the solution embodied in the budget, the Supervisory Commission had given it its approval — not as the outcome of the discussions of the last few days, but after an exhaustive examination of the problem lasting for several months.

Why had the Latin-American Bureau been set up at Geneva some twelve years ago ? Because at that time it had not been possible to establish in Latin America itself an office for maintaining liaison between the Republics of that continent and the League. The Secretariat had proposed, not only to ensure liaison between the League and Latin-American countries, but also to invite Latin-American officials to come to Geneva to be initiated into

the work of the League. That such a measure should have been considered necessary in the case of Latin-American officials, but not of officials from other continents, was possibly somewhat disparaging to the former, but he would not labour the point. In any case, the Fourth Committee knew the conditions under which the Latin-American Bureau had functioned. The position had changed and the Secretariat had reached the conclusion that the Latin-American Bureau was now inadequate. This had led the Secretary-General to make his suggestions to which M. Parra-Pérez had given his wholehearted support and which had been approved by the Supervisory Commission.

M. GARCÍA-OLDINI (Chile), after thanking the Secretary-General and all the other speakers who had been good enough to enlighten him on the question, said that, if there were general agreement on the problem as a whole, certain points needed to be explained by means of figures. The Secretariat consisted of about 700 officials. If the proportion of those officials who were nationals of Latin America was only 10%, there should be seventy Latin-American officials on the Secretariat, whereas actually there were only seven.

Turning to the question of the Latin-American Bureau, he stressed the necessity for studying its history in the light of documents which were, so to speak, the only objective witnesses of what had happened. The 1924 resolution stated that: "It is understood that the Latin-American Bureau, which was constituted in order to meet particular exigencies..." If he might digress for a moment, he would like to say with reference to those "particular exigencies" that two questions had been confused; liaison with distant countries was more valuable to the League than to those countries themselves. The League's correspondents acted as its spokesmen and it could not do without them. In any case, those "particular exigencies" resulted from the fact that Latin-American nationals had not been appointed in each Section of the Secretariat. That was the reason for the recommendation contained in the resolution: "It is desirable that nationals of Latin-American countries should be admitted as permanent members in such a way that one of these nationals shall be appointed in each Section of the Secretariat".

A distinction should be drawn between temporary collaborators and the permanent members of the Secretariat. A concrete organ like the Latin-American Bureau could not be replaced by a system of correspondents and temporary collaborators who could not discharge the same functions. The necessity for the Latin-American Bureau was just as great as it had ever been, and he could not agree to the suppression of that Bureau until the conditions stipulated in point 4 of the 1924 resolution had been fulfilled — that was to say, until there was no longer any need for the existence of the Latin-American Bureau.

The SECRETARY-GENERAL explained that the Secretariat consisted, not of 700, but of 664, officials, of whom only 177 belonged to the First Division. If the approximately forty translators and minute-writers, who were recruited by open competition, were deducted from that latter figure, there remained just over 100 First Division posts to be allocated among the different nationalities. Nearly all the officials of the other divisions were appointed by examination, candidates of all nationalities without any restriction being allowed to compete.

M. GARCÍA-OLDINI (Chile) observed that the corrected figure of 664 officials did not make much difference to the number of Latin-American officials that there ought to be in the Secretariat on a 10% basis. If the small number of Latin Americans employed in the Secretariat were due to the existing rules, that only showed that the rules were wrong and ought to be altered, but he felt sure that satisfaction could be given to Latin America without any change in the established system.

M. DE VASCONCELLOS (Portugal) congratulated the Secretary-General on his budget and the statements he had made in connection with it. It was a budget worthy of M. Salazar, and no Portuguese could say more than that.

He agreed with what Count Carton de Wiart had said about the appointment of temporary collaborators. It was an excellent innovation from every point of view, and would enable certain gaps to be filled.

M. de Vasconcellos then went on to point out that the world contained sixty million people who spoke Portuguese, and that it would be difficult for the League to keep in touch with that section of the human race if it did not have a single Portuguese-speaking official. It was to be hoped that that deficiency might be remedied by the innovation which he had just welcomed.

M. DE OTTLIK (Hungary) wished to reply to the Chilean delegate, with whom, as the representative of a small country, he was altogether in sympathy. He pointed out that it would be very risky to link the amount of the contribution paid by a country with the number of that country's nationals who were to be employed in the Secretariat. In recruiting officials, it was essential to pay chief regard to the efficiency of the Secretariat and its universality, and the two factors should be placed on an equal footing. But, if the number of officials belonging to a country were to depend upon the amount of that country's contribution, neither efficiency nor universality would be achieved. There was no doubt, for instance, that the total staff of the Secretariat included a number of Swiss out of proportion to the percentage of the League's expenses paid by Switzerland, but to a very large extent they were office-keepers, cleaners and the like.

The idea of national representation in the Secretariat was out of the question except for officials of the First Division, of whom there were not many more than a hundred. M. de Ottlik admitted that seven officials out of that number was not a high proportion for Latin America, but pointed out that those seven included one of the principal officers of the Secretariat, a fact which considerably increased the importance of the Latin-American contingent.

He imagined that it was out of anxiety to ensure that contact was maintained with distant countries that the Secretary-General had proposed to introduce a system of correspondents and temporary members. To begin with, it was suggested that there should be twelve temporary members, but the number would be increased later, so that the demands of the Latin-American countries could be met. Their delegations might, therefore, be satisfied.

M. RAPPARD (Switzerland) entirely agreed with the Chilean delegate. The correspondents and temporary collaborators would be the spokesmen of their countries, but also of the League. Their duty would be twofold, therefore, like that of every member of the Fourth Committee. They all had to uphold the interests of their respective States, but they had also to uphold the League's interests. They had, therefore, to enable the Secretary-General to make the best possible use of the funds placed at his disposal. For that reason, M. Rappard warned the members of the Fourth Committee of the danger of an unduly national outlook.

If every delegation's sole concern was how many officials of its nationality it could have in the Secretariat, the Secretary-General's work would be made very difficult. He could not satisfy every country and at the same time properly safeguard the interests of the League as a whole. In any case, it would be deplorable that he should be obliged to engage members of the Secretariat under pressure from delegations. They must trust the Secretary-General, who would certainly make the best possible use of the funds voted.

Chapter II was adopted.

M. GARCÍA-OLDINI (Chile) and M. CONCHESO (Cuba) asked that it should be recorded in the Minutes that they had voted against the Chapter.

14. Section I, Chapter III : Salaries and General Services.

M. PARDO (Argentine Republic) read the following communication, dated September 29th, 1936, which was signed by a number of first delegates of Latin-American countries.

" In view of the increasing importance of developing intellectual relations between the States Members of the League, and even non-member States, and of the steady growth of the activities carried on by the League Secretariat in this field through its International Bureaux and Intellectual Co-operation Section,

" The following delegations have the honour to propose to the Fourth Committee that a new post of Intermediate Class A be created in the International Bureaux and Intellectual Co-operation Section of the League Secretariat, to provide contact with the Latin-American countries in matters which concern that Section.

" (Signed) FRANCISCO TUDELA
" V. BENAVIDES
" Galileo SOLÍS
" G. DE BLANCK
" Max HENRIQUEZ UREÑA
" N. BASSOLS

(Signed) A. COSTA DU RELS
" J. M. CANTILO
" Manuel RIVAS VICUÑA
" Gabriel TURBAY
" Alex. GASTELÚ
" Constantin MAYARD."

M. Pardo observed that some of the recent activities of the Intellectual Co-operation Organisation in several fields had greatly interested the Argentine Republic and, he thought he might say, many other countries of the American continent.

Latin America had frequently approached the Intellectual Co-operation Organisation — that was to say, either the International Committee or the Intellectual Co-operation Section of the Secretariat or the Institute of Intellectual Co-operation in Paris. Its proposals had always been favourably received, and it must be admitted that the results were most gratifying.

In the first place, new publications were steadily being added to the Ibero-American collection. Secondly, only a few weeks earlier, a " Conversation " on the relations between the European and American cultures had been held at Buenos Aires under the ægis of the Intellectual Co-operation Organisation, and had aroused keen interest. Latin America looked upon it, not as a conclusion, but as a beginning, and hoped that other events of the same kind would be arranged in other American capitals. He would also like to dwell upon the development of National Committees on Intellectual Co-operation in the Latin-American countries. In the Argentine Republic, for instance, a Presidential Decree had just been issued officially constituting the National Committee, prescribing its composition and endowing it with ample funds.

The General Conference of National Committees on Intellectual Co-operation, which it was intended to hold in the following year, would therefore be of great importance to the American countries.

For that reason, the Argentine delegation and others of the American delegations were especially interested in the structure, activity and organisation of the Intellectual Co-operation and International Bureaux Section of the Secretariat. That Section acted as secretariat for the Intellectual Co-operation Committee; it co-ordinated the work of all the committees belonging to the Intellectual Co-operation Organisation, and kept in touch with the Paris and Rome Institutes. The admirable spirit of collaboration between the Intellectual Co-operation Section and the Paris Institute had had excellent results. The gratifying development of the work of intellectual co-operation was due to that spirit and to the balance that had been established between the respective functions of the two bodies.

It was consequently a matter of concern to the Latin-American delegations that the Intellectual Co-operation Section at Geneva should be even better equipped to perform its functions of co-ordination and liaison, which were becoming increasingly heavy. When it was remembered that the Section had to deal, not merely with intellectual co-operation proper, but, in practice, with liaison with International Bureaux, with all refugee questions, and with a very large number of administrative questions, it would be realised that the Section had a very important and complicated part to play. The Latin-American delegations wished to express their appreciation of the work of M. Pilotti, Deputy Secretary-General, who had that Section under his direction, and they felt sure that M. Pilotti would be glad if their proposal that the Section should be strengthened were accepted. M. Pardo would also like to pay a tribute to the able assistance given by M. de Montenach, who would, he hoped, be permanently established at the head of the Section. It would likewise be desirable, he thought, that the Intellectual Co-operation Section should be allotted additional funds, so that it could keep in more direct and constant touch with the American countries.

Accordingly, without making any exaggerated demands, the Latin-American delegations asked that a new member should be added to the Section. To begin with, they would be satisfied with a member of the intermediate class, whose salary would not be very large, and whose promotion, if any, would depend entirely on the state of the Secretariat's finances. They were sure that the appointment of a member of the intermediate class would greatly stimulate the relations between the Intellectual Co-operation Organisation and the American countries, which were interested in that special League activity and looked upon it as one of the real contributions that the League could make in the intellectual sphere to a *rapprochement* between America and Europe.

M. Pardo therefore hoped that the Secretary-General and the Fourth Committee would be prepared to consider the proposal of the Latin-American delegations, and would receive it favourably and recommend it to the Supervisory Commission, so that it could be acted upon at the present Assembly.

M. DE VASCONCELLOS (Portugal) supported the proposal made by the delegations of Latin America.

M. DE MODZELEWSKI (Poland) thought this proposal summed up what had been said in the Committee about the need for universality in the Secretariat. That question had been settled when the Committee of Thirteen adopted the rule that the most capable officials available should be appointed, regard being had to the necessary balance between the different nationalities in the League institutions. The position could not be adjusted in a day. Moreover, many European countries could advance the same objections as Latin America. He hoped that, after the good beginning that had been made, the application of the principles adopted by the Committee of Thirteen would enable satisfactory results to be achieved. For the moment, therefore, he would not press that point.

For the rest, he supported the proposal of the Latin-American delegations, as he had always stood for a closer relationship between that continent and the League. Furthermore, it was in the Intellectual Co-operation Organisation that South America could most suitably play that part for which it was designed by its special genius — genius to which all the nations were happy to pay a tribute. He did not think any change in the budget would be required; it would be easy to give effect to the proposal by means of a transfer.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, said the Latin-American proposal raised a very complex question. It entailed the creation of a new post — a contingency for which the financial regulations on supplementary credits made no provision.

A serious precedent would be created, since it was actually for the Secretary-General to say whether there was need for a post in his administration. Of course, the Supervisory Commission could not take a decision on the Latin-American proposal until it had heard the Secretary-General's views as to the need for that step.

But there was another difficulty. According to the Financial Regulations, the Secretary-General had to make proposals for supplementary credits in a single budget; that document had already been drawn up, and even distributed. Naturally, the Fourth Committee — an Assembly body — was supreme and could waive the rule. In so doing, however, it would be taking the somewhat unusual step, he thought, of forcing the Secretary-General to create a post, the need for which had not been established, and for which he had made no provision in his draft budget.

On the other hand, very important considerations had been advanced in support of such a post. He had been unable in passing to take in all the duties M. Pardo thought the official in question might perform, but, if they were new duties, should not the proposal be referred, in the first place, to the Sixth Committee? Would not the Fourth Committee be showing disrespect towards the latter if it created a post of the need for which the Sixth Committee had not been aware?

These were difficulties of procedure. Personally, he would suggest that the Latin-American delegations should ask the Secretary-General whether he would not be prepared to utilise some of the funds appropriated for posts of temporary collaborators for the appointment of the official asked for by the countries of Latin America for one year as an experiment, with the possibility of including a permanent post in the budget for 1938, should that prove desirable.

As a member of the Supervisory Commission, M. Réveillaud felt bound, in any event, to point out that the proposal would have to be referred to the Supervisory Commission, and he felt that it should first go to the Sixth Committee.

M. PARDO (Argentine Republic) did not think the procedure he had in mind could be regarded as lack of deference to the rights of the Sixth Committee. All the countries of Latin America who had submitted the proposal to the Fourth Committee were also members of the Sixth Committee. Action was required urgently, as the International Congress would be meeting in Paris in nine months' time, and the work of preparing for the Conference and co-ordinating the activities of the National Committees for Latin America and the Intellectual Co-operation Organisation would be very heavy. There was no Latin-American official in the Intellectual Co-operation Section who could be entrusted with that very important task; hence the Latin-American proposal should be adopted as soon as possible.

He explained that the delegations had no intention of forcing the Secretary-General's hand, and if a post could be created provisionally for a year, and then made permanent, he would be quite willing to accept that solution.

COUNT CARTON DE WIART (Belgium) thought the Latin-American proposal should be referred to the proper committee, in accordance with the procedure adopted for his own proposal at the beginning of the meeting. The Fourth Committee was not competent to say what were the requirements of the Intellectual Co-operation Section; it was for the Sixth Committee alone to make suggestions, and that Committee could consider the matter with sufficient despatch to permit of its settlement during the present Assembly. If that did not prove possible, and if the Sixth Committee did nothing, there was still one way of settling the question provisionally and taking the first step towards establishing better liaison with Latin America, liaison to which he attached the utmost importance. The Committee could rely on the Secretary-General to avail himself of the new funds placed at his disposal under Chapter II, B. "Liaison", to give satisfaction to the Latin-American delegations.

On the CHAIRMAN'S suggestion, *the Latin-American proposal was referred to the Supervisory Commission.*

The discussion on Chapter III was adjourned.

15. Section I, Chapter IV : Work covered by Special Grants.

Chapter IV was reserved.

16. Section I, Chapter V : Profit and Loss on Exchange.

Chapter V was noted.

17. Section I, Chapter VI : Supervision of Revenue and Expenditure.

M. DE OTTLIK (Hungary) drew the attention of the Fourth Committee to the importance assumed this year by the question of the partial renewal of the Supervisory Commission. That renewal gave him real cause for anxiety in view of the fact that, in 1936, two of the most important members of the Supervisory Commission — the Chairman and the Rapporteur — were due to resign and were not re-eligible, and that, in 1937, two more members were due to retire without being re-eligible, and in 1938 the fifth member of the present Supervisory Commission would leave, so that the composition of the Commission would then be entirely new.

That fact gave rise to two problems — a theoretical one and a practical one; and the practical one would have to be faced now. Dealing with the theoretical problem, M. de Ottlik mentioned that he had for several years been a substitute member of the Supervisory Commission. He could even say that he had been closely associated with the work of the Commission. However, he felt, as a substitute, sufficiently detached from the Supervisory Commission to be able to say how much he appreciated its work and especially its spirit.

The Chairman, Vice-Chairman and Rapporteur had given to its meetings a character which made it difficult to imagine a body better fitted to carry out its work. It was now a

question of whether the definite rule of non-re-eligibility might not be seriously detrimental to its success. In his opinion, an element of continuity was an essential condition of that success, and such continuity, which was lacking in the political organs of the League of Nations, must be found in its executive organs, such as the Supervisory Commission, which had to deal with all questions of a financial and administrative nature.

What would the Supervisory Commission be like if all its present members had left it for good in two years' time? Even if the Fourth Committee and the Assembly honoured the present substitutes with their confidence, there would still be three members of the Commission and two substitutes who would be new-comers, unaccustomed to the work and without the essential routine knowledge, which could only be acquired with time. However outstanding its members might be, a completely new Supervisory Commission would have much greater difficulty in carrying out its task than one whose composition remained more constant.

By 1937, M. Osuský, M. Réveillaud, Lord Meston and M. Parra-Pérez would no longer be on the Supervisory Commission, and it would therefore have lost all its present officers. A remedy should be sought for such a situation while it was still theoretical and had not yet become a fact.

M. de Ottlik then dealt with the practical problem to which he had referred. The two members due to leave this year were the Chairman and the Rapporteur. He could not help paying a special tribute to their exceptional qualities and their energetic collaboration in the work of the Commission. Indeed, all its members worked solely for the interests of the League of Nations as a whole. Whilst serving on the Commission, they forgot even those political differences which might otherwise divide them.

Apart from the question of continuity, which was so important, there was another reason for not unduly hastening the renewal of the Supervisory Commission: since 1930, it had been responsible for supervising the building operations of the League of Nations. It would take another year or so to complete those operations, and it would be a pity if the Supervisory Commission were not able to give careful attention to them until they were finished.

In conclusion, he proposed:

(1) That the term of office of members due to resign from the Supervisory Commission should be prolonged for one year — that was to say, that the present membership of the Commission should remain the same for a further year;

(2) That a committee of three members should be appointed to examine the amendments which should be made to Article 1 of the Regulations concerning the renewal of the Supervisory Commission, and to report on the best procedure to be followed. That committee, whose work could be done in the course of one meeting and submitted to the next Assembly, should be guided by two principles — the necessity for maintaining an element of continuity in the work of the Commission and the need to introduce new blood into it from time to time. The cost connected with that proposal could probably be paid for out of the allocations under Chapter VI (Supervision of Revenue and Expenditure) without any additional credit being necessary.

M. de Ottlik submitted the following draft proposal:

“Whereas in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936, — M. Osuský and M. Réveillaud — are not re-eligible;

“Whereas in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole;

“Whereas by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested ‘to deal with all future financial questions which may arise in connection with the new buildings’;

“Whereas the new buildings are not expected to be completed until 1937;

“Whereas it is eminently desirable that the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly;

“Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task;

“The Assembly decides:

“(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations;

“(2) To maintain the existing membership of the Commission until the end of the financial year 1937;

“(3) To appoint a committee of three members to consider what amendments it would be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session.”

Chapter VI was adopted.

FIFTH MEETING.

Held on Friday, October 2nd, 1936, at 3.30 p.m.

Chairman: M. GUANI (Uruguay).

18. **Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part I : Secretariat (continuation) (document A.4.1936.X) : Section I, Chapter III : Salaries and General Services (continuation).**

Mr. BISWAS (India) wished to draw attention once more to the case of his own country. Latin America had filled the picture for the greater part of the previous meeting, and it was just as well for the Committee to hear a little about India.

In 1935,¹ the leader of the Indian delegation had found it necessary to invite attention to the feeling in India at what she considered to be an inadequate representation in the League Secretariat, and Mr. Biswas would be failing in his duty if he did not stress that feeling again.

The value of membership of the League could not always be measured in terms of pounds, shillings and pence, and the amount of the salaries drawn by the nationals of any one country was not always a fair measure of the return it might expect from its connection with the League. At the same time, it was of the utmost importance that there should be no sense of grievance on the part of the representatives of any country as to the principle of equal representation in the Secretariat.

He had tried to analyse the figures in the staff lists of the Secretariat and to ascertain how the facts disclosed could be reconciled with that principle. He fully appreciated that apparent inequality was perhaps inevitable. It had reference to what might be called the historical background of certain appointments. He also recognised that the over-representation of some nationalities was inevitable. Equally unavoidable, however, was the feeling of the representatives of certain countries that their nationals were not represented — or were inadequately represented — in the Secretariat.

India paid the fifth largest contribution — the largest contribution of any of the States not permanently represented on the Council. The figures were as follows : United Kingdom, 105 units ; France, 79 units ; Union of Soviet Socialist Republics, 79 units ; Italy, 60 units ; India, 55 units. Apart from that, having regard to India's position, her vastness and population, her importance, her traditions and her ancient civilisation, she was fitted to play a leading part in the cause of peace — not on the material side, perhaps, on questions of high policy, but certainly on the spiritual side — and it would be well worth the League's while to enlist her fullest co-operation.

All things considered, India's representation in the Secretariat was far from adequate, not merely from the material aspect, but on the ground of sentiment, and in these matters sentiment was a factor of which the fullest account should be taken. After all, India did not expect her unemployment problem to be solved by the absorption of a few more Indian nationals in the Secretariat. That was not the point. She only claimed a fair field and no favour.

But what was the position ? The salaries drawn by the nationals of some countries amounted to a considerable proportion of the contributions of those countries. For instance, one country contributed 3,189,000 francs and the salaries paid to her nationals in the Secretariat alone amounted to 1,925,000 francs. Another country contributed 2,399,000 francs and the salaries paid to her nationals amounted to 1,468,000 francs. India's contribution was 1,670,000 francs, yet the total salaries drawn by Indian officials in the Secretariat were only 51,000 francs. She had only two Members of Section in the Secretariat, both still on a temporary basis. There was a highly qualified Indian in the Intermediate Class who had been there for over five years. Mr. Biswas did not know why the claims of that official to a post as Member of Section had not been met.

In pleading on behalf of India, he was not unmindful of the claims of other countries and ventured to hope that, as opportunities occurred, steps would be taken to remove these apparent inequalities. He did not for one moment suggest that persons holding permanent contracts should be given notice, even if that were possible. There might have been very good reasons why full account could not be taken, in the past, of the claims of various nationals. But he did hope that the Secretary-General, with his great sense of fairness and impartiality, would do his utmost to redress the balance.

¹ See *Official Journal*, Special Supplement No. 141, page 25.

It was important, not only to do justice, but to make the nationals of each country feel that justice was being done. India, as he had said, claimed a fair field and no favour. All that she said was :

“ Mistake me not for my complexion
The shadowed livery of the burnished snow.”

The SECRETARY-GENERAL said that the Indian delegate had given a very comprehensive account of the situation of India, in particular, in regard to the League of Nations. The Secretary-General felt bound to confess that that situation had caused him some anxiety. As Mr. Biswas was aware, he had sent the Director of the Information Section — Mr. Pelt — to India, during the current year, in order to report on the need for liaison between the Secretariat and that country and the means by which such liaison could be realised. There had been too little direct connection between India and the Secretariat up to the present.

Since Mr. Pelt's return, various methods had been under consideration. One of the proposals made was for the appointment of temporary collaborators. The appointment of a third Indian Member of Section to the Secretariat — in the Financial Section — had, in addition, been thrown open to competition. He hoped to be able to make an appointment to that post about the end of the current year ; but that did not mean the end of his efforts in this connection. He would not lose sight of the Indian delegate's observations.

Mr. BISWAS (India) thanked the Secretary-General for his assurances. He was not complaining, but thought it only right, in view of developments in India, to mention the matter, so that adequate steps might be taken to remedy the present state of affairs.

Mr. WATT (Australia) noted that the expenditure on Items 12 (e) and (f), “ Travelling expenses of officials returning home on leave and of families of officials proceeding home on leave ”, in 1935 was only about half the estimate for the past three years. These particular items seemed just the kind that could be calculated fairly accurately in advance. Perhaps they might be examined in the interests of precise budgeting.

M. OSUSKÝ, Chairman of the Supervisory Commission, said that the point raised by the Australian delegate involved a considerable number of items in the budget, in addition to the question of travelling expenses. The point was whether it was better to budget for the expenditure necessary to cover all the obligations that might arise during the current year or for expenditure on the scale of previous years. As, last year, the system of lump-sum reductions had been introduced, the Supervisory Commission had thought it more logical to adopt the former of those methods of calculation.

M. RAPPARD (Switzerland) was glad to see that some of the League publications were selling well. He would like to know which were selling well and which were not. Had the Secretariat any information on the point ?

The TREASURER explained that most of the League publications were sold through agents, who declined to supply particular information about particular documents. After years of experiment, therefore, it had been found impossible to identify the revenue from the sale of any particular document. Estimates had, however, been prepared, and particulars could be included, if desired, in subsequent budgets.

M. RAPPARD (Switzerland) did not believe that the information available in regard to the sale of the different publications must be pure guesswork ; the Secretariat must know how many of each publication they sent to the booksellers, and how many were returned unsold.

Chapter III was adopted.

19. Section I, Chapter IV : Work covered by Special Grants (continuation).

M. OSUSKÝ, Chairman of the Supervisory Commission, referred to Chapter IV of the first report of the Supervisory Commission (document A.5.1936.X, page 6), headed “ Expenditure covered by special grants ”. What was to happen to the work which the Rockefeller grants had made possible when the latter ceased at the end of 1937 ? That question would give the Fourth Committee an opportunity to re-examine the problem of donations. Since 1922, the League had benefited extensively by the Rockefeller grants, though now it was about to feel the drawbacks of the acceptance of donations. The Supervisory Commission had no solution to submit to the Fourth Committee at the present juncture ; it was anxious first to know the views of the Committee. If the Fourth Committee considered it possible to increase the budget of the Health Section, the Supervisory Commission was prepared to consider next year with the Secretary-General “ in what proportions any additional credit could be assigned to an increase of establishment and to the other requirements of the Organisation ”.

Dr. Rajchman had applied to the Supervisory Commission for the inclusion of the Rockefeller staff in the establishment of the League ; in other words, he proposed that they should be paid in future out of the budget of the League. It was for the Fourth Committee to decide.

Mr. MORRISON (United Kingdom) said the future of the work hitherto carried out by means of the Rockefeller grant was undoubtedly a matter for careful consideration. He drew attention to one small point : the fact that, with the expiration of the grant, certain officers employed on work financed out of it might have their employment terminated. He did not wish to say anything that might be considered as in any way at variance with the admirable sentiments expressed by M. Hambro¹ in his impressive speech at an earlier meeting.

Mr. Morrison felt confident that, in disposing of these officers, the Secretary-General would make the best use of them in accordance with their ability and with the interests of the work of the League as a whole. It did occur to him, however, that during their years at the League they must have imbibed considerable knowledge of its technique and something of its international spirit. Without in any way seeking to fetter the absolute discretion of the Secretary-General, therefore, he suggested that they should be given some preference as regards new posts, due regard being paid, of course, to the principle of the equitable representation of nationalities in the Secretariat.

The SECRETARY-GENERAL observed that the question arose only in connection with the budget for 1938. When the time came to draw up the 1938 budget, it would be necessary to know whether the provisions of Article 23(a) of the Financial Regulations were to be applicable, or whether the Fourth Committee was prepared to allow an exception to the rule.

In considering the problem, one important consideration must be borne in mind — namely, the accumulated experience of these officials, who had been working in the Health Section for over ten years on the problems with which the Rockefeller grant was concerned. He did not propose to put any other point to the Committee, for he did not wish in any way to fetter the Committee's freedom of action in the matter. If the Committee was, in principle, in favour of the proposal, its decision would necessitate the creation of new posts under the budget. The posts financed by the Rockefeller grant were held by officials who had been selected for their personal capacity without regard to the question of nationality. In the event of their transfer to the League, therefore, the Secretariat would have to consider which officials had sufficient technical qualifications to justify their retention by the League, and in what cases their retention would imply an appreciable increase, from the point of view of nationality, in the Secretariat.

M. RÉVEILLAUD (France), speaking as the French representative, wished to pay his tribute to the admirable work done by the Health Organisation. It would be regrettable if the work had to be slowed down as a result of the lapse of the Rockefeller grants.

From the budgetary point of view, the position was as follows : the Health Organisation received 879,000 francs from the League and 300,000 francs from the Rockefeller Foundation — making a total of 1,179,000 francs.

Dr. Rajchman, whose experience was a sure guide in the matter, had told the Supervisory Commission that, if he could count on a million francs in the 1938 budget, the Health Organisation would be able, with certain retrenchments of staff — it was proposed to retain only the most highly qualified officials — to carry on with the whole of its work, in spite of the lapse of the Rockefeller grant. The problem of nationality would, of course, be dealt with in as equitable a manner as possible. The upshot of this statement by Dr. Rajchman was that an additional credit of only 125,000 francs would enable him to carry on work the value of which was recognised by the whole world, work for which provision was made in Article 23 of the Covenant, and which South America, Africa, China and other countries, in addition to Europe — indeed, all countries Members of the League — had learnt to appreciate. The French delegation was strongly in favour of granting the 125,000 francs required.

M. GARCÍA-OLDINI (Chile) also wished to pay a tribute to the work of the Health Organisation ; but he laid stress on the fact that the problem would not arise until the following year. In his opinion, it was less urgent for the time being than the important question of the effect of the devaluation of the franc on the budget and the contributions of States Members. It was only logical to await the report of the Supervisory Commission on the extent of the reductions to which devaluation would lead. The Supervisory Commission's report must be studied before it would be possible to consider whether it was advisable to add to the current expenditure of the League.

M. RAPPARD (Switzerland) asked whether the position in regard to the Rockefeller Foundation grants to the Health Organisation had been modified as a result of recent monetary developments and, if so, to what extent.

The TREASURER said that all questions concerning devaluation would be put before the Supervisory Commission. He hoped the delegate of Switzerland would have satisfaction when he heard the Commission's report. The arrangement with the Rockefeller Foundation was that any monies unexpended were returned to the Foundation.

The CHAIRMAN thought he was interpreting the general feelings of the Fourth Committee when he said that the Committee agreed that the Supervisory Commission should proceed

¹ See page 10.

next year to a study of the questions to which paragraph 28 of its first report related, together with the effects of the conclusions of such a study on the 1938 budget.

M. RAPPARD (Switzerland) directed attention to the following passage in paragraph 28 of the first report of the Supervisory Commission :

“ Should the Assembly think it possible to increase the budget of the Organisation as compared with the present figures, the Commission would be prepared to consider, with the Secretary-General, next year in what proportions any additional credit could be assigned to an increase of establishment and to the other requirements of the Organisation.”

The Fourth Committee of the 1936 Assembly was, therefore, being asked to express an opinion as to the desirability and practicability of an increase of the appropriation for the Health Organisation in 1938. So far as the present Fourth Committee was in a position to express an opinion on the 1938 budget, he was able to state, on behalf of his Government and in consideration of the value which the latter attached to the Health Organisation's work, that he was in favour of the increase in the budget for which Dr. Rajchman had asked.

M. GARCÍA-OLDINI (Chile) asked what was the exact meaning of the Chairman's words “ together with the effects of the conclusions of such a study on the 1938 budget ”.

The CHAIRMAN replied that his interpretation of the feeling of the Committee merely meant that the Committee approved the study of the question by the Supervisory Commission.

M. GARCÍA-OLDINI (Chile) presumed that this implied the Committee's approval of the expenditure involved by the study.

Mme. KLUYVER (Netherlands), Vice-Chairman, reserved complete freedom of action for the Netherlands delegation in 1937 in the matter of the Health Organisation's budget for 1938.

The CHAIRMAN said that that was understood.

Chapter IV was adopted.

20. Section II, Chapter VII : Permanent Equipment, etc.

Chapter VII was adopted.

21. Section II, Revenue.

M. RAPPARD (Switzerland) asked for explanations as to Item (b), “ Interest earned ”.

The TREASURER said this was another matter to be considered in relation to devaluation. When the budget had been drawn up, the anticipated interest was only 1,000 francs, but the actual figure might prove to be higher.

M. DE MODZELEWSKI (Poland) pointed out that the Fourth Committee had not been asked to adopt the total expenditure under Part I of the general budget, which together with Part VI, Item 2, “ Occupation of the new buildings ”, represented the appropriations relating to the Secretariat. In 1935,¹ he had had occasion to make a few suggestions as regards the arrangement of the budget, suggestions which had been taken into account to some extent. While he thanked the Secretariat for what had already been done, he believed some improvements could still be made in that part of the budget in order to make it more clear. The division into two different items of the credits appropriated to the Secretariat made it difficult to compare the budget with that of previous years. Perhaps it would be possible in future to place these two items under one head, and thus to remove the difficulty.

Further, the Polish delegate stressed the fact that the figure of 14,645,000 francs given in the summary on page 7 as representing the total of the chapters relating to the Secretariat was not correct. In reality, that total amounted to 15,645,000 francs, for the figure of 14,645,000 represented only the expenses which should be covered by the contributions, and was obtained by deducting from the “ Lump-sum reduction ” a sum of 1,000,000 francs covered in its turn by “ the Guarantee Fund ”. In his view, the two figures — “ Occupation of the new buildings ” and “ Lump-sum reduction ” — should have been put out clearly. If that had been done in the budgets of 1935, 1936 and 1937, it would have been seen that the last-named budget was less by 100,000 francs than that of 1936 and more by the same sum than that of 1935.

M. Osuský, Chairman of the Supervisory Commission, admitted that the Polish delegate's observations were of interest from the practical standpoint, but said it was difficult to express the points he had raised in a budget. The various services and organisations of the Secretariat could only draw on the appropriation included in the items relating to them. In those circumstances, if deductions corresponding to the anticipated economies were made in the first figures shown in the budget, those services and organisations would be unable to

¹ See *Official Journal*, Special Supplement No. 141, page 15.

avail themselves, if necessary, of all the credits allocated to them. However, the Supervisory Commission would consider to what extent satisfaction could be given to M. de Modzelewski.

22. **Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part IV : Permanent Central Opium Board.**

Part IV was adopted.

23. **Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part V : Nansen International Office for Refugees.**

At the request of M. HOERSCHELMANN (Union of Soviet Socialist Republics), *Part V was reserved in order that the Fourth Committee might examine the budget of the Office after a decision on the question had been taken by the Sixth Committee.*

24. **Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VI : Buildings at Geneva.**

Part VI was adopted.

M. RAPPARD (Switzerland) said that several delegations would be glad of some explanation as to the position as regards expenditure on the buildings at Geneva.

M. OSUSKÝ, Chairman of the Supervisory Commission, replied that on page 12 of its first report (document A.5.1936.X), the Supervisory Commission had drawn the Fourth Committee's attention to the matter. It reserved its right to revert to it at the beginning of the coming week after further examination.

25. **Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VII : Pensions ; Part VIII : Settlement of the Assyrians of Iraq.**

Parts VII and VIII were reserved.

26. **Contributions in Arrear : Reappointment for One Year of the Committee for the Settlement of Contributions in Arrear.**

The CHAIRMAN said that the congratulations in the Fourth Committee on the noteworthy results obtained by the Committee on Contributions in Arrear, under the chairmanship of M. Hambro, showed that, as in the past year, the Fourth Committee was desirous of extending the term of office of the Committee on Contributions in Arrear for one year, so that it might enter into certain negotiations without delay. It would be of advantage if it could also study the question of the prompt payment of current contributions, which it had already had occasion to examine.

Mme. KLUYVER (Netherlands), Vice-Chairman, suggested that M. Zumeta, who had retired from the Committee on Contributions in Arrear, should be replaced by M. Guani, Chairman of the Fourth Committee. The Committee on Contributions in Arrear would then consist of the following persons until the next Assembly : M. Carl J. HAMBRO, Sir F. PHILLIPS, Count CARTON DE WIART, M. Stefan OSUSKÝ, M. Alberto GUANI.

The proposals made by the Chairman and Vice-Chairman were adopted.

27. **Contributions in Arrear : Examination and Adoption of the Report of the Committee for the Settlement of Contributions in Arrear (document A.29.1936.X).**

M. HAMBRO (Norway) said that arrears had amounted to 23,252,000 francs in September 1934, when the Committee for the Settlement of Contributions in Arrear was appointed. On January 1st, 1935, they had amounted to 28,473,000 francs. During 1935, contributions in arrear for the period 1920-1934, amounting to 8,780,000 francs, had been paid in, with the result that there was a surplus on last year's budget. In accordance with the arrangements approved by the Assembly in 1935, arrears amounting to 11,314,000 francs had been cancelled, and arrangements had been made for the payment by instalments of 8,632,000 francs. Of that latter amount, 686,053 francs had already been paid, and all the States that had made arrangements had fulfilled their obligations.

In the report submitted by the Committee to the 1936 Assembly, it was proposed to cancel 827,000 francs and to accept the sum of 521,000 francs in instalments. Of that sum, 345,000 francs had actually been paid to the Treasury, leaving a balance of 175,000 francs. The total balance payable in instalments now amounted to 8,121,812 francs.

The arrears in regard to which no arrangement had been made had been reduced to 774,000 francs and represented sums due from States some of which had given notice of their withdrawal from the League.

As regards the contributions for 1936, nineteen States had not replied to the Secretary-General's letters requesting them to indicate the dates of payment. This had caused unnecessary difficulties for the financial administration of the League, and the Committee felt that, unless there was some improvement in that respect, it might become necessary to consider the adoption of remedies, such as charging interest on contributions from the beginning of the year, whatever difficulties such a course might entail. M. Hambro did not

propose that that remedy should be adopted for the moment, but it might prove necessary in the future to take steps to prevent the need for recourse, at the beginning of every year, to the Working Capital Fund.

This year, in conformity with the decision taken by the Assembly in 1935, there had appeared in No. 6 of the *Journal* of the Assembly a list of the States which had not fully paid their contributions up to the end of 1935.

The Committee on Contributions in Arrear had just been reappointed. It would endeavour to ensure that current contributions were paid regularly, and would discuss with the competent authorities of the League what steps could be taken to facilitate payment. The suggestion had been made that States should be allowed to pay by monthly instalments from the beginning of the year. That suggestion would have to be discussed and, if necessary, proposals would be put before the next Assembly.

It had been decided, on September 28th, 1935,¹ that delay in paying both current contributions and instalments in arrears in full at the end of the year in which they were due would automatically cause the cancellation of the arrangements that had been made, and the revival of the original total debt. On page 3 of its report, the Committee recommended that the cancellation clause should become operative as from October 1st, 1936. After discussing that date with the competent authorities of the League and with his colleagues, however, he had decided to recommend January 1st, 1937, the beginning of the budget year.

M. Hambro sincerely hoped there would be no further need for the Committee by the end of 1937, but that would only be possible if States Members made a point of fulfilling their obligations.

The Committee had unfortunately been unable to meet all the wishes of the various delegations. It would have liked to do more, but that was not possible, because so many countries were passing through a period of grave financial difficulties. Nevertheless, all the States had shown great goodwill and they had been willing to meet the Committee halfway. It had therefore been possible to make arrangements that were likely to be carried out. So far, no State had defaulted, and he hoped that situation would continue.

In conclusion, M. Hambro once more emphasised that only if States fulfilled their obligations and showed more readiness to reply to the Secretary-General's requests could the League's finances be placed on a really sound basis.

The TREASURER said he had been asked to explain the figure for outstanding contributions in arrears, mentioned by M. Hambro — namely, 774,000 francs. The figure shown on page 5 of the report was 1,256,375 francs, but, since its publication, Poland and Roumania had paid all the arrears due from them.

M. DE OTTLIK (Hungary) welcomed the reappointment of the Committee on Contributions in Arrear and the appointment of the Chairman of the Fourth Committee as a member.

He was in favour, not only of maintaining the Committee in office, but of entrusting it with the duty of ensuring the prompt payment of current contributions.

The Fourth Committee dealt with both expenditure and income, but hitherto it had devoted more attention, through the Supervisory Commission, to controlling expenditure. That task was very conscientiously performed. All sums in the budgets of the three great organisations of the League were closely scrutinised and every change was closely investigated. Less attention had been devoted, however, to the collection of revenue, and the fact that a certain and ever-increasing amount of contributions had been left in abeyance every year had exercised his mind ever since the beginning of his association with the work of the League.

M. Hambro had said the Committee on Contributions in Arrear would like to have done better. But it was only thanks to the energetic, clear-sighted and, at the same time, tactful action of that Committee that the situation had so materially improved. The Committee had given palpable shape to a very fluctuating and elusive situation. On behalf of the Hungarian delegation, he paid to it, and especially its Chairman, M. Hambro, a tribute of gratitude. M. Hambro's single-mindedness and devotion to the League was a high example to everyone.

The Committee had also wisely attacked the problem of contributions for 1935, and the report contained useful data regarding the payment of contributions for the current year. It showed that, even in the best year from the financial standpoint — 1935 — a number of contributions had not been paid, but it was satisfactory that the margin had been reduced.

M. de Ottlik regretted that so many States had failed to reply to the Secretary-General's request to be informed of the date or dates of payment of their contributions. It was quite clear that the end of the League's financial difficulties was not yet in sight, and that States Members were not yet imbued with their duty to pay their contributions. It was therefore imperative to entrust the Committee on Contributions in Arrear with the task of collecting current contributions and taking any action it might deem fit to enforce its decisions.

¹ See *Official Journal*, Special Supplement No. 141, page 101.

Turning to the conclusions of the Committee's report, he said that the proposal that the Member States be asked to make payments as early in the year as possible was of the highest value. The suggestion that States might be allowed to pay by monthly instalments was well worth considering. It would ease the situation considerably if the Treasurer could count with some certainty on receiving regular sums. The appointment of the Committee on Contributions in Arrear had already had a very wholesome effect, and States were beginning to realise that their financial obligations towards the League were as important as any other contractual obligation. While the means of enforcing payment were chiefly moral, they were none the less important.

A few figures would show how great an improvement had been made as a result of the work of the Committee on Contributions in Arrear. The percentage of current contributions received in the first quarter of the year fell from 17 % in the first quarter of 1931 to 9 % in 1933 and rose again to 17 % in 1936. Incomings in the third quarter just ended reached a record height of 31 %, yielding a new record total of 72.5 % for the first nine months of the current year.

In the light of those figures and in view of the work achieved, M. de Ottlik strongly emphasised that the Committee should have two objects in view : first, to make all contributions in arrear finally disappear from the agenda by concluding arrangements with appropriate cancellation clauses as had been proposed ; in this connection, he accepted M. Hambro's suggestion that these clauses should run from January 1st, 1937. The second object should be to see — with all the moral pressure possible, and taking into account the remedies proposed — that every Member State made it a duty automatically to provide for its payments to the League. The suggestion to charge interest should certainly be retained and put into operation. The proposal to send printed statements to all the Members of the League showing the situation as regards the payment of current contributions would make it possible to take a first step, but should be followed by other measures.

Once automatic payments to the League were ensured, the budget would be safe, both as regards expenditure and as regards income.

Mr. SKELTON (Canada) said one reason why contributions were not always paid early in the year was that the financial year of the League did not coincide with that of many of the Member States. It would not be easy for them to make a change and, consequently, he did not see how that particular difficulty could be overcome. The Secretary-General should, however, be encouraged to continue to press such States as could not conveniently pay their contributions during the first three or four months of the year to inform him when their payments might be expected.

He suggested for the consideration of the Committee on Contributions in Arrear that a discount for early payment might prove as effective as interest on delayed payments.

M. HAMBRO (Norway) said that the Committee was ready to examine the suggestion just made with the competent authorities of the League. There was much to be said in its favour.

He was well aware of the difficulties of States whose financial year did not coincide with that of the League.

The Committee adopted the report of the Committee on Contributions in Arrear, the date of October 1st, 1936 (paragraph 9, page 3), being replaced by January 1st, 1937.

**28. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) :
Part II : International Labour Organisation (document A.4(a).1936.X).**

The DIRECTOR OF THE INTERNATIONAL LABOUR OFFICE said he had very little to add to the information already before the Committee. He would leave entirely out of account any reference to the changes which might subsequently be necessary in view of the devaluation of the Swiss franc.

The budget estimates for 1937 amounted to 9,350,140 francs. The estimates for 1936, omitting expenditure on building as an accessory and non-recurring item, amounted to 9,319,093 francs, so that there was a net increase of 31,047 francs.

It would be remembered that, for reasons explained in the Supervisory Commission's report (document A.5.1936.X), the contribution of States Members to the International Labour Office for 1936 was exceptionally low — 6,099,450 francs, again omitting building. For 1937, the total required would be 7,608,662 francs. As explained by the Supervisory Commission, the reason for the difference was that two contributions from States not members of the League were taken in deduction of the 1936 budget. Their contributions for two years amounted to 3,061,150 francs, whereas the amount for a single year would be 1,585,478 francs.

It would have been possible in 1936 to provide for the whole of the expenditure on building — 1,300,000 francs — without increasing the ordinary contributions of States Members; but, in view of the financial stringency, a special effort had been made, as the Committee would remember, to reduce the budget, and for that purpose it had been decided to finance the building in two parts over two years, providing 600,000 francs in the 1936 budget as a first instalment. Consequently, the amount required of States Members of the League for building would be 600,000 francs more than in 1936.

He believed that the sum of 7,600,000 francs was the lowest amount that States Members had been called upon to contribute since 1927. It represented 26.4 % of the total budget of the League, the same percentage as in the years 1932-1934, and about 6 % less than the percentage twelve years previously.

The first part of the new building was under construction, and he believed it would be completed well within the amount voted. The Supervisory Commission proposed that the second instalment — 700,000 francs — should be provided out of the 1936 surplus, the Office having made a contribution of 1,300,000 francs towards that surplus. Thus, the remainder of the building would add nothing to the contributions of States Members.

As regards expenditure for 1937, there were no very notable changes. There was a decrease of 156,000 francs in Chapter I, Annual Conference, as there would be only one Conference next year instead of two. The greater part of an increase of about 200,000 francs on Chapter II was for salaries. The principal items were one of 40,000 francs for five new posts, four of which were clerical posts, and 50,000 francs for temporary staff, chiefly of Spanish language, to execute the decisions of the Santiago Conference. That Conference had been an experiment; it was the first regional conference to be held. It had been financed by the generosity of the Government of Chile, but all the States of the American continent, both north and south, had been represented. It was generally agreed to have been successful and to have opened up a number of questions which had perhaps not received sufficient attention in Geneva.

Various delegates had referred, during the general discussion, to the question of providing posts for nationals of the various countries Members of the League. He was very conscious of the necessity for meeting their legitimate demands. Under the constitution of the Labour Office, the Director was required to appoint staff with a view to efficiency, but there was no doubt that a really efficient international staff should contain qualified representatives of as many countries as possible. Within the limits necessarily imposed by the budget, an effort had been made in that direction. During the past four years, some twenty-seven posts had fallen vacant. The vacancies had been filled by nationals of nineteen countries which either had no representation at all or a very inadequate representation, having regard to the work required in connection with those countries. It would be seen that he did not adopt the principle of replacing a departing official by another official of the same nationality, apart from certain cases where it was desirable and necessary. He believed this made for greater efficiency and for a better comprehension of the problems with which the Labour Office had to deal.

M. PARDO (Argentine Republic) thanked the Director of the International Labour Office for what the Office had done as regards liaison with Latin America and the work concerning that continent. Thanks to the efforts of the International Labour Office, the ties between Latin America and Geneva had undoubtedly been strengthened. In that connection, the Conference at Santiago de Chile had been one of the most valuable steps which had been taken. The League of Nations would certainly realise that, while liaison with Latin America sometimes involved it in expenditure, that expenditure was always to its advantage.

The Committee adopted the budget of the International Labour Organisation.

**29. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) :
Part III : Permanent Court of International Justice (document A.4(b).1936.X).**

M. HAMMARSKJÖLD, Registrar of the Permanent Court of International Justice, said he would not detain the Fourth Committee long, but would refer it to the introduction to the Court's budget, and to the Supervisory Commission's report (document A.5.1936.X).

There were, however, two points in the introduction which he wished to emphasise, and two other points that he would like to mention.

In the first place, the budget that year was presented in a new form, the reason being that, as the Committee was aware, the revised Statute of the Court had come into force on February 1st, 1936; that moment had seemed a convenient one for reorganising the budget and presenting it in a clearer form.

Secondly, he would observe that the budget was in reality divided into two parts. One, which he might call normal, corresponded almost exactly to the 1936 budget, and, indeed, to all the previous budgets since 1932, apart from the deduction made for the Guarantee Fund in the 1936 and 1937 budgets. The other part, which amounted to 115,000 francs, was of what might be termed an extraordinary nature. It fell under two heads. First, there was a proposal from the League Treasury for financing the pensions of judges of the Court; the Treasury was anxious to consolidate the League's obligations under that head instead of

spreading them over all the annual budgets. That was a financial operation which the Court welcomed, but which it had not itself suggested. If the Committee wished for explanations on the point, he would suggest that it was the Treasurer of the League rather than himself who should give them.

The other head in the "extraordinary" part of the budget was a sum asked for by the Court for the benefit of the widow of a deceased judge of the Court. It was a lump sum, which would have to be paid only once; it would not appear in any future budget, and it would not create a precedent.

The two additional points that M. Hammarskjöld wished to mention were the following:

First, like the Director of the International Labour Office, he would not refer to the recent devaluation, except to observe that the Court's position would be different from that of the Geneva organisations, because the Court's budget was in florins, and, at the present moment, the florin had not depreciated as much as the Swiss franc and the French franc, the difference being 10%. He had, as a matter of fact, called the attention of the Chairman of the Supervisory Commission to that point in a letter dated Sunday, September 27th.

Lastly, he would refer to the interest that the Committee had displayed in the proposal for "temporary collaborators". He had laid before the Secretary-General and the Supervisory Commission suggestions designed to enable such "collaborators" to familiarise themselves with the work of the Court while they were at Geneva; and he was sure that the Secretary-General and the Supervisory Commission would give consideration to his proposals.

Mr. MORRISON (United Kingdom) had one criticism to make as regards the administration of the Pensions Fund for the judges of the Court. He felt very strongly the force of the observations made by Professor Friedli, the actuary consulted by the Supervisory Commission. Professor Friedli had drawn attention to the difficulty of making a valuation of a pensions fund for such a small number of persons, persons who came from different countries, moreover, and were for the most part fairly advanced in years. As there could be no reliance, with such a fund, on the law of averages, he was by no means convinced that it was actuarially sound. However, the United Kingdom delegation realised that the worst solution of any problem was to do nothing, and for that reason would not oppose the Supervisory Commission's proposals. It simply reserved full liberty to comment next year on the problem, should its fears be realised.

As regards devaluation, the Committee — and he thought that was the Registrar's intention — should await the Supervisory Commission's report before discussing the matter in greater detail.

The United Kingdom delegation did not propose to dissent from the recommendation to make a grant to the widow of a distinguished judge of the Court. At the same time, it should be realised that the circumstances were peculiar, and he had been glad to hear that the case would not be regarded as a precedent.

Mr. ANDREWS (Union of South Africa) supported Mr. Morrison's general observations.

The South African delegation welcomed the Registrar's proposal that temporary collaborators should also have an opportunity of taking part in the work of the Court. He hoped his suggestions would be accepted by the Supervisory Commission, and would be interested to hear more about them in due course.

The CHAIRMAN said that the United Kingdom delegate's observations would be taken into account when the relevant point in the Supervisory Commission's second report (document A.5(a).1936.X) came up for discussion.

The Committee adopted the budget of the Permanent Court of International Justice.

SIXTH MEETING.

Held on Monday, October 5th, 1936, at 3.30 p.m.

Chairman: M. GUANI (Uruguay).

30. Supplementary Credits : Question of the Time-limit for the Submission of Requests for Supplementary Credits.

The CHAIRMAN stated that by letters dated October 3rd, 1936, the Chairman of the Sixth Committee had informed him that that Committee would be unable to submit to the Fourth Committee, within the time-limit of fifteen days allowed under the Financial Regulations, certain requests for supplementary credits.

The Regulations provided that in cases of that kind the proposal " shall be adjourned to the next session of the Assembly, unless the Finance Committee, by a decision taken by a two-thirds majority, shall otherwise resolve ".

As this was a formal provision, it would have to be applied to all requests for supplementary credits not received before midnight that day, but the Chairman thought that, in view of the delay in the work of the Assembly, for which the Committees could not be held responsible, the Fourth Committee would take a kindly view of the proposals in question when they were communicated to it officially.

The Chairman's suggestion was adopted.

31. Appointment of a General Rapporteur.

His Excellency M. Harri HOLMA (Finland) *was unanimously appointed general Rapporteur.*

32. Detailed Examination of the General Budget for the Nineteenth Financial Period (1937) : Part VII : Pensions (document A.4.1936.X) : Sixth Report of the Administrative Board of the Staff Pensions Fund and Supplement thereto (documents A.11 and A.11 (a).1936.X).

M. RAPPARD (Switzerland) Chairman of the Administrative Board of the Staff Pensions Fund, said that the situation of the fund was not so clear as usual that year, as all the documents relating to it had been prepared before the monetary events of recent date which had so profoundly affected the significance of the figures. Those documents were the reports of the Actuary (document A.13.1936), the Administrative Board (documents A.11 and A.11 (a).1936.X), the Supervisory Commission (document A.5 (a).1936.X) and the Auditor (document A.3.1936.X, pages 108 *et seq.*).

He first drew the Fourth Committee's attention to the loss the Pensions Fund had suffered in the death of Professor Friedli, the Actuary, who had collaborated with the Administrative Board from the beginning, and whose competence and goodwill were above praise. He was sure the Fourth Committee would wish to associate itself in the expression of regret and sympathy which the Administrative Board of the fund had addressed to Professor Friedli's widow.

Turning to the administration of the Pensions Fund, he drew attention to the figures on pages 2 and 3 of the report of the Administrative Board (document A.11.1936.X). During 1936, there had been forty-seven admissions and forty-one withdrawals; consequently, the number of members had increased from 929 to 935. A closer examination of the figures showed that the main source of expenditure was again due to the resignation of officials who had left with more than ten years' service and had asked for the payment of a lump-sum.

There were two other points of minor importance, to which attention should also be drawn. The Regulations of the Pensions Fund did not prevent persons from being both pensioned and at the same time in receipt of a salary from the League. That might occur in theory in two instances: first, in the case of the widow of an official who was given a post in the Secretariat; second, in the case of an official who, having left the Secretariat, returned to it and continued to enjoy the benefit of the capital paid to him, or of his pension. There was something in those two cases, especially the second, to which exception might be taken. As a matter of fact, there was actually a provision in Article 19 of the Pensions Regulations which applied to these cases. It read as follows:

" In the exceptional case that the recipient of an annuity is offered and accepts employment as an official in a post the salary of which is borne on the budget of the League, he shall be paid the normal salary of such post, but the terms of the new appointment may provide that, during such re-employment, the annuity shall be suspended or reduced."

Consequently, it depended upon the Administration concerned and not upon the Administrative Board of the fund whether Article 19 was enforced. It was for the Administration to ask that the pension be suspended or reduced. The provision in question did not affect the most disturbing case, however — that of an official who had received a capital sum instead of a pension and was re-employed, thus — and it was not impossible — acquiring a right to a second pension. That problem had caused the Administrative Board some concern. It had studied the matter thoroughly, but was as yet unable to make any proposals.

The second point to which he wished to draw the Fourth Committee's attention as regarded the administration of the Pensions Fund was referred to in the supplement to the Administrative Board's report (document A.11 (a).1936.X). It concerned Article 1 of the Regulations, which was open to an interpretation according to which no person who had ever suffered from any disease could enter the fund, but at the same time it failed to provide expressly that the pathological family history of the candidate and his personal pathological history should be taken into account. The regulation was such that, strictly speaking, no one could ever have been admitted to the Pensions Fund. In those circumstances, the Administrative Board had, with the assistance of doctors, prepared the text proposed in document A.11 (a).1936.X, page 1. He thought that text would permit of the admission of healthy candidates, while excluding others.

Turning to the financial position of the fund, M. Rappard said that, after the June meeting, the members of the Administrative Board had parted in an atmosphere of melancholy. Heavy losses had been sustained, and, although no blame attached to the Board, the latter

could not help being conscious of the unpleasantness of publishing the results of a financial year which closed with a deficit.

The deficit had been due to three causes : in the first place, the Fund had been obliged to take over from the Provident Fund a portfolio which, for its part, it would never have constituted in that manner. Secondly, the stocks it had bought had depreciated in a way which all those who followed financial events would agree was normal. Thirdly, the fund's investments had not earned the $4\frac{1}{4}\%$ interest anticipated by the authors of the system. The financial advisers had urged the Administrative Board to invest more and more of its capital in gold. The desire for security had outweighed the desire for profit. As three-quarters of the capital was therefore in gold, it had been impossible for the remainder to earn 16%; hence there was a heavy loss of interest. The accounts therefore showed a total drop, in the month of June, of three millions. Then had come the decision of the Swiss authorities in regard to the currency, which had upset the figures and converted that deficit into a profit of between a million and a million a half. He took that opportunity to pay a tribute to the wisdom of the financial advisers who had foreseen devaluation a long time ahead.

With reference to the results brought out by the accounts, he had been asked by his colleagues on the Administrative Board to make proposals regarding the cover for the extraordinary portion of the deficit. The Administrative Board had not met since then, and he could not but submit those proposals. At the same time, he did not believe the Board would have made them if it had examined the position after the devaluation.

From a legal standpoint, it might be asked why the financial advisers had urged the Administrative Board to protect itself from the fluctuations of the Swiss franc when the fund's obligations were, for the most part, expressed in that currency. The reason was very simple. While the legal position was quite clear, the moral position presented various aspects. In particular, the majority of the officials who would benefit under the fund would not live in Switzerland when they retired and the Administrative Board, like its financial advisers, had considered that they would really be acting too cleverly if they were to invest the whole of the capital in Swiss francs on the pretext that the Fund's obligations would be met in that currency.

The Supervisory Commission's report (document A.5 (a).1936.X) contained certain comments expressed in a somewhat sibylline manner but which appeared to contain a menace for the future. M. Rappard hastened to say that, as regarded the future, the Administrative Board was in the hands of the Fourth Committee. It was evident that an embarrassing problem had arisen : the intention had been to make the Administrative Board to a certain extent autonomous without, however, relieving the League of its financial responsibilities. M. Rappard wished his successors luck in their attempts to reconcile those two factors. The difficulty was due to the fact that, at the present time, the League had no financial expert authorised to speak on its behalf. So far, the only way in which the League had expressed its wishes in the matter of investments had been by getting the Council to appoint financial experts. He did not know whether the intention was to make one person responsible for investments, but he would point out that the satisfactory result now obtained was due to the ability of present financial advisers whose advice the Administrative Board had always been anxious faithfully to follow. There had been a lot of discussion as to whether the "advice" of these "advisers" should, or should not, be compulsorily followed. The Administrative Board for its part had always followed that advice and had laid down the rule, for the future, that it would be treated as an order whenever the advisers were unanimous. He was glad that the Supervisory Commission proposed to examine the future regime of the Staff Pensions Fund. He could assure the Commission that it would have the full co-operation of the Administrative Board.

M. Rappard did not wish to conclude his statement without expressing his warmest thanks to the members of the Administrative Board, who had met on several occasions either in plenary meeting or in sub-committee, and who, in the interval between their meetings, had undertaken heavy preparatory work. Many of the cases which arose : invalidity, death, etc., were of the highest importance for the official concerned, and on each occasion it was the duty of the members of the Administrative Board to weigh the considerations of humanity and justice which might not always lend themselves to the same solution.

He also thanked the Treasurer and the three financial advisers. It was hardly necessary for M. Rappard to praise the Treasurer in the Fourth Committee. He was the defender of the financial honour of the Secretariat and had always given his staunch support to the Administrative Board when it was a question of upholding the interests of the League. As for the three financial advisers, the debt of gratitude which the League owed them was all the greater because they gave their services without any remuneration and, contrary to the maxim that the most competent financial experts were those who spoke least, they had been good enough to give the most explicit advice to the Administrative Board. Neither must he omit to thank the other technical, legal and medical collaborators and the League officials who had given valuable help to the Administrative Board.

The CHAIRMAN associated the Fourth Committee with the tribute paid to the memory of Professor Friedli.

M. HAMBRO (Norway) had listened with the keenest interest to M. Rappard's statement regarding the Staff Pensions Fund. In his turn, he wished to pay a tribute to the memory of Professor Friedli, whose loss would be deeply felt by all those connected with the Fund and for whom it would be difficult to find a substitute.

The Norwegian delegate was glad to note that Professor Rappard had dealt with two very important points.

To begin with, there was the question of the gap in the Pensions Fund Regulations. In the case of officials in receipt of a pension, it was, of course, possible to suspend that pension when they returned to work at the League in a temporary capacity and were paid for their services. That was not, however, possible in the case of those who had received a lump sum on leaving the service of the League. Cases in which such officials had been re-employed had arisen both in the Secretariat and in the International Labour Office. At the present time, it was difficult to solve the problem satisfactorily, but he hoped that definite proposals would be made, as this was essential if the Pensions Fund and the present system in general were to continue to meet with the approval of the Fourth Committee.

With reference to the constitutional difficulty mentioned by Professor Rappard, M. Hambro noted that the Administrative Board followed the advice of the financial advisers when they unanimously recommended an investment, but did not quite understand what happened in the contrary case. Had the Administrative Board always followed the advice of the majority of the advisers?

M. Hambro agreed that the time had not yet come to settle the constitutional and administrative questions, but he hoped that, in this connection, the Administrative Board, after discussing the matter — possibly with the help of the Supervisory Commission — would be in a position to submit proposals. As a matter of fact, the working of the Fund had not as yet necessitated a definite settlement of the constitutional question, and it was to be hoped that this would not be required in the years to come. Nevertheless, it would be well to adopt certain principles in the matter. That, he repeated, was a task which would have to be accomplished later as it was not possible to deal with the matter satisfactorily at the present time.

He was glad to note that the position of the Fund was favourable at the moment, but it seemed to him impossible to say immediately whether the profit amounted to one million or one million and a half, just as it was impossible, at the moment, to say what were the most reliable investments. The decision should be suspended in the hope that next year the financial and monetary situation would be clearer.

As a member of the Fourth Committee, he thought it was indisputable that, if the League were financially responsible for the fund's obligations, it was impossible for it to make the fund completely autonomous, unless the officials who benefited by it were prepared to assume responsibility for the losses incurred by their dispositions.

In conclusion, he expressed the hope that Professor Rappard and his colleagues would be able to submit proposals to the Fourth Committee next year; the latter would then consider what solutions should be adopted in the best interests of the fund and also of the League.

Mr. MORRISON (United Kingdom) felt sure that the Committee had listened with great interest to M. Rappard's lucid description of the administration of the Pensions Fund, and would wish to associate itself with the tribute paid to the late Professor Friedli.

The comments he was about to make were not intended as a criticism of those responsible for the difficult task of administering the fund. Within the limits of the pensions scheme, they had done well and were to be congratulated. His reason for intervening was the fear that it was perhaps too much to ask them to operate a scheme the inherent defects of which made proper administration exceedingly difficult.

The United Kingdom delegation had always been deeply interested in the fund, and had drawn attention in 1935¹ to what was then an undoubtedly serious position. The actuarial calculation on which the Fund was based was the assumption that interest at the rate of 4 $\frac{1}{4}$ % could continue to be earned. That assumption was made at a time when interest rates in general were high, and no shadow of blame attached to the original framer of the scheme for having proceeded on what then appeared to be a perfectly reasonable basis. It had been found in practice, however, that only about 2 $\frac{1}{2}$ % could be earned, and in 1935 the average interest was only 1 $\frac{1}{2}$ %. Clearly, the scheme could not function on those lines for long without serious inroads on its capital.

The position had not improved when the Assembly opened, and the United Kingdom delegation had intended to ask for a very searching enquiry into the financial mechanics of the scheme. It was fortified in its intention by the trenchant criticisms made in the second report of the Supervisory Commission (document A.5(a).1936.X, page 3), with whose recommendations it was ready to associate itself. It had seemed as though nothing short of a miracle could make the fund solvent. The miracle had happened: the deficiency in interest and the capital depreciation had both been wiped out, and the fund's financial transactions to date showed a profit.

The United Kingdom delegation agreed with M. Hambro that, in the circumstances, a radical enquiry would be inappropriate for the moment. It would be exceedingly difficult, in the present state of financial uncertainty, to frame any long-range financial policy, and the favourable position of the Fund rendered the matter less urgent. That in no way diminished

¹ See *Official Journal*, Special Supplement No. 141, page 55.

his plea that the whole system should be enquired into while there was yet time, so that the fortuitous gain derived from devaluation would not be frittered away.

As soon as the air was a little clearer, the Fourth Committee would have to consider the future investment policy of the Fund, but, for the present, no general principles could be laid down.

He would like the Administrative Board, in the difficult year ahead of it, to feel it had the full support of the Fourth Committee in any steps it might take to pursue a sound policy of careful investment at this crucial moment, and he hoped the Supervisory Commission would also devote careful attention to the matter.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, said he had nothing new to add to the able and comprehensive observations already submitted in regard to the Staff Pensions Fund.

He would like, in the first place, to associate himself with the tribute paid to the memory of Dr. Friedli, who had done admirable work ever since the Pensions Fund was established. He also associated himself with the gratitude expressed by M. Rappard to all those who had helped to run the Staff Pensions Fund, which was so difficult to administer — financial advisers, the League's Treasurer, the Administrative Board, M. Rappard had mentioned them all. The only one he had forgotten had been himself, to whom a well-deserved tribute should be paid.

It was quite true that, as the United Kingdom delegate had remarked, the Staff Pensions Fund had been a source of great anxiety ever since it had been set up. Each year new problems had arisen. Two years ago, the Fourth Committee had been obliged to choose between two policies in regard to investments — a profit-making and a policy of safety; after some hesitation it had chosen the latter and had now reaped its reward.

M. Réveillaud agreed with M. Hambro and Mr. Morrison that it was too soon to reach any definite conclusions in regard to the future. The world was passing through a difficult period, and it was not easy to see the right course to be adopted. In any case, he urged that the Administrative Board's proposals, which the Supervisory Commission had decided to oppose, should be suspended. If he had rightly understood M. Rappard, the latter had simply quoted them for the Committee's information. The Administrative Board proposed that two categories of losses should be made good by means of new annual payments; those losses were due: (1) to the sale of securities (700,000 francs) and (2) to the loss of interest (400,000 francs) (document A.11 (a).1936.X, page 3). With reference to the latter point, he would say, in passing, that interest of $4\frac{1}{4}\%$ was abnormally high and that that principle of the Pensions Fund should be revised.

The Supervisory Commission did not consider it possible to increase the appropriation for the Staff Pensions Fund in the draft budget by a single annual payment to cover those losses. That appropriation, which constituted Part VII of the budget, already amounted to 1,784,686 francs and included, among other items, an annual payment of 400,000 francs to redeem the initial deficit of the Fund over a period of thirty years. If the Administrative Board's proposal had been accepted, a further sum of 400,000 francs in respect of loss of interest would have had to be added to the League's contribution.

The Rapporteur of the Supervisory Commission would like to make the following suggestions in regard to the Administrative Board's proposals: The Supervisory Commission might allow itself until May 1937 to make an exhaustive examination of the question. In the meantime, the Administrative Board would draw up the new proposals which it might think fit to submit. Those proposals would cover the following points: (1) the employment of pensioned officials already mentioned, of the abusive nature of which the Administrative Board was better qualified than anyone else to judge; (2) the rate of interest owing to the loss of Dr. Friedli, the Administrative Board would be obliged to choose a new actuary and ask him to ascertain, if necessary, in consultation with the financial advisers, what reasonable reduction should be made in future; (3) the balance-sheet which should be drawn up as a basis. For this work, the Administrative Board should wait until the last moment so as to allow as long as possible for things to settle down. The balance-sheet might be made out in March or April, which would probably be the best time for drawing up a final account of the losses sustained and of the profits resulting from the devaluation of the franc.

The Supervisory Commission would then examine the situation as a whole, with a view to deciding upon the future regime of the Pensions Fund.

In that connection, M. Réveillaud would draw attention to the antinomy which existed between the complete financial responsibility of the League and the complete autonomy of the Pensions Fund. If the League's part were confined to making good the losses incurred, it would be difficult for it to play that part in the future, and, if some day or other the Assembly refused the credits required for the purpose, the officials who were to benefit from the Pensions Fund would be seriously disillusioned. If the Assembly were to assume responsibilities, it must know what principles were followed in regard to investments, and the Secretary-General and the Treasurer should have a fuller right of supervision over the handling of the fund's cash assets.

In conclusion, M. Réveillaud emphasised that the Supervisory Commission had full faith in the Administrative Board of the Pensions Fund, and hoped it would still be possible to remedy the situation so that next year the delegates on the Fourth Committee would be able to return to their countries with the feeling that their desiderata had been met.

Mr. MORRISON (United Kingdom) associated himself with M. Réveillaud's suggestions. The United Kingdom delegation had been so anxious about the future of the fund that it had intended to propose the appointment of an *ad hoc* committee to review the financial situation and make recommendations for strengthening the fund.

For the time being it reserved its attitude, however; but hoped the Supervisory Commission and the Chairman of the Administrative Board would consider what action should be taken during the coming year.

The United Kingdom delegation agreed that the Secretary-General and the Treasurer should have greater responsibility as regarded the fund's investments.

M. RAPPARD (Switzerland), Chairman of the Administrative Board of the Pensions Fund, thanked M. Réveillaud for his very friendly expressions of appreciation and for his proposals. It was rather difficult for him to reply on behalf of the Administrative Board, on the one hand, because the latter had not met since devaluation had taken place and, on the other, because he himself was retiring at the end of the year.

With regard to past events, agreement could no doubt be reached without any difficulty, although, as a matter of fact, he could not say that the Administrative Board's proposals had been withdrawn. He would repeat that the Board had not met since the Federal Council reached its decision, but as events had outstripped the Board's proposals he would not stress the matter.

The re-employment of pensioned officials was undoubtedly a very thorny problem; but, as all the members of the Administrative Board took the same view of the matter, a solution would probably be found.

There remained two other points which were more complicated.

The first related to the $4\frac{1}{4}\%$ interest. He was grateful to the United Kingdom delegation and M. Réveillaud for recognising how difficult it was for the fund to earn such a high rate of interest. If the rate were reduced to $3\frac{1}{2}\%$, for instance, this would merely be shifting the problem to a different ground. If, to go still further, a large part of the capital were converted into gold, that part would earn no interest, and if the remainder were invested in stocks bearing a high rate of interest that would amount to speculation. The Committee would see the difficulty of the position.

Secondly, mention had been made of the Secretary-General's right of inspection to be exercised through the Treasurer. That right of inspection already existed and, what was more, there was very cordial co-operation between the Treasurer and the Administrative Board. The Secretary-General and the Treasurer, assisted or not by financial advisers, might even be entrusted with the investment of the cash assets of the fund, and M. Rappard felt sure that the Administrative Board would welcome such a solution since the effect would be to relieve it of a very unpleasant responsibility. In any case, he hoped that nothing that had been said in the Fourth Committee would give the impression that the financial advisers were being disavowed. The latter's policy had always been inspired by the greatest caution, and it was thanks to that extreme caution, which the United Kingdom delegate had appeared to criticise, that the excellent accountancy results of the present financial year had been due. The only conclusions that could be drawn from this year's experience redounded to the credit of the financial advisers.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, said that, for his part, he had not heard a single word that could be interpreted as the slightest criticism of the financial advisers. He did not think anyone could flatter himself that, in the present circumstances, he would have been able to administer the sums in the Fund with greater skill and safety than the financial advisers.

M. RAPPARD (Switzerland), Chairman of the Administrative Board of the Pensions Fund, was glad to have called forth M. Réveillaud's last statement. There was no doubt that it would be very welcome to all.

The CHAIRMAN declared the discussion on the Pensions Fund closed. He understood that the Fourth Committee supported M. Réveillaud's suggestions, which had also been approved by the United Kingdom delegate.

Part VII of the budget, "Pensions", was adopted.

33. Reports of the Supervisory Commission : Examination of those Chapters not adopted during the Examination of the Budgetary Estimates.

DISPOSAL OF THE SURPLUS FROM THE 1935 FINANCIAL YEAR (Chapter C, document A.5.1936.X).

Consideration of this chapter was adjourned to a subsequent meeting.

AMENDMENTS TO THE FINANCIAL REGULATIONS (document A.5.1936.X, Chapter D, Section I, and document A.5 (a).1936.X, Chapter VII).

Mr. MORRISON (United Kingdom) moved the following amendments to paragraph 6 of the new Article 33 (a) of the Financial Regulations :

"6. (a) Any amounts shown in the statement as standing to the credit of the Guarantee Fund at the end of the financial year in excess of the amount which the Assembly has decided to pay into it shall be treated as receipts for that financial year.

“(b) If the statement shows any withdrawals from the Guarantee Fund, the amounts withdrawn shall be made good to the fund from the budget within two years from the date of their withdrawal unless the Assembly otherwise decides.”

He pointed out that the League had three “Suspense” funds — the Working Capital Fund, which was designed to meet normal contingencies; the Reserve Fund, to meet abnormal contingencies, and the Guarantee Fund, which was not, properly speaking, a reserve fund at all. As he understood it, its purpose was to help the Supervisory Commission and the Secretariat to deal with over-budgeting. He had no criticism to offer on that score; but he felt that it was necessary to introduce safeguards into the regulations in order to prevent the Guarantee Fund from becoming in itself a source of over-budgeting. If no limit were set, large credits might find their way into the fund, swelling expenditure and increasing contributions.

The fund would amount to 2,200,000 francs in 1937. That was a large sum to devote to a device, however necessary it might have been originally, for preventing over-budgeting. It was perhaps not too large, but it was sufficient for all foreseeable needs and should not be increased without good reason. If the sum were to be maintained at a given figure, care should be taken that it did not exceed that figure by earning interest, and so on, and that sums withdrawn were restored.

To ensure that the fund was used with a proper sense of responsibility, therefore, any sums withdrawn should be replaced out of the ordinary budgets of subsequent years, and any surplus at the end of the year should be paid into the general surplus. Provision should be made from the beginning for the replenishment of the fund, subject to the right of each Assembly to make such arrangements as it might think fit.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, expressed very sincere thanks to the delegate of the United Kingdom for his interest in the Guarantee Fund. In principle, he shared Mr. Morrison's view that the Guarantee Fund should in no way constitute a further source of over-budgeting. If that were to be the end of the fund, the remedy would be as bad as the disadvantage it was sought to remove.

Having said that, M. Réveillaud thought it advisable to explain the origin of the Guarantee Fund. When considering the Secretariat's budget proposals, proposals concerning work which might be carried out but, in many cases, would not be in the nature of things, the Supervisory Commission had endeavoured to find a solution which, while enabling the Secretariat to make full use of credits for work actually undertaken, would reduce the contributions asked for in a proportion corresponding to appropriations in the budget not actually expended. When the budget was adopted, there was some doubt as to whether certain pieces of work would be carried out. For instance, provision had been made in the 1937 budget for a Disarmament Conference. There had been some doubt until the last few days as to whether the sums in question would be required, though that now seemed likely. In working out the scheme submitted, the Supervisory Commission had been assisted by the representatives of the United Kingdom and by Lord Meston. As the Fourth Committee was aware, this scheme — adopted as an experiment — involved a lump sum deduction from the budget. To remove the Administration's anxiety lest it should find itself short of money and unable to incur expenditure formally sanctioned by the Assembly, however, the Supervisory Commission had suggested the constitution of a Guarantee Fund.

Probably the Administration of the Secretariat would not need to avail itself of the Guarantee Fund, but it was nevertheless a necessary precaution against the possibility of a greater number of contingencies than could reasonably be foreseen. To remove the apprehensions of the higher officials of the League, who were quite entitled to voice their fears, the Supervisory Commission had suggested, in its report of September 24th (document A.5 (a).1936.X), that “reductions of contributions may only be effected under sub-paragraph (a) to the extent to which they are covered by sums available in the Guarantee Fund”. That was the key to the scheme. In 1935, the lump-sum deduction had been 600,000 francs and the Guarantee Fund had been fixed at 600,000 francs. In 1936, the lump-sum deduction was 1,200,000 francs and a Guarantee Fund of the same amount was contemplated.

The Supervisory Commission intended to pursue this policy. In 1937, for instance, it might suggest a deduction — and consequently a Guarantee Fund — of 1,500,000 francs. In the following years, it might even go to 2,000,000 francs. Everything would depend on the circumstances. But, as this scheme had proved satisfactory in practice, it would be a pity to restrict it or to diminish the feeling of security of the heads of the Administrations. The precautions might be relaxed in a few years after the scheme had been given a more thorough trial, but for the moment it seemed necessary to retain them fully.

Turning to the draft amendments put forward by the United Kingdom delegate, M. Réveillaud asked him not to press his first amendment, to the effect that the interest on the Guarantee Fund should not be added to the principal. If that amendment were maintained

by the United Kingdom delegation, it might be interpreted to mean that that delegation was opposed, in principle, to an increase in the Guarantee Fund.

On the other hand, he saw no objection to Mr. Morrison's second amendment. That was obviously the Supervisory Commission's own policy, as it consisted in replenishing the Guarantee Fund when it had been drawn on.

In conclusion, M. Réveillaud thought the best solution would be for the Fourth Committee to have confidence in the Supervisory Commission so that the latter might pursue the policy already inaugurated, particularly as there would always be a United Kingdom delegate in the Fourth Committee, to see that the Guarantee Fund was not increased unduly. He asked Mr. Morrison to be good enough to withdraw his first amendment, while retaining the second, which respected the right of each Assembly to act as it thought fit.

M. DE MODZELEWSKI (Poland) said he agreed with both Mr. Morrison and M. Réveillaud, for he did not think there was any divergence of opinion between the United Kingdom and French delegates. He particularly welcomed the second amendment proposed by the United Kingdom delegate. That amendment would put into effect a principle which was accepted in theory. As to the first amendment, he was inclined to share M. Réveillaud's opinion; it would, in fact, be going too quickly to fix the maximum of the Guarantee Fund immediately. The Committee had not as yet had sufficient experience to enable it to do so. On the other hand, it seemed to him that attention had not been drawn to one important point — namely, that it was impossible to foresee whether the volume of the credits in the budget which might not necessarily be employed would not increase in the future.

In conclusion, M. de Modzelewski suggested that Mr. Morrison's second amendment should be accepted, and that the Committee should wait a year or two in order that it might reach a fair and equitable decision as to the first.

Mr. MORRISON (United Kingdom) said he had had no intention of limiting the absolute discretion of the Supervisory Commission. His first amendment was designed to prevent, not a necessary, but an irregular increase in the Guarantee Fund outside the control of the Assembly.

He would like M. Réveillaud to consider whether it was not merely a necessary complement to the second amendment. But he would not press it if M. Réveillaud considered it would hamper the Supervisory Commission or the Secretariat. He would simply reserve the right of the United Kingdom delegation to revert to the matter later.

Mr. BISWAS (India) understood the main object of the amendment was to ensure that any surplus in the Guarantee Fund went in deduction of the contributions of States Members. That was already provided for, since it was left to the Assembly to decide when to replenish the fund or whether to transfer any surplus to the general surplus. Consequently, he did not see any need for the amendment.

M. RAPPARD (Switzerland) said that a very interesting discussion had just taken place as to the Guarantee Fund. It had not given rise to so thorough a discussion when constituted. The fact was that a new procedure was being made general as a result of a satisfactory experiment. The Fourth Committee formerly complained that the budget estimates were too high. The reply was that the unforeseen played a considerable part in international affairs. In 1935, the Fourth Committee had been specially anxious to make economies in the budget. The Secretary-General had then suggested an ingenious method by which all exigencies would be reconciled — flexibility of the budget and the reduction, as far as possible, of the contributions asked of the States. To tell the truth, the innovation might have seemed to affect the rights of the Assembly in budgetary affairs. It had been pointed out, however, that the Secretary-General was not in the same position as a Government as regards expenditure, since the Assembly of the League of Nations met only once a year, and its financial system was such that it could not obtain funds by issuing Treasury bonds. For those reasons, the Swiss delegation had been able to approve the proposal for a lump-sum deduction and the constitution of a Guarantee Fund. He would be glad if M. Réveillaud would be good enough to say whether he had correctly understood the purpose of the Guarantee Fund, for, before voting on that point, it was important to have clearly in mind the objects in view.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, said that M. Rappard had correctly understood the machinery and scope of the innovation. It would perhaps surprise the Fourth Committee to learn that, to a considerable extent, the Guarantee Fund owed its origin to M. Laval, who, last year,¹ had urged the Fourth Committee to make a considerable reduction in the League's appropriations. It was then that the Supervisory Commission had hurriedly put forward a system which experience had shown to be satisfactory. If the Guarantee Fund had not been discussed very thoroughly in 1935, that was no doubt because its constitution had only been proposed at the end of the session. The Secretary-

¹ See *Official Journal*, Special Supplement No. 141, page 20.

General had been good enough to support the suggestion, as also the Registrar of the Court. The Director of the International Labour Office had been unable to do so, because his budget did not lend itself to such a reduction. As the Committee was aware, the surplus of the Secretariat and the Court might be as much as 20 %, whereas that of the International Labour Office was, in general, not more than 3 %. The experiment having proved successful, the Fourth Committee thought it might go still further and double the amount of the lump-sum deduction in the budget for 1937. As the Fourth Committee had been in favour of adopting that method, he would not advance any further arguments in its favour.

He was glad that it had not been Mr. Morrison's intention to limit the efforts of the Supervisory Commission and the Fourth Committee to make lump-sum deductions of a reasonable amount. There was actually no misunderstanding between the United Kingdom delegate and himself, since Mr. Morrison had not intended to fix the Guarantee Fund at a permanent figure. After examining carefully the United Kingdom delegate's written amendment, he noted that the text said quite the contrary. Everything therefore resolved itself into a question of words, and the amendment could be referred to a small committee consisting of the delegates of the United Kingdom and India, M. de Modzelewski and the Rapporteur of the Supervisory Commission, who would draft a text to be submitted at the next meeting.

The Committee adopted the amendments to the Financial Regulations, which included Chapter D, Section I, of the first report of the Supervisory Commission (document A.5.1936.X, pages 10 and 11), it being understood that those contained in Section VII of the second report of the Supervisory Commission (document A.5 (a).1936.X, pages 4 and 5) were held over until the Fourth Committee should be informed of the results of the study to be made by the small Committee suggested by M. Réveillaud, *the constitution of which was approved*.

PENSIONS FOR FUTURE REGISTRARS AND FOR MEMBERS OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE (document A.5.1936.X, Chapter D, Section II; document A.5 (a).1936.X, Section VI, and document A.5 (b).1936.X, Section II).

The CHAIRMAN pointed out that, in addition to the relevant passages in the two reports of the Supervisory Commission, the Fourth Committee had before it a report (document A.5 (b).1936.X, Section II) from the same Commission which had been adopted by the Council on October 2nd, 1936,¹ and contained regulations under which future Registrars of the Court would be transferred from the Pensions Fund for Judges to the Staff Pensions Fund of the League.

Mr. MORRISON (United Kingdom) proposed the following amendments to the Regulations included in Appendix I to document A.5 (a).1936.X, pages 5 and 6 :

Paragraph 2 (c), English text only. — Substitute the phrase "to meet liabilities incurred in respect of judges in office and retired" for "covering the arrears due in respect of judges in office or retired".

Paragraph 2 (d). — To be redrafted to make it clear that a contribution is to be paid during the period of service of each new judge.

Paragraph 5. — Add : "The report on the valuation shall be presented to the Assembly through the Supervisory Commission".

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, accepted all the amendments proposed by the United Kingdom delegate.

The Committee adopted the conclusions of the three reports of the Supervisory Commission on pensions for members and future Registrars of the Permanent Court of International Justice.

The Committee also supported the Council's proposal that, in future, the Assembly should be competent, without the preliminary intervention of the Council, to amend the Regulations regarding the granting of retiring pensions to members of the Permanent Court of International Justice and to the Registrar, which were adopted by the Assembly on September 14th, 1929.

The continuation of the discussion was adjourned to the next meeting.

34. **Composition of the Supervisory Commission : Amendment proposed by M. Rosenblum, Delegate of the Union of Soviet Socialist Republics, to the Draft Resolution submitted by M. de Ottlik, Delegate of Hungary.**

M. ROSENBLUM (Union of Soviet Socialist Republics) said that the Soviet delegation would accept the draft resolution tabled by M. de Ottlik² provided the following amendments were introduced therein.

In paragraph 5, add the words in italics :

"Whereas it is eminently desirable that, *subject to the addition of a new member*, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly."

In paragraph 6, add at the end of sub-paragraph 2 the following text :

"while adding a further member to be appointed at the present session."

¹ See *Official Journal*, November 1936, pages 1187.

² See page 29.

SEVENTH MEETING.

Held on Tuesday, October 6th, 1936, at 4.30 p.m.

Chairman: M. GUANI (Uruguay).

35. **Reports of the Supervisory Commission : Examination of those Chapters not adopted during the Examination of the Budgetary Estimates (continuation).**

RECRUITMENT AND PROMOTION (IN THE SCALE) OF MEMBERS OF SECTION
(document A.5.1936.X, Chapter D, Section III).

M. DE MODZELEWSKI (Poland) recalled that last year¹ the Polish delegation had asked that certain amendments should be made in the draft proposed. That was why the question of the recruitment and promotion (in the scale) of Members of Section had been held over for a year. The Polish delegation had had an opportunity of discussing the matter with the heads of the various League organisations, and as the three principles proposed by his delegation in connection with the division of Members of Section into four categories, a basic salary of 10,800 francs, and the graduation of the rate of increments, had been adopted with a few very satisfactory minor amendments, the delegation was completely satisfied and would vote for the proposal submitted by the Secretariat.

Mme. KLUYVER (Netherlands), Vice-Chairman, agreed to the scale proposed in Section III of Chapter D of the Supervisory Commission's report. There was no particular use in discussing the proposal, however, because experience showed that a scale of that kind was not applied in practice. Comparison of the present scale with the salaries of Members of Section as shown in the budget would reveal that those salaries were always higher. It would be seen, for instance, from page 18 of the budget, that the average salary of Members of the Political and Information Sections was 25,000 francs and that of Members of the Legal Section 23,000 francs. In view of those figures, she would urge the Secretary-General to enforce the scale, not only as regarded the maximum, but also as regarded the basic salary.

The TREASURER pointed out that many — though not all — of the officials to whom Mme. Kluyver referred had been in the League's service for many years and had therefore reached the maximum salary. On behalf of the Secretary-General, he took note of her remarks.

The Committee adopted Section III of Chapter D of the report of the Supervisory Commission (document A.5.1936.X).

UTILISATION OF THE CREDIT OF 750,000 FRANCS SHOWN IN PART VI ("BUILDINGS AT GENEVA") OF THE 1936 BUDGET, CHAPTER 2, "OCCUPATION OF THE NEW BUILDINGS" AND CARRY FORWARD TO 1936 OF THE BALANCE OF THE SAME CREDIT IN THE 1935 BUDGET.
(document A.5.1936.X, Chapter D, Section IV).

This section was adopted.

PAYMENTS TO THE BUDGET OF THE SECRETARIAT BY STATES NON-MEMBERS OF THE LEAGUE OF NATIONS (document A.5 (a).1936.X, Chapter IV).

This chapter was adopted.

GUARANTEE FUND : NEW TEXT FOR ARTICLE 33 a OF THE FINANCIAL REGULATIONS
(document A.5 (a).1936.X, Chapter VII) (*continuation*).

Sir Frederick PHILLIPS (United Kingdom) said the small Committee² set up to examine the United Kingdom amendment to paragraph 6 of the proposed new Article 33 a of the Financial Regulations had agreed upon the following text :

"(a) If the statement shows any withdrawals from the Guarantee Fund, the amounts withdrawn shall be made good to the fund from the budget within two years from the date of their withdrawal, unless the Assembly otherwise decides.

"(b) If, at the end of the financial year, the amounts shown in the statement as standing to the credit of the Guarantee Fund, together with any sums withdrawn from the fund and still outstanding, exceed the amounts which the Assembly has decided from time to time to have paid into it, the amount of such excess shall be withdrawn from the fund and treated as a receipt for that financial year."

¹ See *Official Journal*, Special Supplement No. 141, page 58.

² See page 46.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, confirmed that the small Committee set up on the previous day fully approved the United Kingdom amendment.

The amendment was adopted.

Chapter VII of the report of the Supervisory Commission (document A.5 (a).1936.X) was adopted subject to the above amendment.

NEW BUILDINGS (document A.5.1936.X, Chapter D, Section V).

M. RAPPARD (Switzerland) pointed out that the Supervisory Commission had declared its readiness to make a statement about the buildings.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, in response to the Swiss delegate's invitation, said that, in the first place, the various Assembly Committees were sitting in the new Palace and that that had been a pleasant surprise to many delegations. He added that there was ground for considerable satisfaction in the arrangement of the buildings.

Another pleasant surprise had been the external appearance of the buildings. In spite of the difficulties due to the fact that five architects of different nationalities had planned them, and in spite of some difficulties which the Supervisory Commission had had to settle, they were imposing and worthy of the League of Nations.

The Fourth Committee was aware that, as far as credits were concerned, a sum of about 28,000,000 Swiss francs had been appropriated for the new buildings. Thanks to the cuts made by the Supervisory Commission on everything that might seem to be an unnecessary luxury, it was hoped to keep well within the limits of the estimate. The Secretary-General had given him to understand that, until the whole of the operations were complete, it would be impossible to say that those limits would not be exceeded. Until the end, they could not be sure that there would be no claims and disputes. However, in M. Réveillaud's opinion, there was no special reason for anticipating any miscalculations.

On the whole, the Supervisory Commission was fairly satisfied from the financial standpoint. That did not mean that it would relax its vigilance. One of the decisions it had had to take was that the League should take over the cost of the architects' office. Under the terms of their contract with the League, the architects had been responsible for those costs; but in 1930 they had claimed that, owing to the countermanding of orders, delay and other unforeseen circumstances, they could not keep within the limits of the sum earmarked for them for the costs of the office. Had the Supervisory Commission chosen to keep the architects to their contract, it might have replied that that was their affair, unless they could show some lapse on the part of the person in charge of the work. The Secretary-General had pointed out, however, that if the League kept strictly to the contract, the architects might relax the control which they ought to exercise. An arrangement had then been reached, in 1933, between the Secretary-General and the architects, with the collaboration of the Supervisory Commission, according to which the architects agreed to pay a lump-sum to the League in return for which the latter took over the costs of the office. As compared with the previous estimates, the result had been an increase in expenditure amounting to three-quarters of a million francs. On the other hand, the Secretary-General had been able to assume control of the architects' office through an official who was giving complete satisfaction, and whose vigilance could be relied upon for the future.

As to the Library, constructed out of sums received from the Rockefeller Foundation, it might be said to be of gigantic proportions. Its area and height were exactly the same as those of the Council building. The Supervisory Commission did not altogether approve of so large a building. It contained a good many big rooms, and the Secretary-General had pointed out that, if all those rooms were to be occupied, staff would have to be engaged, the cost of which would exceed reasonable limits. That was one of the disadvantages of those gifts which were accepted with pleasure and were then found to involve obligations.

The Supervisory Commission was of the same opinion as the Secretary-General and had decided that some of the rooms in the Library should not be used for the moment.

M. RAPPARD (Switzerland) was very grateful to the Supervisory Commission and to the Secretary-General for the work they had done. Since M. Avenol had taken charge of the work, his activities and his good taste had made themselves felt at Geneva. On behalf, therefore, of the local community, he thanked the Secretary-General for his very satisfactory intervention in the affair of the building. It was highly desirable that the Fourth Committee and public opinion in general should be informed of the position.

Section V of Chapter D of the Report of the Supervisory Commission (document A.5.1936.X) was adopted.

CORRESPONDENTS AND TEMPORARY COLLABORATORS (document A.5 (a).1936.X, Chapter VIII).

Mr. BISWAS (India), referring to Rule 5 of the Model Rules of Engagement for Correspondents (document A.5 (a).1936.X, page 7), presumed that temporary collaborators would constitute a recruiting ground for correspondents. It would not be necessary, he thought, for correspondents recruited in that way to spend a further period on probation in Geneva.

He was most anxious that the experience gained by temporary collaborators should be made available on their return to their own countries. They could do most useful publicity months — where there were such offices — as correspondents. They might also be asked to make a further report to the Secretary-General as to the work they were doing for the League in their respective countries.

The SECRETARY-GENERAL thanked Mr. Biswas for his suggestions. The delegate of India had submitted no amendments, and he himself did not think any amendment necessary. Under the rules concerning correspondents and temporary collaborators, he could always make an exception in respect of any particular rule, if necessary. For the rest, he would take account of the observations of the delegate of India.

Chapter VIII of the report of the Supervisory Commission (document A.5 (a).1936.X) was adopted, together with the Model Rules of Engagement for Correspondents and Temporary Collaborators.

36. Intellectual Co-operation : Proposal of the Argentine Delegation.

M. PARDO (Argentine Republic) reminded the Committee that he had made a proposal on September 30th,¹ concerning the Intellectual Co-operation Section. He had been informed, in the meantime, that the question was under consideration, and as he had no doubt the Secretary-General would be good enough to take his observations into account, he withdrew his proposal.

EIGHTH MEETING.

Held on Wednesday, October 7th, 1936, at 3.30 p.m.

Chairman: M. GUANI (Uruguay).

37. Effects of the Devaluation of the Swiss Franc on the Finances of the League.

M. OSUSKÝ, Chairman of the Supervisory Commission, said that, on the previous day and even that morning, the Supervisory Commission had hoped to be able to place a report before the Fourth Committee at the present meeting. It had certainly not wasted its time during the morning, but numerous difficulties of various kinds had arisen.

Mathematically, it would have been simple, as the devaluation amounted to 30%, to propose a reduction of 30% in the budget. That would have been the correct solution if life were a mechanical affair. However, it could not be said that the position resulting from the fall in currencies was permanent as yet or that henceforward the effects of devaluation on the budget could be calculated accurately.

Consequently, a new budget would have constituted, not a reliable estimate, but a speculation as to the probable course of events. In those circumstances, the Supervisory Commission had thought it better to seek a solution allowing for both devaluation, as it stood at present, and for the still unstable factor in the situation — a factor the effects of which would undoubtedly be felt during the coming year. One of the difficulties of the task entrusted to the Supervisory Commission was that it had to establish budget estimates sixteen months before the end of the financial period to which they related. For one moment, it had thought it would be able to reach its goal, but objections of principle which could not be removed had been advanced against the scheme it had had in mind. It had waited until the beginning of the present meeting for a favourable reply which had not arrived, and it would now have to reconsider the problem. The Commission offered its apologies, but, in the circumstances, was unable for the moment to place a rational solution before the Committee.

M. OSUSKÝ had no hesitation in saying that the Supervisory Commission intended to act quickly, and that, if the difficulties to which he had referred were not shortly overcome, it intended to make a very radical suggestion.

M. RAPPARD (Switzerland) was surprised at the position just described by the Chairman of the Supervisory Commission and at his reticence. He felt there was some mystery which would remain a mystery until the solemn moment of revelation. Was the idea, perchance, that the question did not concern the Fourth Committee, that the Committee had no right to be informed of the scheme proposed by the Supervisory Commission, or whence the objections had arisen? After all, they could only come from a State; who but a State could

¹ See page 27.

make them? Undue discretion created suspicion, and it was for that reason that M. Rappard hoped the Supervisory Commission would take the Fourth Committee into its confidence at once.

M. OSUSKÝ, Chairman of the Supervisory Commission, said there was no mystery. The simple fact was that, as yet, the Supervisory Commission had no report to place before the Fourth Committee. The difficulties encountered concerned not so much figures as the application of the Financial Regulations, and they were therefore chiefly technical difficulties.

M. RAPPARD (Switzerland) said he was not yet satisfied. The "Regulations" the Supervisory Commission had to enforce were not and could not be unknown to the Fourth Committee. The Commission's discussions were not subject to a kind of internal law of which the Fourth Committee knew nothing. The Supervisory Commission had explained the delay in producing a report by pointing out that questions of principle arose, that negotiations were proceeding. M. Rappard repeated that only a State could object to the Commission's proposals, and the Fourth Committee should be told what State had done so.

He therefore asked the members of the Supervisory Commission, who were delegates on the Fourth Committee, to be good enough to enlighten the Committee as to their difficulties, so that it could help to overcome them.

M. HOLMA (Finland), General Rapporteur, said he was quite prepared — as Rapporteur and member of the Fourth Committee — to restrain his curiosity until the Supervisory Commission was able to submit a report.

M. OSUSKÝ, Chairman of the Supervisory Commission, said that as M. Rappard insisted, he would give a few additional explanations.

The Supervisory Commission had tried to find a solution which, while reducing the budget, would meet all contingencies. It had made calculations in order to ascertain approximately the risks due to the present state of instability, and in particular to the fact that the Dutch florin was still subject to fluctuations.

It had reached the conclusion that, to meet any subsequent effects of the devaluation, the budget should be reduced by only 20%, leaving a margin of 10% for any contingencies that might arise. The latter would be paid into a special account, and, if not used during the year, would be disposed of in accordance with the Financial Regulations.

The question had then arisen whether this would not involve the suspension of Article 26 of the Financial Regulations, paragraph 1 of which read :

"On the receipt of each contribution, the Secretary-General shall distribute to the competent officials of the autonomous organisations the proportional amount to which each organisation is entitled. The share of each autonomous organisation shall bear the same proportion to the whole contribution as the estimates of such organisation bear to the whole estimates of expenditure of the League for the year to which the contribution relates."

The question arose as to the interpretation of that paragraph. Did it mean that the contributions should be distributed on the basis of the total receipts or of the total of the budget estimates? In the former case, the autonomous organisations could claim that the Treasury was not entitled to deduct the 10% in question, because they were entitled under paragraph 1 of Article 26, to the whole of the contributions due to them. Hitherto, however, the sums due had been distributed on the basis of receipts. The Supervisory Commission had, however, noted that, in fact, there had never been any occasion to discuss the substance of the problem. It was only now that a solution must be found, because there was a difference between receipts, which were expressed in gold, and expenditure, which was expressed in Swiss francs. Was Article 26 affected by the Supervisory Commission's solution? Should the application of that article be suspended? If so, might that not upset a balance achieved after several years' experience of the autonomy accorded to the International Labour Organisation? Did it not change the relationship of that organisation with the Treasury of the League of Nations? Those points affected the budgetary principles of the League and even the status of the autonomous organisations. To avoid giving the impression that it was encroaching on the system already established, the Commission intended to exhaust all avenues of conciliation before formulating its conclusions.

M. RAPPARD (Switzerland) thanked M. Osuský for his explanations. He now understood the difficulties encountered by the Commission. The Fourth Committee was, of course, prepared to help solve the problem, but, if the Supervisory Commission preferred that the question should be held over, he would not insist.

M. OSUSKÝ, Chairman of the Supervisory Commission, said the Commission would prefer to exhaust such possibilities of reaching an understanding as still existed.

The continuation of the discussion was adjourned to a later meeting.

38. (a) **International Assistance to Refugees** : (b) **Intellectual Co-operation** : **Requests for Supplementary Credits from the Sixth Committee.**

The CHAIRMAN said he had received the two following communications, dated October 7th, 1936, from the Chairman of the Sixth Committee :

" 1. At its meeting on October 7th, the Sixth Committee examined and adopted the report of its Sub-Committee on International Assistance to Refugees, which was placed before it by the Rapporteur, Viscount Cranborne, delegate of the United Kingdom, together with the resolutions submitted to it.

" Various provisions in the above-mentioned resolutions necessitate supplementary credits in the budget for the coming financial year :

" (1) A credit of 400,000 Swiss francs to enable the Nansen International Office for Refugees to proceed to the transfer and final settlement in Paraguay of two hundred families of Saar refugees who are at present resident in France.

" (2) A credit of 15,000 Swiss francs to enable the Nansen International Office for Refugees to send a mission to the Far East to consider the problems relating to refugees arising in this area, and to suggest possible reforms.

" (3) Sufficient credits to cover the administrative expenses relating to the activities of the High Commissioner for Refugees coming from Germany. (In this connection, the Committee pointed out that the sum required for this purpose for 1937 would amount to about £4,850 sterling.)

" (4) A credit of 5,000 Swiss francs for the entertainment allowance of the President of the Governing Body of the Nansen International Office for Refugees.

" As the Fourth Committee is required to consider all requests for supplementary credits, I should be obliged if you would be good enough to inform it of the above requests.

" An annotated copy of the report is enclosed."¹

" 2. At its meeting on October 7th,² the Sixth Committee considered the report on Intellectual Co-operation questions submitted to it by its Rapporteur, M. Parra-Pérez, delegate of Venezuela, and adopted the resolutions placed before it.

" Two of these resolutions, which were approved by the Council of the League at its meeting on September 25th, 1936,³ necessitate supplementary credits in the budget for the coming financial year :

" (1) A credit of 5,050 Swiss francs owing to the increase in the number of the members of the Permanent Committee on Arts and Letters.

" (2) A credit of 10,000 Swiss francs to allow of the application of a plan of work in connection with the exact sciences.

" As the Fourth Committee is required to consider any request for supplementary credits, I should be very much obliged if you would be good enough to bring to its notice the requests formulated in resolutions 2 and 3 of the Sixth Committee, the text of which will be found on page 5 of the enclosed report."⁴

The Chairman pointed out that, at the sixth meeting⁵, he had expressed the hope that the Fourth Committee would be good enough to examine the proposals of the Sixth Committee, in spite of the delay, seeing that the Committees could not be held responsible for the delay in the Assembly's work.

Mr. MORRISON (United Kingdom) said he was well aware of the weight of the Chairman's remark to the effect that the Sixth Committee was not responsible for the delay. He was willing, all things considered, to accept the situation and to allow the Supervisory Commission to examine the merits of the various requests for supplementary credits without insisting on a decision by a two-thirds majority. He could not do so in silence, however, but felt bound, on behalf of the United Kingdom delegation, to dissent from the request for funds to settle two hundred families of refugees from the Saar in Paraguay. He was reluctantly compelled to adopt that course because of the paramount importance attached by His Majesty's Government to strict adherence to principle in all matters connected with the finances of the League.

It was an established principle that, while money could and should properly be voted for administrative expenses in the matter of homes for refugees, no money should be voted for the settlement of persons whose position as refugees was not strictly due to the action of the League itself. The position of the Saar refugees arose, not out of a League decision, but out of a plebiscite held under League auspices, and to vote a credit for settlement as distinct from administrative expenses would constitute a severe attack on the integrity of the principles which had hitherto guided League finance.

It should also be within the knowledge of the Fourth Committee, he thought, that the Sixth Committee's decision was by no means unanimous, there being twelve votes for and seven against the proposal.⁶

¹ Document A.73.1936.XII.

² See *Official Journal*, Special Supplement No. 161, page 38.

³ See *Official Journal*, November 1936, page 1161.

⁴ Document A.66.1936.XII.

⁵ See page 39.

⁶ See *Official Journal*, Special Supplement No. 161, page 44.

M. HAMBRO (Norway) urged the Committee to confine itself for the moment to procedure. Delegates would have an opportunity of discussing the merits of the question after they had heard the report of the Supervisory Commission, and any who wished to do so were at liberty to place their views before that body.

M. DE OTTLIK (Hungary), on behalf of the Hungarian delegation, strongly supported the United Kingdom delegation. The Hungarian delegation had voted against the credit in question in the Sixth Committee.

As to procedure, the Committee was bound under paragraph 1(a), of Article 16c, of the Financial Regulations to take a decision by a two-thirds majority before referring credits to the Supervisory Commission for examination. A vote must therefore be taken in any event, and the Hungarian delegation would vote against.

Mr. BRUCE (Australia) said his delegation did not insist on a decision by a two-thirds majority. In its opinion, the delay was not the kind of delay contemplated in the Financial Regulations. Nevertheless, it felt bound to offer some comment.

The position of the Australian delegation had been made clear in the Sixth Committee.¹ It opposed the credit of 400,000 francs for Saar refugees and would be obliged to vote against it in the Fourth Committee.

M. ROSENBLUM (Union of Soviet Socialist Republics) said the Soviet delegation had voted against the credit to enable the Nansen International Office for Refugees to send a mission to the Far East in both the Sub-Committee which had studied the matter and in the Sixth Committee itself. It would also vote against the credit when it was put to the vote in the Fourth Committee. As its reasons for adopting that attitude had been given in the Sixth Committee,² he would refrain from explaining them for the moment, seeing that the discussion related only to procedure.

M. HAMBRO (Norway) said the Committee should follow sound principles. Either a barrier should be raised against all the demands for supplementary credits, or they should all be submitted to the Supervisory Commission. One vote would suffice.

Mr. MORRISON (United Kingdom) said he had only spoken because the Chairman had asked the Committee to follow a somewhat unusual course. He had felt bound to make it clear that, in doing so, the United Kingdom delegation was not tacitly approving of any of the demands.

M. RÉVEILLAUD (France) said that, after Mr. Morrison's explanations, he would not go into the question of substance, but would only say that the French delegation would vote in favour of taking the requests for supplementary credits into consideration.

After further discussion on procedure, during which Mr. BISWAS (India) stated that his delegation would vote against the credits in question, the CHAIRMAN put to the vote the question whether the Sixth Committee's requests for credits should be referred to the Supervisory Commission.

The Committee decided that these requests should be referred to the Supervisory Commission.

The voting was as follows, the necessary two-thirds majority required by Article 16c of the Financial Regulations having been obtained in each case :

Credit of 5,050 Swiss francs owing to the increase in the number of the members of the Permanent Committee on Arts and Letters ; and

Credit of 10,000 Swiss francs to allow of the application of a plan of work in connection with the exact sciences.

In favour : 24 delegations.

Credit of 400,000 Swiss francs to enable the Nansen International Office for Refugees to proceed to the transfer and final settlement in Paraguay of two hundred families of Saar refugees who are at present resident in France.

In favour : 19 delegations.

Against : 4 delegations.

Credit of 15,000 Swiss francs to enable the Nansen International Office for Refugees to send a mission to the Far East to consider the problems relating to refugees arising in this area and to suggest possible reforms.

In favour : 20 delegations.

Against : 2 delegations.

Sufficient credits (estimated at £4,850 sterling) to cover the administrative expenses relating to the activities of the High Commissioner for Refugees coming from Germany.

In favour : 22 delegations.

Credit of 5,000 Swiss francs for the entertainment allowance of the President of the Governing Body of the Nansen International Office for Refugees.

In favour : 19 delegations.

¹ See *Official Journal*, Special Supplement No. 161, page 42.

² *Ibid*, page 41.

NINTH MEETING.

Held on Thursday, October 8th, 1936, at 3 p.m.

Chairman: M. GUANI (Uruguay).

39. **Effects of the Devaluation of the Swiss Franc on the Finances of the League** (continuation):
Report of the Supervisory Commission (document A.IV/10.1936, reproduced in Annex 5, page 89).

M. OSUSKÝ, Chairman of the Supervisory Commission, submitted the report drawn up by the Commission on the previous evening. He did not think it necessary to analyse this document, but confined himself to drawing the Fourth Committee's attention to three of the points dealt with therein.

The first question concerned the monetary unit in which contributions still outstanding for 1936 should be paid. The Supervisory Commission had reached the conclusion that it was only fair that States that had not yet paid their contributions for the current year should pay them in the same currency as the States that had already paid.

The same conclusion had been reached as to the payment of contributions in arrear and contributions consolidated by arrangement.

Lastly, as regarded budgetary estimates for 1937, the report gave the reasons why the Supervisory Commission did not feel able to propose a reduction pure and simple of 30 %. It proposed that the value in gold of the total contributions to be paid by the States should be reduced by 20 % and that the remaining 10 % should be paid into a special account to meet such consequences of the devaluation as could not at present be foreseen because stability had not yet been achieved. If this special account was not required, or if there were a large balance at the end of the year — which was highly probable — the Supervisory Commission would report to the next Assembly as to the method of disposing of the sums available.

In conclusion, M. Osuský pointed out that the scheme proposed by the Supervisory Commission applied only to the coming year and was designed to meet quite exceptional circumstances.

M. HAMMARSKJÖLD, Registrar of the Permanent Court of International Justice, recalled that, a few days previously,¹ the Rapporteur of the Supervisory Commission, when speaking of the rules for the administration of the Guarantee Fund², had described their importance from the standpoint of the competent officials of the autonomous organisations, since it was only because of those rules that they had been able to agree to the cuts in their budgets.

For similar reasons, the report now submitted by the Commission was at least as important to the competent officials. He had therefore felt he should ask to speak, particularly as he had already had occasion a few days previously³ to draw attention to the special situation of the Court in respect of the recent currency devaluation.

If he was correct, the report before the Committee presented the three following main features :

In the first place, it was provisional, transitory; it related to the year 1937 and it was designed to meet a number of exceptional circumstances. Secondly, the Court would receive the whole of its budget in florins, always providing, of course, that the League's receipts so permitted. If they did not so permit, because they were inadequate, or if the florin were stabilised too high — that was to say, was devalued by less than 20 % of its former gold parity — there would still be no risk so far as the finances of the Court were concerned, as the scheme proposed by the Commission did not affect the rules concerning the Working Capital Fund and cognate matters.

Its third main feature was that, should the calculations relating to certain items of the budget in florins prove inadequate owing to the devaluation of certain other currencies, the Court would be able to draw on the new fund to be created. He did not think he was giving away secrets in saying that reference had been made in the Supervisory Commission to a measure of priority for the Court on account of the fact that the devaluation of the florin was less than that of the Swiss franc. But he was firmly convinced that the Court would not need to advance a prior claim. He understood that, when the Supervisory Commission had approved the estimates which, in accordance with the report, would have to be submitted to it at the beginning of the coming year, the competent official of the Court would be able to avail himself of the new fund within the limits set by those estimates in the same way as he could now avail himself of the Guarantee Fund.

Assuming that the Supervisory Commission's report bore the interpretation he had just placed upon it, M. Hammarskjöld need not raise certain questions of principle which might

¹ See page 44 and 45.

² See document A.5.(a).1936.X. page 4.

³ See page 38.

naturally come to mind. For instance, in 1937, the Court would not receive, as it had always received since 1923, a share fixed in advance of each contribution in gold received by the League. On the other hand, previous Assemblies had often recognised that a court of justice should not have to depend for its funds on decisions reached by administrative bodies. In point of fact, he had thought that the practical guarantees offered by the report for the financial year 1937 were such that there was no need whatever for him to raise these questions; however, the Commission would understand that he was compelled to make every reservation in the event of the scheme, as submitted to him, being prolonged or made more or less permanent.

The Commission would also readily understand that he was anxious that his statement should appear in the Minutes, as it was clear that, in accepting the Supervisory Commission's report, he had assumed certain heavy responsibilities.

Mr. PHELAN, representing the International Labour Office, understood that the Committee had been concerned, at the previous meeting¹, at the non-appearance of a report from the Supervisory Commission on the effects of devaluation, and that, with his customary loyalty, the Chairman of the Commission had shouldered the responsibility for the delay. Mr. Phelan must confess that he — and he alone — had been responsible; but he hoped it would be agreed, when he had explained the reasons, that there were extenuating circumstances.

The Supervisory Commission had been faced with a task of unparalleled difficulty, and certain novelties in procedure had proved necessary in circumstances for which there was no precedent. He need not remind the Committee that the International Labour Organisation, which was created by the Peace Treaties, was in a special position. Its constitution provided that workers and employers should have the same voting power as Governments. It began its work nearly eighteen months before the first Assembly of the League was held. There were, therefore, historical and constitutional reasons why it should have aspired to a measure of independence in the management of its own affairs.

When the League was constituted, it became necessary to reconcile the independence of the Labour Office with the undoubted authority of the Assembly and the Fourth Committee in budgetary affairs, by no means an easy task. A solution satisfactory to the Assembly and the Labour Organisation was found, however, and was embodied in the Financial Regulations. Thus, a controversial question was removed from the plane of abstract doctrine to the plane of practical common sense, on which real collaboration, to the advantage of both institutions, had been possible.

The Labour Office had scrupulously observed the Financial Regulations, and the Supervisory Commission, on its side, had always fully respected the autonomy of the Office.

These facts served to explain why the representative of the Labour Office was somewhat apprehensive as to the advisability of modifying a financial and budgetary practice followed for the past seventeen years. Perhaps his apprehensions were groundless, but it was his duty to give expression to them and to secure their appeasement. He sincerely thanked the members of the Supervisory Commission, and in particular its Chairman, for their patience and understanding, as well as the Treasurer and Secretary-General, on whose time and patience he had had to trespass.

Mr. Phelan frankly admitted that he would have preferred a somewhat different solution and would view the report with some misgivings were it not that he had received assurances from the Supervisory Commission that its proposals did not in any way diminish the autonomy accorded to the Labour Office by the Financial Regulations. With that assurance he was satisfied. The Supervisory Commission had never gone back on its word in the course of a long experience. For that reason, and because the proposals were placed before the Fourth Committee on the distinct understanding that they were designed to deal with exceptional circumstances and applied only to the financial year 1937, he was glad to be able to accept the report.

On behalf of the Director of the International Labour Office, he expressed appreciation of the confidence the Fourth Committee had shown in the administration of the Office. It was most encouraging, and the Office would do its utmost to deserve it in the future.

Mr. MORRISON (United Kingdom) said the Supervisory Commission's task was at no time easy and its difficulties had been increased by recent monetary movements. Its report appeared to be a most sensible and satisfactory document.

There had been two possible dangers. It might have taken no account whatever of the changes in money values, an easy way out of the difficulty which would have been unjust to the contributing States. On the other hand, it might have taken too strict an account of them and related devaluation too absolutely to a reduction of the budget. The Commission had avoided both dangers. It had given substantial relief to the contributing States and, at the same time, its proposals were sufficiently elastic to meet the needs of a changing situation.

He noticed that no reference was made to the effects of devaluation on the disposal of the surplus from the 1935 financial year and hoped the Supervisory Commission would consider that matter.

¹ See pages 49 and 50.

M. RAPPARD (Switzerland) associated himself with the thanks expressed by Mr. Morrison to the Supervisory Commission. The Swiss delegation agreed that the solution reached on the previous day and submitted at the present meeting was satisfactory and practical. It realised that the total contribution as expressed in gold should be reduced, and that it could not be reduced to the same extent as the devaluation of the Swiss franc.

Mr. Phelan had confessed to being responsible for the Supervisory Commission's delay in presenting the report. The Swiss delegation felt bound to point out that, not being represented on the Governing Body of the International Labour Organisation, Switzerland thought it most important that the budget of that Organisation as placed before the Assembly should not be regarded as inviolate. He hastened to add that his sole intention in making that remark was to draw attention to a principle.

M. Rappard then made three observations.

The first concerned a question of form. He thought it important to point out that the sums finally voted by the Assembly were not credits in gold francs, but budgetary estimates expressed in Swiss francs — in other words, not the total of the contribution required of States, but detailed budgetary appropriations.

The second concerned a question in which the Swiss Government was particularly interested. Its decision as to devaluation was part of a big international operation and would only be beneficial if prices did not immediately rise in Switzerland. Without that, the Swiss Government would be faced with the problem of adapting salaries. It was firmly determined not to increase the salaries of its officials during the coming year. If organisations like the Secretariat and the International Labour Office raised the salaries of their staffs, the Federal Government would find itself in a difficulty, particularly as Swiss officials were already somewhat envious of the position of their colleagues in the League of Nations.

The Supervisory Commission's report said :

“ The Commission would be able, at the request of the competent officials, to authorise withdrawals from this fund to supply items of the budgets which might prove to be insufficient owing to the new situation.”

He would be glad of an assurance that such sums would not be withdrawn for expenditure in Switzerland on goods not imported from abroad and that, if the cost of living rose, the salaries of the League officials would not be increased before the 1937 Assembly. That Assembly would be able, even after the event, if need be, to take the necessary measures.

Lastly, the Swiss delegation asked that the words “ and of the Supervisory Commission ” be added to the last paragraph of Section (e) after the words “ subject to the consent of the donors ”. It was to the interest of the League that donors should know that gifts and subsidies from private individuals were subject to the same supervision as sums paid by the States.

M. OSUSKÝ, Chairman of the Supervisory Commission, said there was no doubt that, as a consequence of devaluation, the Supervisory Commission would have to revise its proposals as to the disposal of the surplus of the 1935 financial year.

M. Rappard had been right to draw attention to the distinction — somewhat unexpected, to tell the truth — drawn by the Supervisory Commission between receipts and expenditure, the former being expressed in gold and the latter in Swiss francs or in florins. That practice had been adopted in recent years and had created no difficulties, since the gold franc and the Swiss franc were of almost the same value, and the florin maintained a fixed relationship to gold. The Supervisory Commission, in its report, asked the Fourth Committee not to change that state of affairs, as it would be impossible to submit a strictly accurate budget for the moment. The Supervisory Commission hoped to be in a position, in the coming year, to say whether the present system could continue or whether it should be changed. In any event, after the end of the year, it would make a very thorough examination of the estimates submitted by the various League organisations for January 1st, 1937, in order to meet the contingencies referred to in Section (e) of its report.

In the matter of salaries, the Supervisory Commission would, of course, be most guarded and cautious. It was well aware of the problem with which the Swiss Government would be faced and would take no action and utter no words contrary to the wages policy of the Swiss and Netherlands Governments (for the staff of the Court should also be borne in mind). In those circumstances, M. Osuský asked his colleagues not for the moment to raise questions which did not actually come up spontaneously.

He agreed to the addition of the words “ and of the Supervisory Commission ”, as suggested by M. Rappard. They were quite in accordance with League practice.

Mr. MORRISON (United Kingdom) and M. RAPPARD (Switzerland) expressed satisfaction with M. Osuský's remarks.

M. ROSENBLUM (Union of Soviet Socialist Republics) also approved the Supervisory Commission's report. He had first thought that contributions outstanding for the financial

year 1936 might be reduced by 20 %, but it had been pointed out to him that some countries had already paid their contributions in full for that period, while others had not yet done so. In those circumstances, it would be unfair to the former States to allow a reduction of 20 % as from the present moment. He had therefore given up that idea. M. Rosenblum hoped the sums received, in consequence, in excess of actual requirements would be returned to the States with the 1936 surplus, which promised to be fairly high.

M. OSUSKÝ, Chairman of the Supervisory Commission, drew M. Rosenblum's attention to the last paragraph of Section (d) of the Supervisory Commission's report :

"As regards the contributions still to be paid for the 1936 financial period, the profits arising out of the application of this system will be paid to a special account on the disposal of which the Supervisory Commission will submit a report to the 1937 Assembly."

In drafting that sentence, the Supervisory Commission had had precisely the same idea in mind as M. Rosenblum.

Mr. BISWAS (India) thought the Supervisory Commission was to be congratulated on as satisfactory a report as could be expected, having regard to the short time available and the present state of uncertainty. Not only was it fair to the contributing States, it was also flexible and would allow of proper adjustment at the end of 1937. It was also tentative and prejudged no question of principle.

He had one question to raise which the Supervisory Commission had doubtless in mind — the effect of the devaluation of the Swiss franc on the payment of pensions. In 1933, the Investments Committee of the fund had put the following question before the Board :

"The Investments Committee observes once more that it is, in practice, almost impossible for it to give any advice as to the desirability of any particular investment for the fund, and still more as to the general policy of the Pensions Fund, without being sure of the nature of the fund's liabilities in so far as currency is concerned. It has several times drawn attention to the necessity of deciding whether these liabilities are in gold or Swiss francs. It has been informed that, from the legal and statutory point of view, there is at present no doubt that the liabilities are in Swiss francs, but that this undertaking might be changed, and that, in the event of a depreciation of the Swiss franc, the fund might be called upon to pay its members in a currency closer to gold, or even in gold itself."¹

The contingency contemplated had now occurred and it would not do to postpone any longer the final decision. He hoped the Supervisory Commission would consider the matter and, in conjunction with the Administrative Board and other competent authorities, would lay proposals before the Committee in 1937.

Legally, no doubt, the liabilities of the fund were in Swiss francs, though that would depend on the contracts of League officials and the regulations of the fund. But, if the fund had to be invested so as to earn a particular rate of interest, and if that rate were not earned and the fund were invested in gold, its members might claim to be paid in gold. A similar question had been taken to court in a Swiss canton and judgment had been given in favour of the beneficiaries.

Notwithstanding legal considerations, it was only right to see that the League's officials did not suffer for reasons beyond their control.

M. OSUSKÝ, Chairman of the Supervisory Commission, said there was no doubt whatever that, as the officials were paid in Swiss francs, pensions were also payable in Swiss francs.

The League had assumed considerable responsibility in respect of the Pensions Fund, greater responsibility, perhaps, than many delegates might suppose. Consequently, the Fourth Committee should not interfere with the principles governing the fund, as at present constituted, or raise questions concerning the handling of its assets, as unwise handling might endanger the League finances. The Fourth Committee could rely on the Supervisory Commission to do its utmost to see that the League was sound financially, but there were rules which must be observed by the officials and the League itself, if the thing was to work. What he had said about the payment of pensions in Swiss francs applied also, of course, to the payment of pensions in florins in respect of the Court.

M. FELDMANS (Latvia) drew attention to the following paragraph of the Supervisory Commission's report (third paragraph of Section (d)) :

"There can also be no hesitation as regards the contributions for 1936. To abandon the gold franc in the course of the year would constitute an injustice towards the States Members which had paid contributions before the last quarter of the year."

¹ See the third report of the Administrative Board of the Staff Pensions Fund to the fourteenth Assembly (document A.9.1933).

That was, in his view, an emotional, rather than a legal, argument. Was there an Assembly decision to the effect that contributions should be paid in gold ?

M. OSUSKÝ, Chairman of the Supervisory Commission, said that one of the principles on which the whole of the budget and finances of the League were based was that contributions were paid in gold. The principle was laid down in the Financial Regulations, it was called to mind each year in a note in the budget, and when the Treasurer received any sums in respect of contributions he acknowledged their receipt in both the currency in which they were paid and in gold francs, and also stated the amount outstanding in gold francs. If the Latvian delegate would be good enough to refer to page 6 of the 1937 budget, he would find the following note :

“ The gold franc adopted by the League of Nations on May 19th, 1920, is equivalent to 0.3225806 of a gramme of gold 90 % fine.”

M. RAPPARD (Switzerland), Chairman of the Administrative Board of the Staff Pensions Fund, replying to the delegate of India, said that, if the pensions were paid in gold, the officials would have to pay their contributions in gold — that was to say, their contributions would have to be increased by about 30 %. Moreover, officials who had already received a pension in depreciated pounds sterling would be entitled to an additional sum.

The payment of pensions in gold was not inconceivable, of course, but it would be much more onerous and would upset entirely the financial equilibrium of the fund. What was inconceivable was that a system should be adopted in which there would be uncertainty. He hoped the delegate of India would consider his interesting statement as an expression of what might, and not what should, be. Otherwise, those administering the fund would be placed in an intolerable situation.

Mr. BISWAS (India) pointed out that the question had been purposely left open in 1933 for consideration when the Swiss franc depreciated. He had not suggested what course the Supervisory Commission should adopt, but was anxious that there should be no uncertainty. If States Members of the League derived a profit from devaluation, it was only fair to share it with the officials. Moreover, it should not be forgotten that, even if the members of the fund paid their contributions in Swiss francs, their pensions would be spent abroad. That was a consideration of equity which should not be overlooked.

The Committee adopted the report of the Supervisory Commission on the effects of the devaluation of the Swiss franc on the finances of the League, subject to the addition proposed by M. Rappard in Section (e) (see Annex 5, pages 89 and 90).

TENTH MEETING.

Held on Thursday, October 8th, 1936, at 10.15 p.m.

Chairman: Mme. KLUYVER (Netherlands); later, M. GUANI (Uruguay).

40. **Composition of the Supervisory Commission : Draft Resolution proposed by M. de Ottlik, Delegate of Hungary, and Amendment thereto submitted by M. Rosenblum, Delegate of the Union of Soviet Socialist Republics.**

The CHAIRMAN recalled that, at the fourth meeting,¹ M. de Ottlik had submitted the following draft resolution.

“ Whereas in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936 — M. Osuský and M. Réveillaud — are not re-eligible ;

“ Whereas in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole ;

“ Whereas by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested ‘ to deal with all future financial questions which may arise in connection with the new buildings ’ ;

“ Whereas the new buildings are not expected to be completed until 1937 ;

“ Whereas it is eminently desirable that the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly ;

¹ See page 29.

“Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task;

“The Assembly decides :

“(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations;

“(2) To maintain the existing membership of the Commission until the end of the financial year 1937;

“(3) To appoint a committee of three members to consider what amendments it would be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session.”

At the sixth meeting,¹ M. Rosenblum had proposed the following amendment to the draft resolution :

In paragraph 5, add the words in italics :

“Whereas it is eminently desirable that, *subject to the addition of a new member*, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly.

In paragraph 6, add at the end of sub-paragraph 2 the following text :

“while adding a further member to be appointed at the present session”.

M. DE OTTLIK (Hungary) said he found the Soviet amendment somewhat difficult to criticise, because the Soviet delegation had advanced no argument in support of it. However, that fact left him freer to explain his own views.

He was actuated solely by the interests of the League, and moved his resolution in spite of the fact that it would destroy his own chance of being elected a full member of the Supervisory Commission, of which he had been a substitute member for six years.

In 1929,² the Fourth Committee had discussed a proposal by the Austrian delegation to increase the membership of the Supervisory Commission from five to seven on the ground that it should be as representative as possible. He could find no better argument in support of his own proposal than the very cogent arguments advanced against the Austrian proposal in 1929.

M. van Eysinga had at that time pointed out that “it was generally recognised that a small committee worked better than a large one, and that the Commission could only fulfil its task when composed of a few able and devoted men.” He had added that : “if it were desired that certain nations, groups of nations or continents should be represented on the Commission, the result would be a series of increases. This was what had occurred in the case of the Council . . . further increases would inevitably follow. The Supervisory Commission should be composed of eminent men irrespective of their nationality, but their number should be as small as possible. Experience had shown, moreover, that five members were sufficient for the satisfactory fulfilment of the Commission’s duties.”

The Australian delegate had said that “his experience of political life had proved to him that a large committee did not do very much work. Each of its members expected his colleagues to do the work. If, however, the number of members was small, none of them would be able to place the responsibility upon the shoulders of others.”

The Swedish delegate had pointed out that “the efficiency of any constituent body was in inverse proportion to the number of its members, even if its members were of the highest ability. He was therefore in favour of five members.”

M. Hambro was opposed to hasty action in changing the membership of the Commission and put forward very weighty considerations.

M. de Vasconcellos thought that “if the members of the Supervisory Commission had considered that they were too few in number to fulfil the duties entrusted to them, they would no doubt have informed the Fourth Committee of this fact. Since they had not done so, it was to be concluded that they had not thought any increase necessary.”

M. Mélot and M. Cornejo had been of the same opinion.

M. Rappard had recommended the maintenance of the *status quo*, and said that “it was not countries that should be chosen, but men, in order to guarantee that the members should be as independent as possible . . . Responsibility to be absolute must be concentrated. If it were divided, it would only be weakened.”

Mr. Elliot also had been opposed to an increase and M. Réveillaud had said that “while the Supervisory Commission had always adopted the international standpoint, this fact was not solely due to M. Osuský’s guidance, but also to the limited number of its members . . . In a larger commission, there might be two tendencies. There was a danger that it might no longer be the solid body that it was now . . . He thought that an institution which had been found satisfactory should not be changed, and that it should be borne in mind that ‘in striving to do better, oft one mars what’s well’.”

A similar opinion had been expressed by the United Kingdom delegation.

¹ See page 46.

² See *Official Journal*, Special Supplement No. 79, page 23.

As a result of the above discussion, the motion had been defeated by twenty-five votes to eight.

M. de Ottlik hoped those arguments would prove conclusive. They were all dictated by the best interests of the League. The only sound reason for changing the construction of the Commission would be dissatisfaction with its work, but during his ten years' association with the League he had heard no criticism of the Supervisory Commission, and, during the past few years, its services had been openly acknowledged.

He attached as much importance to the need for a constant infusion of new blood as to the need for continuity, and fully approved the proposal put forward by the Swiss delegation in 1930, for the renewal of the Supervisory Commission. His own proposal would merely make renewal slower, so that the Commission would not be completely new every two years. He thought the Supervisory Commission should remain unchanged until 1937, because it was important that the building operations should proceed under the same guidance. He would say nothing about the new tasks involved by the devaluation of the Swiss franc, because new tasks were arising every year. But he hoped he had said enough to convince the Committee that it was essential to retain the services of the Chairman and Rapporteur of the Commission for another year. Lots should then be drawn, he thought, to decide which member should retire in 1937. The other would retire in 1938. In 1939, lots would be drawn between the next two members who were due to retire, and so on for five years, during which the substitute members would obtain the necessary experience and would ensure continuity.

M. de Ottlik asked the Committee to vote first on his own resolution and then on the Soviet proposal, if it were maintained. As an impartial observer, he welcomed the spirit of international co-operation displayed by the Soviet delegation during the three years in which the Union of Soviet Socialist Republics had been associated with the League. But he hoped that, in the interests of the Supervisory Commission and of real democracy and equality, the Soviet proposal would be withdrawn, in order that his own resolution might be adopted unanimously and that the small committee might set to work.

M. ROSENBLUM (Union of Soviet Socialist Republics) pointed out that two questions were under discussion. One concerned the maintenance of the present Supervisory Commission in its present form for one year. The other concerned an increase in its membership from five to six. The Soviet proposal was conditional, in that it would only stand if M. de Ottlik's proposal were adopted. The latter proposal should therefore be discussed first, and, if it were adopted, the Soviet amendment should then be considered.

M. DE VASCONCELLOS (Portugal) said he had not changed his opinion since 1929. He thought the number of members should remain the same as at present. It was not so necessary to renew a purely technical commission as a political body, and when a commission that had given complete satisfaction — a commission whose work was above praise — was available, it was wise to keep it as it stood. M. de Ottlik was in favour of renewal; he himself was in favour of stability. He would agree, if absolutely necessary, to renewal from time to time — for instance, every three years — but only if there were no restrictions as to the re-eligibility of the members of the Supervisory Commission. That observation also applied, moreover, to all technical League Committees. In that matter it was better to make no change in bodies that carried out their work to the general satisfaction.

COUNT CARTON DE WIART (Belgium) had also carefully consulted the documents as to the Supervisory Commission's past history. He found that it had always been difficult to reconcile the letter and spirit of Article 1 of the Financial Regulations with hard facts. Those who had framed Article 1 had sought to enunciate two equally wise and important principles — continuity of views and renewal. Because of the first of those principles, the members of the Supervisory Commission were appointed for three years and were re-eligible for a further period of three years. Care had also been taken under Article 1, (a) that the Supervisory Commission should never be completely renewed at one and the same time. To give effect to the second principle, it was stipulated in Article 1 (3) that, on retiring from the Commission on the expiration of their term of office, members should only be eligible for re-election for a single period of three years. It was stated in the same paragraph, however, that that rule should not prevent subsequent election of the same persons after the expiration of at least three years from the end of their last term of office.

As there were Financial Regulations, they should be enforced. Furthermore, they introduced two most important ideas into the recruitment of the Supervisory Commission. The first was that there should be at least one financial expert on the Commission and the other that there should be nationals of countries Members of the League who were not represented on the Council. The technical committees and organs of the League were not set up on the same lines as the Council. That was clear from the Financial Regulations concerning the Supervisory Commission. Some Powers had permanent seats on the Council because of their international interests; on the Supervisory Commission, on the contrary, States non-members

of the Council were given a right of supervision. Until further orders, those were the guiding principles for the composition of the Supervisory Commission.

Circumstances made it very difficult, if not impossible, to enforce the principles and ideas laid down in Article 1 of the Financial Regulations, because the Chairman and Rapporteur reached the end of their term of office at the same time. It would be most unfortunate if two such competent and important members of the Commission were to withdraw simultaneously, and the Belgian delegate quite understood M. de Ottlik's attitude. With certain reservations, he was prepared to support it. What he did not understand, on the other hand, was that advantage should be taken of the present debate to enlarge the Supervisory Commission, thus succumbing to a tendency that showed itself too frequently in the League. In his opinion, there was some objection to increasing the membership of the Supervisory Commission. There was a danger that it would be contrary to another rule — the rule which provided that the members of the Supervisory Commission must not act as the representatives of the country to which they belonged by nationality.

Briefly, he was prepared to accept M. de Ottlik's draft resolution unamended, unless the Fourth Committee thought it desirable to point out, in that resolution, that Article 1 of the Financial Regulations provided that the Commission should be renewed periodically. In that case, paragraph 6 of M. de Ottlik's draft might be amended as follows :

"Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary, in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task, *while maintaining the principle of its renewal at regular intervals.*"

M. RAPPARD (Switzerland) simply asked that the Financial Regulations should be applied. He was surprised to have to fight administrative heresies in the Fourth Committee and noted that, in the present case, the greatest sinner was M. de Vasconcellos, who contemplated nothing less than the petrification for ever of the Supervisory Commission.

There were two parts to M. de Ottlik's resolution ; one of them, in M. Rappard's opinion, was more reasonable than the other. Nevertheless, both should be rejected. The object of the proposal was to postpone until the coming year the difficulty due to the fact that M. Osuský and M. Réveillaud would retire at the same time, but the same problem would arise again in 1937.

He was therefore anxious to bring the Fourth Committee back to orthodoxy and hoped that the arguments he was about to advance would induce the Soviet delegation to withdraw its amendment.

Switzerland had always shown the greatest interest in budgetary questions. The Swiss delegation had always had the greatest confidence in the Supervisory Commission. Consequently, in opposing M. de Ottlik's proposal, M. Rappard was not thinking of M. Osuský and M. Réveillaud personally. Their work was not open to question. Switzerland, moreover, had no candidate to put forward for the Supervisory Commission.

In 1929,¹ he had been instructed by his Government to place before the Fourth Committee a proposal concerning the renewal of the Supervisory Commission. That proposal had been adjourned to 1930,² when it had been adopted in a modified form. The Federal Government attached so much importance to the proposal that, before the meeting of the Assembly, it had adopted the somewhat unusual procedure of addressing a special letter to the Secretary-General, asking him to put the question on the agenda. However that might be, after a long discussion, the Fourth Committee had approved the principles of renewal and continuity, which, moreover, had been recommended by the Hungarian delegate that year.

Count Carton de Wiart thought that Article 1 of the Regulations was not always applicable integrally. In that connection, it should be observed that, had it been enforced properly in 1933, the Fourth Committee would have been able, in 1936, to re-elect M. Osuský and M. Réveillaud for a period of three years. Instead, the Committee had preferred, in 1933, to renew the term of office of the Chairman and Rapporteur of the Supervisory Commission, and there was now a proposal to extend it for a further period of one year. But there were limits to the spirit of conciliation which should be shown when defending a principle. The Swiss proposal had been adjourned in 1929 and modified in 1930. It had not been enforced in 1933, and now, in 1936, there was another attempt to set it aside because, it was said, of the building question. But the buildings were there, and it was highly probable that they would not be heard of for the last time in 1937. Consequently, they could not be advanced as an argument in favour of extending the present membership of the Supervisory Commission for a year.

M. de Vasconcellos had described the Supervisory Commission as a technical body. M. Rappard, on the contrary, regarded it as a budget commission of what was, in effect, a Parliament — the League Assembly — and considered that, as such, it should be essentially representative. It should be a connecting link between the Assembly and the administration, not a screen between them. It had become a kind of body of experts, however, and its real character had suffered a profound change. The lapse had been apparent on the previous day, during the discussion on the effects of devaluation. The Supervisory Commission had been so

¹ See *Official Journal*, Special Supplement No. 79, pages 12 and 26.

² See *Official Journal*, Special Supplement No. 88, pages 13 to 20 and 287.

taken up with the administration's preoccupations that it had been unwilling to inform the Fourth Committee of certain of its difficulties.

But was it necessary to point out that the Supervisory Commission was set up by the Assembly to examine the budget submitted by the administrations, a budget, in which, as experience had shown, reductions had always to be made? To some extent the Supervisory Commission played the part of a minister of finance in a State, and it was desirable to have on the Fourth Committee as many ex-ministers of finance as possible, ministers trained in the school of the Supervisory Commission and able, therefore, to have a particularly useful influence in its discussions. M. de Ottlik's proposal clearly ran counter to that ideal.

As M. Rappard had already said, he was in favour of enforcing the Financial Regulations, purely and simply. But if the Committee felt that this would make too great a change in the composition of the Supervisory Commission that year, he would agree to one of the two retiring members — lots being drawn as to which — remaining in office.

Ever since M. de Ottlik had put forward his draft resolution, M. Rappard had been under the impression that the Hungarian delegate wanted to stabilise, crystallise, petrify the composition of the Supervisory Commission; it was natural that such a tendency should inevitably lead to proposals such as the Soviet proposal. And when three of the four permanent Members of the Council had a national on the Supervisory Commission, how could the fourth be prevented from taking a seat for one of its nationals? If the Soviet proposal were adopted, there might be reason to fear that there would always be four nationals of permanent Members of the Council on the Commission. It would then be necessary to choose between enlarging the Commission and handing over to the four great Powers the Assembly's sovereign rights over budgetary matters.

The effect of M. de Ottlik's proposal would, therefore, be that the great Powers would have a monopoly over the Supervisory Commission, and the small Powers would have no rights in financial matters. It would be said that, as the big Powers paid, it was fair that they should give the orders; but the sacrifice represented by each Government's contribution to the League was proportionally the same. On the other hand, if the contributions paid by the small Powers were added together, it would be seen that there was no reason for giving the big Powers a monopoly of influence on a League body on which, on the contrary, the Powers not permanently represented on the Council should have ample right of supervision.

M. DE MODZELEWSKI (Poland) did not understand how anyone could speak of the "petrification" of the Supervisory Commission when its composition would be completely renewed in five years. For his part, he was in favour of a system of rotation, as he felt that nothing which was alive could crystallise. But he also thought that the moment for making a change should be carefully chosen. It was not so much the fate of M. Osuský and M. Réveillaud that was at stake. Their duties on the Supervisory Commission were undoubtedly a burden and not a benefit to them. It was the fate of the Supervisory Commission. He had had the honour of working with these two members for two years, and he could not pay too great a tribute to them. It was certainly not a suitable moment to change the present membership of the Supervisory Commission, which would have a very heavy task to perform in the coming year. Devaluation would affect the whole of the League's finances. The final operations relating to the new building had still to be carried out. Moreover, as renewal had been postponed for six years, why not wait seven?

The Polish delegate accepted and approved M. de Ottlik's draft resolution. As for the Soviet amendment, he, like one of the speakers quoted by M. de Ottlik, thought that "in striving to do better, oft one mars what's well". The Supervisory Commission had to examine carefully each item in the budget. If that study had to be carried out by six, seven or ten persons instead of by five as at present, the situation would be impossible, in virtue of the maxim also referred to in 1929 that the efficiency of a Commission was in inverse ratio to the number of its members.

M. de Modzelewski hoped the Soviet delegation would understand that the Supervisory Commission was not a political body, that it only discussed figures, administrative questions and so on, and that, if it were to maintain its efficiency, the Soviet delegation should give up its idea of enlarging it.

M. PARDO (Argentine Republic) said that the Argentine delegation accepted M. de Ottlik's proposal, for it was essential, in its opinion, to retain the services of M. Osuský and M. Réveillaud on the Supervisory Commission in 1937. His delegation was also in favour of the Soviet amendment, as any measure that would strengthen the financial control of an institution like the League should be accepted.

M. HAMBRO (Norway) said he would be failing in his duty as a member of the Supervisory Commission if he did not reply to M. Rappard. He thought he could also speak on behalf of the absent members of the Commission — Lord Meston and M. Parra-Pérez.

In 1928,¹ the Fourth Committee, in the face of much opposition, had adopted a resolution proposed by the Norwegian delegation providing that henceforth the Supervisory Commission

¹ See *Official Journal*, Special Supplement No. 68, pages 89 and 90.

— an organ of the Assembly, and not of the Council — should be entrusted with the duty of seeing that the Financial Regulations were complied with. The Supervisory Commission was responsible, not only for controlling the expenditure of the administrations, but also for seeing that the Council did not infringe the Financial Regulations, and it had discharged that duty on several occasions to the great benefit of the League.

M. Rappard had said that Switzerland had no candidate to put forward, but the Supervisory Commission did not consist of representatives of States. It was a technical body composed of men selected for their experience and ability. M. Hambro hoped it would never be looked upon as a political body. It could certainly not be said to have consisted of representatives of the great Powers since 1928. Only one great Power was represented at present, for Lord Meston had come to the League as delegate of India, not of the United Kingdom.

The claims of continuity had not been neglected. The substitutes had been changed several times since 1928, although the present substitutes had acted for a year or two.

In the present financial crisis, it would be a great loss to the Supervisory Commission and the League if the Chairman and Rapporteur were to retire simultaneously — a far greater loss than might be apparent to a superficial observer.

M. de Ottlik's proposal was not intended to "petrify" the Supervisory Commission. Moreover, its work was so arduous that he was doubtful whether any of the members were anxious to remain on it for any length of time.

M. Rappard had misunderstood M. Osuský. The reason why the report on devaluation had been adjourned was simply to prevent a discussion on constitutional principles which would not have been to the advantage of the League at that moment.

The Financial Regulations laid down in 1922 and 1923, with the complete agreement of the Secretary-General, the Director of the International Labour Office and the Registrar of the Court, were very sound. It was of the utmost importance that the Supervisory Commission should be politically and nationally independent, in order that it might be able to strengthen the position of those officials; there were occasions on which it was their only protection against pressure from various quarters.

Hard-and-fast rules were all very well, but a safety-valve was sometimes necessary. That was why it was provided in the Financial Regulations that, by a two-thirds majority, the Assembly or the Financial Committee could waive certain regulations. In the same way, the Committee, as a body of practical men, could hardly refuse to waive the rules for the election of members of the Supervisory Commission, should such action be necessary as a safety-valve.

M. de Ottlik's proposal would postpone the elections to the Supervisory Commission for a year. During that year, the small committee could discuss the whole position with the competent authorities of the League, including the proposal to increase the size of the Commission. To increase it at once would be to bind the League for the future.

A heavy burden would be imposed on the remaining members if they had to shoulder the task to which M. Osuský and M. Réveillaud had devoted so much time, thought and work in the past. M. Hambro could not let pass this opportunity of saying what a debt of gratitude their colleagues owed to them.

In conclusion, he urged the Committee to adopt M. de Ottlik's resolution.

M. SÖDERBLOM (Sweden) regretted that the arguments advanced in favour of making an exception to the Financial Regulations had not convinced him, and that he would have to vote for the application of those rules.

M. DE OTTLIK (Hungary) was in complete agreement with Count Carton de Wiart, whose amendment filled a gap in his own text.

The Swiss delegate had taxed M. de Ottlik with heresy. But he was not one of those who thought principles ought to be applied even if the institution perished in consequence, and, if the Financial Regulations were strictly applied that year, a Commission whose work commanded respect would be completely upset. M. de Modzelewski and M. Hambro had already replied to the Swiss delegate on that point.

M. Rappard had pointed out that, in 1929, the Hungarian delegate had held a different opinion from that of M. de Ottlik himself; but that was not surprising, since the delegate in question was not M. de Ottlik, and had not so thorough a knowledge of the Supervisory Commission's work. However, M. de Ottlik thoroughly approved the principle of renewal, whatever attitude he might adopt in the special case which now arose.

The Swiss delegate had said that the Soviet amendment was due to M. de Ottlik's proposal, but was it supposed that the rejection of the Soviet amendment and the Hungarian proposal would lead that great Power, the Soviet Union, to abandon the desire to have one of its nationals on the Supervisory Commission? The two retiring members would probably be replaced by nationals of great Powers, a fourth national of a great Power would shortly be added, and the small Powers would have no chance to object. Then would be the time to regret the "petrification" of the Supervisory Commission, for the nationals of the great Powers would be permanently established. M. de Ottlik presumed that that was not the situation M. Rappard wished to bring about.

He also pointed out that the members of the Supervisory Commission were elected as individuals, not as representatives of Powers. For that reason, moreover, he himself had stood aside on a former occasion in favour of M. Hambro, who had taken so active and admirable a part in the Fourth Committee's discussions and was one of the most distinguished delegates at the Assembly. Questions of nationality should be set on one side as far as the membership of the Supervisory Commission was concerned.

M. DE VASCONCELLOS (Portugal) did not think the Assembly was called upon constantly to abdicate its sovereignty in financial matters solely out of regard for the Regulations. He had made up his own mind; he preferred M. de Ottlik's solution, and even hoped it would be suggested, in the coming year, that M. Osuský and M. Réveillaud should be appointed once again.

M. DE OTTLIK (Hungary) asked that the amendment moved by the Soviet delegation should be studied by the small Committee he had proposed in his own text.

M. ROSENBLUM (Union of Soviet Socialist Republics) said that, if the Hungarian resolution were adopted, the Soviet amendment would have to be discussed forthwith.

Mme. KLUYVER (Netherlands), Vice-Chairman, suggested that the last sentence of M. de Ottlik's resolution should be amended slightly in order to make it clear that the question whether Article 1 of the Financial Regulations required amendment remained open.

M. RAPPARD (Switzerland) proposed, for this purpose, that the sentence in question should read ". . . what amendments it might be desirable to make . . ."

COUNT CARTON DE WIART (Belgium) approved that suggestion.

M. DE OTTLIK (Hungary) also accepted it.

A vote was taken by roll-call on the resolution moved by M. de Ottlik, amended in accordance with the suggestions of Count Carton de Wiart (Belgium) and Mme. Kluyver (Netherlands).

The delegations of the following countries voted for the resolution:

Argentine Republic, Australia, Austria, Belgium, Bolivia, United Kingdom of Great Britain and Northern Ireland, Denmark, Estonia, Finland, Greece, Hungary, India, Iran, Iraq, United States of Mexico, Netherlands, Norway, Poland, Portugal, Roumania, Turkey, Union of Soviet Socialist Republics, Uruguay.

The delegations of the following countries voted against the resolution:

Spain, Sweden, Switzerland.

The delegations of the following countries abstained from voting:

Czechoslovakia, France, Latvia, Lithuania, Yugoslavia.

The resolution was adopted.

M. ROSENBLUM (Union of Soviet Socialist Republics) regretted he was unable to defer to the obvious desire of the delegates of Hungary and Poland, but was obliged to maintain his amendment. The addition of one member to the Supervisory Commission would not prejudice the principle that the Commission should be small. The Soviet amendment was the outcome of the proposal to retain the services of the present members of the Supervisory Commission during 1937; as had been pointed out, the Supervisory Commission needed an infusion of new blood. Mention had been made of the interests of the League in connection with the membership of the Supervisory Commission. The Soviet delegation had shown that those interests were as dear to the Soviet Union as to certain other nations, and even more so, and it was precisely for that reason that it moved its amendment.

M. DE OTTLIK (Hungary) thought it would be premature to create such a grave precedent at once as would be constituted by the Soviet proposal to increase the membership of the Supervisory Commission. He did not want to rule out the principle immediately, but suggested once more that the principle underlying the Soviet amendment should be studied by the Committee of three members which would consider what amendments, if any, should be made in Article 1 of the Financial Regulations. That would give time to consider it carefully.

COUNT CARTON DE WIART (Belgium) had already had occasion to point out that the Belgium delegation viewed with anxiety the many proposals for enlarging the membership of League bodies. As the question of the membership of the Supervisory Commission was about to be studied, it would be better not to prejudge its settlement by deciding at once to add a member to the Commission. Consequently, he regretted that he would be unable to vote for the Soviet amendment.

M. RÉVEILLAUD (France), on the other hand, asked the Fourth Committee to adopt the amendment. He had not changed his opinion as to the need for a small Commission, but, in the present circumstances, he thought it essential to add one member who, by submitting his draft amendment, had submitted his own candidature. For three years, M. Réveillaud had been somewhat concerned that the Soviet Union, which paid a large contribution, had never made any claim as to the number of posts to be held by its nationals in the League administrations. Its discretion in this matter had seemed to him to be a somewhat ominous sign of lack of interest. He had already been reassured when the Soviet delegate had this year agreed, after some hesitation, to an increase in his country's contribution. M. Réveillaud thought the tabling of the Soviet amendment a happy event, because it showed that the Soviet delegation intended to interest itself in the financial administration of the League.

M. Réveillaud thanked his colleagues on the Fourth Committee for re-electing him for another year as well as M. Osuský, and added that he would have no hesitation, for his part, in supporting the new candidature just put forward. He did not think that M. de Ottlik and M. de Modzelewski, whose collaboration had been so helpful to the Supervisory Commission, would feel that the appointment of a sixth member would restrict the field of their co-operation. The substitute members now attended all meetings of the Commission, and their right to vote on a footing of equality with the full members had never been called into question. He therefore asked the Fourth Committee, once again, to vote for the Soviet amendment.

Mr. BISWAS (India) thought it would be unconstitutional to add the words "subject to the addition of a new member", now that the Committee had decided that the composition of the Supervisory Commission should be maintained until the end of 1937. As a small Committee was to consider whether any amendments should be made in the Financial Regulations, including the desirability of increasing the membership of the Supervisory Commission, it would be a mistake to make a change in advance there and then.

As regarded the remark that the Soviet delegate had demonstrated the Soviet Union's increased interest in the League that year he did not think the price for that should be a seat on the Supervisory Commission. The one thing had nothing to do with the other.

The CHAIRMAN, while expressing no opinion as to the substance of the question, pointed out that the Soviet amendment was not inconsistent with the resolution just adopted, since those responsible for the two texts were aware that the Soviet amendment would be considered after the Hungarian resolution.

M. HAMBRO (Norway) asked for an explanation on one point. He noted that the Soviet delegation supported M. de Ottlik's draft resolution, which led him to suppose that M. Rosenblum had not felt he was binding himself by voting for it. It seemed reasonable to suppose that, as the question was to be studied by a small Committee, the Soviet amendment related only to the year 1937.

M. ROSENBLUM (Union of Soviet Socialist Republics) confirmed that interpretation.

M. HAMBRO (Norway) pointed out that, in that case, the considerations advanced by M. de Ottlik and Count Carton de Wiart lost their force.

M. DE OTTLIK (Hungary) agreed with the delegate of India that it was illogical to vote on the membership of a Commission and then to decide five minutes afterwards to enlarge it. However, logic was not always the main factor in a discussion.

He could not but admire the clarity with which the French delegate had indicated that the mover of the new proposal had put forward his own candidature. That gave M. de Ottlik an opportunity to say that he would be very glad to welcome a colleague from the Soviet Union on the Supervisory Commission. At the same time, he felt that, as elections to the Supervisory Commission would be held in the coming year, and as it might be presumed that the present substitute members would then be elected full members, a national of the Soviet Union could sit on the Supervisory Commission as a substitute member and, he might say, with the approval of the Hungarian delegation. It should not be forgotten that substitute members sat on the Supervisory Commission with the same rights as full members and were not in a position of inferiority. For his part, he thought it only an advantage that Soviet candidates should be put up for posts in the Secretariat, but he saw no ground for making a change at once in the Supervisory Commission, which worked well, in order that a Soviet national might become a member of it.

Furthermore, he warned the Fourth Committee against appointing six members. If, on a given question, three members were in favour of a certain solution and three others against it, who would settle the matter? The Financial Regulations would have to be changed in order to provide a way out of the difficulty. For instance, the Chairman might be given a casting vote. If that solution met with the Fourth Committee's approval, the Assembly would have to adopt an amendment to the Financial Regulations, and its session would have to be extended for that purpose. In addition, if the Fourth Committee drafted the

amendment itself, what would be the task of the small Sub-Committee? Would it not be better to take time for thought, to weigh all the consequences of the decisions put forward, and, in any event, to separate the idea of a State's contribution from that of its representation on technical committees.

When the Swiss delegation had put forward its proposal in 1929, it was asked to wait until 1930. He himself asked the Fourth Committee and a very great Power to be good enough, in 1936, to have patience for a year, so that a democratic solution, taking account of established positions, might be adopted.

COUNT CARTON DE WIART (Belgium) recalled that M. Hambro himself had said that the Assembly appointed individuals and not States as members of the Supervisory Commission. The statements of some speakers were completely incompatible with that idea. For the rest, the discussion was sufficient proof that it would be impossible to abolish the sixth seat if it were now created.

A vote was taken by roll-call on the Soviet amendment.

The delegations of the following countries voted for the amendment:

Argentine Republic, Australia, United Kingdom of Great Britain and Northern Ireland, Czechoslovakia, Estonia, France, Iran, Iraq, Latvia, Lithuania, United States of Mexico, Roumania, Spain, Turkey, Union of Soviet Socialist Republics, Yugoslavia.

The delegations of the following countries voted against the amendment:

Austria, Belgium, Denmark, Greece, Hungary, India, Netherlands, Poland, Portugal, Sweden.

The delegations of the following countries abstained from voting:

Bolivia, Finland, Norway, Uruguay.

The amendment was adopted.

The resolution on the composition of the Supervisory Commission was adopted in the following form:¹

"Whereas, in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936 — M. Osuský and M. Réveillaud — are not re-eligible;

"Whereas, in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole;

"Whereas, by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested 'to deal with all future financial questions which may arise in connection with the new buildings';

"Whereas the new buildings are not expected to be completed until 1937;

"Whereas it is eminently desirable that, subject to the addition of a new member, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly;

"Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task, while maintaining the principle of its renewal at regular intervals;

"The Assembly decides:

"(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations;

"(2) To maintain the existing membership of the Commission until the end of the financial year 1937, while adding a further member to be appointed at the present session;

"(3) To appoint a Committee of three members to consider what amendments it might be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session."

¹ Adopted by the Assembly on October 10th, 1936 (afternoon).

ELEVENTH MEETING.

Held on Friday, October 9th, 1936, at 10.30 a.m.

Chairman: M. GUANI (Uruguay).

41. **Supplementary Credits : Examination and Adoption of the Report of the Supervisory Commission.**

The CHAIRMAN opened the discussion on the various points in the Supervisory Commission's report on supplementary credits (document A.5 (b).1936.X, Part I, Chapter A).

SECTION 1. DIPLOMATIC CONFERENCE ON THE INTERNATIONAL REPRESSION OF TERRORISM.

Section 1 was adopted without observations.

SECTION 2. NUTRITION.

Section 2 was adopted without observations.

SECTION 3. CHILD WELFARE.

Section 3 was adopted without observations.

SECTION 4. NANSEN INTERNATIONAL OFFICE FOR REFUGEES.

M. RÉVEILLAUD (France), Vice-Chairman of the Supervisory Commission, proposed to replace the last paragraph of this section of the report reading :

“(ii) Facilitating the winding up of the Nansen Office within the periods laid down by the Assembly, while enabling it to accelerate the solution of the problems which arise in connection with the settlement of refugees ”;

by the following text :

“(ii) Facilitating the transfer and settlement in South America of Saar refugees residing in France. The Commission, while reaffirming the principle that the League does not accept responsibility for the settlement and relief of refugees, and without creating any precedent, considers that the special position of these persons justifies the proposed grant.”

This was not a change of substance, but a mere drafting amendment designed to express more clearly the Commission's intentions.

M. HOERSCHELMANN (Union of Soviet Socialist Republics) said that the Soviet delegation was prepared to accept the Supervisory Commission's proposal to grant a credit of 205,000 francs, since that proposal was not inconsistent with the principles defended by the Soviet delegation and indicated in the Sixth Committee's report, more particularly in Section II (c).¹

Mr. MORRISON (United Kingdom) thanked M. Réveillaud for proposing his amendment. The original text was couched in too general terms without any explanation as to how the money was to be used. In the United Kingdom Government's view, it raised a principle which its delegation regarded as of vital importance for the League finances — namely, the principle that the League had no responsibility for the settlement of refugees, though that did not mean that the United Kingdom was unwilling to make its contribution to the expenditure of the Nansen Office, the work of which, in the present and in the past, it highly esteemed. The United Kingdom Governments' attitude in this matter had been fully set out by Lord Cranborne in the Sixth Committee.²

M. Réveillaud's amendment narrowed the issue down to the question whether the case of the Saar refugees was so far differentiated from other cases as to justify the Committee approving the appropriation proposed. The United Kingdom delegation was not convinced that it was so differentiated. The position of the Saar refugees was a consequence of the Treaty of Versailles and the plebiscite which had been held under the provisions of the latter; there was no special responsibility devolving on the League in the matter.

The United Kingdom delegation was accordingly opposed to the proposal and would vote against it, if a vote were taken. If no vote were taken, its dissent should be recorded in the Minutes.

M. DE MODZELEWSKI (Poland) had repeatedly explained the Polish Government's view on this question. The mode of presentation had been changed, but the substance of the

¹ Document A.73.1936.XII. (See *Official Journal*, Special Supplement No. 161, page 63).

² See *Official Journal*, Special Supplement No. 161, page 42.

problem remained. The Polish delegation objected not so much to the credit itself as to the underlying principle. That was why the Polish delegation had not altered its attitude, but maintained its point of view.

M. DE OTTLIK (Hungary) pointed out that the Hungarian delegation had already stated its views on this question to the Fourth Committee.¹ As the United Kingdom delegate had said, it raised a principle which affected the sound financial administration of the League and the appropriation of Members' contributions exclusively to work which was within the limits of the Covenant and the resolutions of the Assembly. The League was not a charitable organisation which normally had to bear the burden of material assistance to refugees. If it adopted that policy there would be a risk of the expenditure budget being doubled or trebled in a few years' time.

In the present case, M. de Ottlik approved of the Supervisory Commission's proposal to increase the Nansen Office budget, but without expressly stating the purpose of such increase. The League of Nations should be protected from the dangers inherent in opening credits for new classes of refugees. Whatever might be said of it, it created a precedent upon which Governments would rely to support their proposals.

True, the new draft proposed by M. Réveillaud stated that no precedent was being created, but that had already been said last year in connection with the Assyrians of Iraq, and on this point M. de Ottlik recalled the wording of paragraph 24 of the Supervisory Commission's report of 1935 (document A.5(b).1935.X).

If "without creating a precedent" the Assembly again yielded this year to humanitarian and political considerations, it would be impossible next year to make any effective objection to other similar applications for credits. At the same time, in order not to hamper the work of the Supervisory Commission, M. de Ottlik supported the latter's proposal and was also prepared to agree with any other proposal which the Fourth Committee might adopt.

In conclusion, he endorsed the remarks of the delegates of the United Kingdom and Poland. Should no vote be taken on this section of the report, he asked that his declaration should be noted and construed as a negative vote.

M. COSTA DU RELS (Bolivia) said that the question had two aspects: (1) the grant, strictly so-called, of a sum for settling Saar refugees, and (2) the *modus operandi* of such a settlement.

The Bolivian delegation would be glad to vote for the credit of 205,000 francs for settling Saar refugees, and thanked the Rapporteur of the Supervisory Commission for having amended the original text of the report.

Referring to the *modus operandi* for the settlement in South America of Saar refugees, M. Costa du Rels fully understood that the question did not concern the Fourth Committee but the Sixth. Nevertheless, since the name of the country where the refugees in question were to be settled originally had been replaced by the name of a whole continent, South America, the Bolivian delegate would immediately voice the wish that this "heavenly manna" should fall on countries which had discharged their obligations to the League of Nations. Perhaps the Committee on Contributions in Arrear would have a word to say on the subject. He felt it to be an international moral obligation. M. Costa du Rels did not propose to expatiate on the question, as it would come up again before the Sixth Committee, where he proposed to speak, but he desired to state his views briefly in the Fourth Committee.

M. FELDMANS (Latvia) felt it incumbent upon him to restate the well-known views of the Latvian Government on the refugee problem. The Latvian Government believed that the League of Nations was justified in dealing with the political and legal aspects of refugee problems, but felt that the practical aspects of the problem — that was to say, questions of settlement, grants etc. — were not part of the League's functions. The latter, as a political institution, had no organisations suitable for supervising the execution on the spot of settlement schemes.

Furthermore, M. de Ottlik had very aptly stressed the fact that, every year, it was stated that the grant of such or such a credit would not be regarded as creating a precedent, yet, in subsequent years, advantage was taken in practice of earlier decisions. That was bad procedure and should be dropped.

M. Feldmans also reminded the Committee that, under the Assembly's decisions, the Nansen International Office was being wound up, the operation to be completed in 1938. It had been anticipated that the annual credits put at the Office's disposal would be decreased; yet, one year before the final winding up of the Office, it was granted an additional credit of 205,000 francs, which really reversed all the previous decisions.

In conclusion, M. Feldmans said that the Latvian delegation would vote against the credit.

Mr. WATT (Australia) agreed with the United Kingdom delegate for the reasons already stated by Mr. Bruce in the Sixth Committee.²

¹ See page 52.

² See *Official Journal*, Special Supplement No. 161, page 42.

The Australian delegation would vote against the proposal, if a vote were taken. If no vote was taken, its dissent should be recorded in the Minutes.

M. HAMBRO (Norway), Chairman of the Committee on Contributions in Arrear, wished to assure M. Costa du Rels that the Committee on Contributions in Arrear shared his concern. He ought to point out, however, as regarded the credit put at the disposal of the Nansen Office, that this was not an amount which would be paid over to Governments. It would be expended in transactions with private individuals.

Mr. BISWAS (India) said that, when the question had been raised as to whether the Fourth Committee should discuss the proposed appropriation and he had objected, M. Hambro had urged that the Committee ought not to refuse to discuss the proposal on purely technical grounds. The Committee had accordingly agreed to refer the matter to the Supervisory Commission; and Mr. Biswas had assumed that the latter, if it approved the appropriation, would submit arguments in its favour.

But no arguments had been put forward in the report of the Commission, and he could not find anything in the discussion which had taken place that morning to induce him to modify his attitude in regard to the proposal. Nothing that had been said in the Fourth Committee differed, in any respect, from what had already been said in the Sixth Committee. The proposal was obnoxious in principle, and was not affected by the fact that the amount, in deference to the opposition manifested in the Sixth Committee, had now been cut down by half. Incidentally, it was as well to point out that the Sixth Committee's decision had not been unanimous; the voting had, in fact, only been twelve for to seven against.¹

He was profoundly sceptical of the value of the words incorporated in M. Réveillaud's amendment in regard to not "creating any precedent". He thought that that reference was comparable to the "Last Night" or "Positively Last Performance" notices which were sometimes to be seen outside theatres and similar places of entertainment.

The Indian delegation desired its dissent to be recorded in the Minutes.

Mr. ANDREWS (Union of South Africa) said he had voted in favour of referring this particular proposal to the Supervisory Commission in the hope that the latter might in its report adduce arguments either in refutation of the earlier criticism which had been levelled against it or in justification of the proposal. The report, however, offered no information of any kind and nothing, in his judgment, had been brought forward to refute the objections to the proposed credit. For his part, he viewed the whole proposal with great trepidation. It was not right that League funds should be utilised for financing land settlement schemes, particularly where the League had no responsibility in the matter, neither direct nor indirect. The Committee had little or no information before it as to the actual merits of the scheme, and he very much feared the possibility that, having assisted the settlers to proceed to South America, the League might be called upon to finance their return in the event of the scheme turning out a failure.

Further, there was the danger that a precedent might be set. If Mr. Andrews were deflected from the intention to vote against the proposed credit, it was out of recognition of the deep humanitarian principles which motivated the plan.

But the South African delegation would feel compelled, nevertheless, to record in the Minutes its dissent against the principle of such expenditure.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, reminded the Committee that the Supervisory Commission was not working under normal conditions that year. That explained the brevity and hasty character of its report.

He explained that, when the present question, which had been so hotly disputed and was, indeed, so controversial, had come up before the Supervisory Commission, the latter had considered that it was above all necessary to uphold two principles. One was to avoid giving any grounds for the apprehension that the winding-up of the Nansen Office, which was due to finish in 1938, might be prolonged; the other was to avoid creating any kind of refugee law or statute which would enable all the unfortunate people in the world to look on the League as a foster-mother. The Supervisory Commission had been unanimous that those two principles should be maintained. That was why, after discussing the concrete case submitted to it, it had decided on the somewhat sibylline phrase at the end of the report, which emphasised the necessity of both facilitating and hastening the winding-up of the Nansen Office, without mentioning the Saar refugees, precisely so as to avoid the appearance of establishing a precedent.

Greater explicitness had been requested. Therefore, he had made a new draft, which he had submitted at the beginning of the meeting. That text said very clearly and definitely what the Supervisory Commission desired. It laid down principles which the Commission considered should always be borne in mind.

In granting the credit to the Nansen Office, the Supervisory Commission had had no fear of seeing it misused and made a pretext for prolonging the existence of the Office. The new President of the Governing Body of the Nansen Office was present at the meeting, and M. Réveillaud took the opportunity of saying that the League had found in him a man on whose conscience it could absolutely rely. He had come to Geneva to undertake, in a most disinterested fashion, a task which was in no way pleasant. To start with, it was complicated,

¹ See *Official Journal*, Special Supplement No. 161, page 44.

and the task of winding up an institution was a doubly ungrateful one. He thought the League could not sufficiently thank the great-hearted man who had taken on that responsibility.

There was, therefore, no doubt that the Office would be wound up within the time-limit laid down by the Assembly.

M. Réveillaud was speaking on behalf of the Supervisory Commission, deliberately forgetting that he was a French delegate as well, and he would therefore refrain from pleading in favour of the voting of the credit. As a matter of fact, the discussion which had taken place in the Sixth Committee had allowed all the arguments in favour of the credit to be put forward.

But a few words should be said as to the fact that, whereas 400,000 francs had been requested for the transfer of the Saar refugees, the Supervisory Commission only proposed a sum of 200,000 francs. That was obviously a compromise, which had been made easier by the High Commissioner's declaration to the effect that he was willing to undertake the task with a credit which had been reduced to less than half its original size — since, instead of the expected 400,000 gold francs, he was now being given only 200,000 Swiss francs devalued by 30%. On receiving his assurance that he could do useful work with those 200,000 Swiss francs, the Commission had thought that a gesture should be made so as to give those who, in the Fourth Committee, had strongly opposed the credit an opportunity of accepting the new figure as a compromise. He had the satisfaction of seeing that those of his colleagues who had taken up such a firm stand three days before had, for the most part, been satisfied with a record in the Minutes and had not asked for the question to be put to the vote. On behalf of the Supervisory Commission, he thanked them. He did so, too, on behalf of the French delegation.

M. HANSSON, President of the Governing Body of the Nansen Office, thanked M. Réveillaud for his kind remarks, which gave him great encouragement. He acknowledged that the Office would need a great deal of encouragement if it were to carry out successfully the work entrusted to it; and he himself would need encouragement for his task of winding up the Office by 1938.

M. Réveillaud had requested the Fourth Committee to have confidence in the members of the Office. In that connection, M. Hansson wished to assure the Committee that the members of the Office would deserve that confidence, and that the Office itself would be definitely wound up at the end of 1938.

The very fact that the winding-up had to be accomplished in two years made him unable to understand the fears which had been expressed by some delegations. As far as he was concerned, if he were definitely elected President of the Governing Body he would make no new demand. He knew only too well the doubts which had caused certain delegations to oppose the grant of credits which they were at present discussing. If he had not been aware of those doubts, he might have asked for many other credits for other refugees — the Armenian refugees, for instance. All the members of the Committee knew that different classes of refugees existed. When he had first dealt with the question, he had found that the League had granted a credit for the Assyrians. He thought that the two cases were very similar.

In the Fourth Committee however, he found himself faced with a kind of coalition: on the one hand, the United Kingdom delegation feared the consequences of a vote for a new credit and considered that there was no analogy between the Assyrians and the Saar refugees, and, on the other hand, the Hungarian delegation thought that there was an analogy. For different reasons, both delegations were opposing the credit which had been requested. He himself agreed with the Hungarian delegate; the analogy was striking. Two classes of refugees, were involved; as the League of Nations had voted a credit for the Assyrians, it had no reason to refuse one for the Saar refugees, especially as the credit of 400,000 francs requested by the Office had been reduced by half by the Supervisory Commission, quite apart from the effect of the devaluation. When a credit for the Assyrians had been recommended, account had been taken of the fact that they were the victims of an international arrangement which had been made under the auspices of the League. The same applied to the Saar refugees; why should it not be taken into account in their case, also?

The President of the Governing Body of the Nansen Office wished to clear up any confusion which might exist. The Latvian delegate had said that it had been decided to wind up the office in 1938 and progressively to reduce its budgets up to that time. The question at present under discussion by the Committee had nothing to do with the budget, and M. Hansson made the most express reservations so that, when the budget came to be discussed next year, it could not be said to him that an appropriation — that voted this year for the Saar refugees — had already been granted.

Yesterday, in the Supervisory Commission, M. Hansson had said in reply to the Hungarian delegate, who had asked him whether he might not suggest that the budget of the Office should be increased, that he could not seriously say that the Office needed 400,000 francs for administrative expenses. There appeared to be some misunderstanding. The credit for settling the Saar refugees in South America was not connected with the budget of the Nansen Office. The situation with regard to the Saar refugees was so difficult that it had been considered necessary to take some action in view of the fact that public authorities took no interest in their case and that the French Government had already paid out more than nine million francs. There might have been an alternative solution — namely, to apply to the Governments which were Members of the Council at the time when the decisions regarding the Saar territory had been taken. But those Governments would probably have pointed out that they had acted in the name of the League of Nations, and that it was to the League that application should be made.

The winding-up of the Nansen Office within the space of two years would be a very difficult undertaking, but it would be rendered much easier if the problem of the refugees themselves could be solved. The League, which had obliged the Office to wind up its affairs within two years, was itself under an obligation to assist the Office, especially with credits, particularly when they were as moderate as those at present requested and when they were required for a non-recurring case.

M. VIÉNOT (France) reminded the Committee that the main question concerning the Saar refugees had been dealt with in the Sixth Committee; he would not revert to it. With regard to the method by which the Supervisory Commission had attempted to comply with the French delegation's suggestion, he was willing to support it in order to be conciliatory, although it did not correspond completely to the wishes of the French delegation.

He agreed with the United Kingdom delegate. The League should not, as a matter of principle, undertake the task of settling all the refugees in the world. That would mean a financial burden which it would be impossible to support, in spite of the humanitarian character of such a task; moreover, it would create a dangerous precedent.

The French delegation had two reasons for making a special proposal in the case of the Saar refugees. The first reason was one of internal policy; the refugees from the Saar were a very heavy charge on the French budget, and public opinion in France found it difficult to understand why the French budget should bear the whole burden. A sum of approximately 11,000,000 francs had been paid out already by the French Government in that connection, and it had thus been able to solve the problem of giving assistance to the refugees, in spite of the difficulties arising from unemployment; but the problem was really one which concerned the League of Nations.

The second reason for the French proposal was one that had already been mentioned in the Supervisory Commission's report, which had emphasised "the special position" of those refugees. The League had a moral responsibility for the Saar refugees; for fifteen years they had been administered by the League, and the League had organised a plebiscite which had resulted in a change in the status of the Saar territory. It was, therefore, natural that France should not be the only country called on to bear the expense connected with the settlement of Saar refugees.

M. COSTA DU RELS (Bolivia) said he had, a short time before,¹ reserved the right to take up again before the Sixth Committee the question of the methods to be followed for settling the Saar refugees in South America. He had now just been informed that there might perhaps be no further meeting of the Sixth Committee, so, as the President of the Governing Body of the Nansen International Office was present, he would like to ask him to explain certain points.

Certain South American countries were anxious to welcome the refugees and had already made arrangements for facilitating the settlement of emigrants. Some of them, however, had not yet been communicated with concerning the transfer of the Saar refugees. He would like to be assured that there was no intention to settle those refugees in one country alone, but that the facilities offered by several South American countries for their settlement would be studied.

He should mention in that connection that the question of settling certain classes of refugees in South America had formed the subject of long discussions between the Nansen Office and the Bolivian Government as far back as 1932 — that was to say, before the Chaco war. At that time, attention had been directed to serious difficulties of a political nature that might arise from the settlement of refugees on disputed territory.

On the other hand, certain classes of refugees had already been settled in South America, notably White Russians. He was at present constantly receiving letters in which many of those refugees complained of the unfortunate situation in which they found themselves, and, in fact, said they had been deceived. They asked him to intervene to facilitate their departure from the country where they were at present settled. He felt bound to draw M. Hansson's attention to the disappointments that might be met with in that connection.

Finally, he wished to be assured that the Saar refugees would not be sent to disputed territories and that all countries desiring to receive refugees would be consulted.

M. HANSSON, President of the Governing Board of the Nansen International Office, in the first place, assured the Bolivian delegate that the Saar refugees would not be settled on disputed territories, but far away from them.

Secondly, he wished to say that the scheme for settling refugees in South America, which had been drawn up by competent persons before he had come to the Nansen Office, seemed to him perfectly sound and capable of realisation. The district where it was intended to settle the refugees in the near future already contained three large colonies of European immigrants (Sudeten-Germans, Austrians and Germans).

Finally, he assured him that the Office would study any reasonable settlement schemes and would get into touch with the Governments which were willing to receive refugees.

M. COSTA DU RELS (Bolivia) thanked M. Hansson for his assurances, which he noted. He, for his part, would take care to see that the Saar refugees were not sent by devious or secret ways to the disputed territories.

M. KÜNZL-JIZERSKÝ (Czechoslovakia) said, that in order to enable the Nansen Office to be wound up and to facilitate the latter's task, he supported the proposals of the Supervisory Commission and accepted the additional credit of 205,000 francs.

¹ See page 67.

M. FELDMANS (Latvia) had intended to ask that that part of the Supervisory Commission's report should be put to the vote. In order to be conciliatory, he would refrain from doing so, but he requested the Fourth Committee to take an official decision to the effect that the granting of that credit could never be regarded as a precedent.

Mr. MORRISON (United Kingdom) supported the Latvian delegate's proposal.

M. RAPPARD (Switzerland) said there were many reservations which he might have expressed with regard to a number of the observations that had been made in the course of the debate; but he did not wish to prolong the discussion. Public opinion in Switzerland, the country where the Red Cross had come into being and where the Nansen Office had its headquarters, would not understand it if its representative kept silent on this matter. That was why he wished to say that the Swiss delegation would willingly have voted the credit of 400,000 francs which had been asked for at first, and it now gave its entire approval to the Supervisory Commission's proposal.

Section 4 was adopted.

- *Part V, "Nansen International Office for Refugees", of the 1937 budget was also adopted.*

SECTION 5. HIGH COMMISSION FOR REFUGEES COMING FROM GERMANY.

M. HAMBRO (Norway) wished to record his opinion that the Council was exceeding its powers in appointing the High Commissioner or any other salaried official of the Assembly. He did not propose to discuss the point at this juncture, but would revert to it in connection with the discussion of the audited accounts for 1936.

Section 5 was adopted.

SECTION 6. INTELLECTUAL CO-OPERATION.

Section 6 was adopted without observations.

SECTION 7. MISCELLANEOUS COMMITTEES.

Section 7 was adopted without observations.

SECTION 8. PROPOSALS OF ASSEMBLY COMMITTEES INVOLVING ADDITIONAL EXPENDITURE.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, drew the Committee's attention to this chapter of the report. He was sure that the Committee would unanimously agree to maintain without reservation the right, first of all, of the administration and, secondly, of the Fourth Committee to supervise expenditure on Secretariat Services and Committees of the League.

M. RAPPARD (Switzerland) thanked M. Réveillaud for his remarks. He, too, had been struck by the wording of the recommendation formulated by the Fifth Committee and embodied in the Supervisory Commission's report. It would be desirable to avoid in future the drafting of such texts, which might give rise to misunderstandings.

Section 8 was adopted.

The report of the Supervisory Commission relating to Supplementary Credits was adopted (document A.5(b).1936.X, Part I, Chapter A).

42. Composition of the Supervisory Commission : Examination and Adoption of the Report of the Fourth Committee to the Assembly.

M. HOLMA (Finland), Rapporteur, reminded the Committee that a prolonged discussion had taken place at the previous meeting on the subject of the constitution of the Supervisory Commission. Various speakers had put forward arguments in favour of either merely applying Article 1 of the Financial Regulations, or of maintaining the present composition of the Supervisory Commission for a further year, or of adding new members to the Commission.

He begged to submit to the Committee his draft report and resolution on this matter.

M. HAMBRO (Norway) emphasised the necessity of mentioning in the report the fact that the decision in question had only been passed for one year, and in no way prejudiced any decisions which might be taken next year, when the report of the Committee of Three would be submitted.

M. HOLMA (Finland), Rapporteur, said he would take M. Hambro's remarks into account and modify his report accordingly.

The draft report and resolution were adopted (Annex 2, page 83).¹

43. Examination and Adoption of the Supplementary Budget for 1937 and Relevant Passages of the Report of the Supervisory Commission.

The CHAIRMAN opened the discussion on the Supplementary Budget for 1937 (document A.4(d).1936.X) and on the corresponding chapter of the report of the Supervisory Commission (document A.5(a).1936.X, Chapter II).

¹ The resolution was adopted by the Assembly on October 10th, 1936 (afternoon).

Mr. BISWAS (India), referring to the Supervisory Commission's report, observed that, as the Committee was aware, the Secretary-General had despatched the Head of the Information Section to India on a mission. The result of the latter's report on his mission was embodied in certain proposals made by the Secretary-General in the Supplementary Budget for 1937. The proposals in question related to (a) the appointment of additional correspondents in India, and (b) the transfer of the Bombay Office of the Secretariat to Delhi.

The former proposal had already been approved by the Fourth Committee.¹ As regards the latter proposal, the Government of India approved the transfer of the Bombay Office to Delhi as likely to promote closer touch with representatives of all parts of India. But the position in regard to the reorganisation of the transferred Office was not very clear. In 1934,² the Assembly had pronounced in favour of the amalgamation of the Offices of the League Secretariat and the International Labour Organisation; and the Secretary-General had submitted estimates for the cost of amalgamation. The Supervisory Commission, however, found that there were difficulties in the way of amalgamation, and decided to leave the two Offices to continue as separate organisations for the time being, but made a token cut of 1,000 francs in the vote as an indication that the principle of amalgamation still held good.

As matters thus stood, each Office was to have its own Director. The Government of India did not feel that two Directors were necessary. It did not object to the higher credit, provided it was understood that it need not necessarily all be expended. It was all to the good that the League Office should be reorganised and strengthened; but the Government of India did not consider there was any call for the payment of a high salary to its Director.

The TREASURER thanked Mr. Biswas, on behalf of the Administration, for his valuable recommendations in regard to the two Offices. All his points with regard to the salary or salaries of the Director or Directors of the office or offices would be carefully considered by the Supervisory Commission. The proposed credit was intended only to cover the transition period. He could give Mr. Biswas every assurance in the sense he desired.

Mr. BISWAS (India) thanked the Treasurer.

The Supplementary Budget for 1937 was adopted.

The expenditure budget, amounting to 29,184,128 Swiss francs, and the net budget of receipts, amounting to 21,284,823 gold francs, were adopted as a whole.

44. Disposal of the Surplus from the 1935 Financial Year : Proposals of the Supervisory Commission.

M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission, reminded the Committee that the Supervisory Commission, in its report (document A.5.1936.X, Chapter D) had made certain proposals concerning the disposal of the surplus of over 9 million francs for the financial year 1935.

The figures shown had had to be revised in consequence of the devaluation of the Swiss franc and the florin. Having examined the position, the Supervisory Commission recommended :

(1) That, in view of the improved position of the Provident Fund, its proposal that the sum of 25,881.17 gold francs be allotted to the Provident Fund might be withdrawn ;

(2) That, as regarded the sum of 714,750.20 gold francs allotted to the Pensions Fund for the members of the Court, the distribution should be made in florins and the gain of approximately 20% returned to Member States in reduction of their contribution for 1937 :

(3) That the sum of 700,000 gold francs for the extension of the International Labour Office buildings should be distributed in Swiss francs and that any gain resulting from the difference in these two currencies should be placed in a special suspense account, withdrawals from which might be authorised by the Supervisory Commission in respect of increased costs due to the devaluation of the Swiss franc, the balance being dealt with in the report of the Supervisory Commission to the 1937 Assembly.

In those conditions, the sums of	Gold francs
plus 20% of 714,750	25,881
	142,950
Total	<hr/> 168,831

might be added to the sum which would be returned to Member States in 1937 from the surplus of 1935.

With regard to the other allocations provided for in the report of the Supervisory Commission, the proposals made in that report held good, but he assured the Committee that the Supervisory Commission would follow the question very closely and devote a special chapter of the report to be submitted to the Assembly next year to any surpluses which might appear when the situation became clearer.

*The Committee adopted the proposals of the Supervisory Commission concerning the disposal of the surplus for 1935.**

¹ See page 48.

² See *Official Journal*, Special Supplement No. 128, pages 9, 25 and 26.

* See also the general report of the Fourth Committee to the Assembly on financial questions, document A.80.1936.X (Annex 5, page 92).

TWELFTH MEETING.

Held on Friday, October 9th, 1936, at 3.30 p.m.

Chairman: M. GUANI (Uruguay).

45. Allocation of the Expenses of the League of Nations: Reports of the Committee on the Allocation of Expenses.

Sir Frederick PHILLIPS (United Kingdom), Rapporteur of the Committee on the Allocation of Expenses, recommended the adoption of two reports by that Committee — documents A.10.1936.II.A, dated May 9th, 1936, and A.IV.9.1936, dated October 6th, 1936.¹

He said the Committee was grateful for the opportunity given by its reappointment on September 30th² to hear the views of several Member States which were affected by its recommendations made in May.

The appointment of the Committee was in one sense experimental. Previous committees of the same name had been appointed by the Council, the choice of members being determined with reference particularly to their qualifications as experts. The present Committee and its members, on the other hand, had been appointed by the Fourth Committee itself. The few members who had served under both systems entertained no doubt that the present arrangement was the better, and that it was of the greatest importance that persons charged with reporting on the allocation of expenses should have had the fullest experience of the Fourth Committee's views.

After pointing out that the present Allocation Committee had not been able, any more than previous committees, to find the philosopher's stone which would transmute the mass of statistical matter into an allocation table at once scientific and acceptable to all Members, Sir Frederick Phillips described the procedure for dealing with representations laid before it, and said that, after it had heard those representations, it had met again and compared what it had heard with the abundant material collected by the Secretariat. It also compared one claim with another. The result was often surprising. Over and over again, the Committee had heard a representative from State A claiming that his country was over-assessed by comparison with State B, and after an interval had heard a representative from State B who claimed that his country was over-assessed by comparison with State A.

What added to the Committee's difficulties was that, even where opinions differed so widely, neither claim could be said to be wholly unfounded. Each representative put forward in perfect good faith the arguments and figures supplied to him, but it was natural that those arguments and figures should be chosen which supported the case, arguments or figures which told against it tending to be ignored or minimised.

The Committee had reached no conclusion until it had exhaustively considered all the material which could be provided by the Secretariat; but, while it would have been glad to avail itself of any agreement or common views among the States which approached it, such agreement or common views were never forthcoming. Its work was always open to the criticism of anyone who chose to base his study on selected facts rather than on the whole body of information available.

The nature of the scale itself imposed limitations. The fact that one Member State was allotted a contribution of four and another a contribution of three units did not mean that the first State was precisely $33\frac{1}{3}\%$ richer than the second, but only that, in the Committee's opinion, its resources were definitely superior. They might be 20% or nearly 50% superior. In either case, the State would probably have been allotted a contribution of four units.

In the past, considerable reliance had been placed on budget statistics; but no two Member States prepared their national budgets on identical principles, and prolonged and minute investigation was required with a view to adjusting the figures of each budget so that they were strictly comparable. This inherent difficulty had been intensified to an extreme degree by the abrupt changes in recent years in the values of the different currencies. In fact, it had become almost impossible, for the time being, to make effective use of budget figures, and the Committee had been compelled to rely more on figures dealing with national resources and with all branches of production and trade.

In its second report, the Allocation Committee recommended a lightening of the additional burdens on some States which were recommended in the May report. It had fully explained its reasons. The scale of allocation merely represented the relative proportions in which the

¹ The substance of this document has been incorporated in the report of the Fourth Committee to the Assembly on this question (document A.82.1936.II.A) (Annex 3, page 84).

² See page 20.

League expenses were to be divided among the States, and there was therefore no compelling reason in strict logic why an all-round reduction in the League budget should involve a reconsideration of the May recommendations. The Committee had thought, however, that, on the present occasion, the Fourth Committee would, on the whole, consider that, in the changed circumstances, it was proper to grant some alleviation. The alleviations proposed were not in themselves of a nature to create any injustice towards the general body of Member States.

It was clearly desirable that any arrangement adopted should be as permanent as possible and that repeated changes should be avoided. On the other hand, different countries had reached different stages in the process of recovery from the world depression, and it was too early yet to say that any scale of allocation could continue indefinitely. As a compromise, the Allocation Committee recommended, in its May report, that there should be no revision of the present scale until 1939.

The contribution of Austria had been assessed at eight units in 1925 on the basis of statistical material relating to the year 1923. At that time, Austria's financial situation had been very serious and her contribution had accordingly been fixed at a low figure. Before any occasion to reconsider the decision had occurred, the world depression had supervened, which had affected Austria no less than other States. The recent report of the Financial Committee of the League¹ showed that very considerable improvement had taken place and the Committee saw no reason for continuing a special concession any longer. It therefore recommended an increase from eight units to ten units. Moreover, the withdrawal of the special League representative from Austria would relieve the Austrian budget of 200,000 schillings a year, an amount equal to about four units. The addition of two units to Austria's contribution represented a much less serious burden than it would otherwise have been.

M. DE VASCONCELLOS (Portugal) did not know by what combination of circumstances his Government had had cognisance of the report of May 9th, 1936. It had not been handed to him personally, and he had only just heard, therefore, that Portugal's contribution had been increased by two units. Had he been aware of that, he would certainly have appeared before the Committee on the Allocation of Expenses to challenge the figures it had used. The report of May 9th recommended a number of increases and decreases in the units allocated to the States Members. The lowest percentage of increase was 2½%. The assessment of some States had risen by 16 and 25%, and the record figure was that of Portugal — 33%.

In the interval between the publication of the first and second report, the States had put forward their claims, the Allocation Committee had discussed them, and had agreed to a fairly general reduction. For instance, 25% had been reduced to 19%, 8% to 4%, 16% to 6%; but Portugal still held the record with 33%.

M. de Vasconcellos would like to know why there was so sharp an increase in Portugal's allocation. He would have agreed to a gradual rise which would not have affected Portugal's budget too considerably, whereas the increase which had been adopted, while it was small in comparison with the League's budget, and would therefore make little difference to receipts, would unduly swell the item to which it was charged in Portugal's budget. From the League's point of view, therefore, this increase was not well advised.

The Fourth Committee was concerned more especially with budgetary matters, but it could not altogether ignore political circumstances. Portugal had sat on the Council; she had been given some of the most difficult tasks Members of the Council had had to undertake, and it was no doubt because she had deserved well of the League — which was to be inferred from certain Assembly decisions — that this penalty had been imposed on her, unless it was to reward her for having set an example of financial stability, administrative wisdom and political calm in a disturbed Europe.

M. de Vasconcellos asked the Allocation Committee to be good enough to reconsider Portugal's allocation, which should really be reduced, as it was too heavy a burden for her.

M. DE OTTLIK (Hungary) paid a tribute to the services rendered by the Allocation Committee.

Referring to the United Kingdom Government's offer to increase its contribution temporarily by three units, on the ground that economic recovery had reached a more advanced stage in the United Kingdom than in other countries, M. de Ottlik said this gesture was the international expression of the British taxpayer's honesty. On behalf of the Hungarian Government, he congratulated His Majesty's Government in the United Kingdom on the great example it had set to all the Members of the League.

M. HOLMA (Finland) said the Committee on the Allocation of Expenses had no doubt started from the idea that Finland had a favourable trade balance, had balanced her budget, and had even redeemed a considerable part of her foreign debt. That was undoubtedly the case, but that satisfactory result had only been achieved at the price of very great sacrifices and hardships on the part of the people. The fact that the Finnish people had patiently borne very heavy burdens during recent years was no reason for not trying to spare them further expenditure, whenever possible.

¹ See *Official Journal*, November 1936, page 1336.

In considering where economies could be made, the Finnish Government could not fail to notice that the number of units allocated to Finland — which, moreover, had been increased by 100% in 1925 — was very high, too high as compared with the units allocated to several other countries. No doubt it was extremely difficult to find a sound and equitable basis for computing the contributions of States Members. The Allocation Committee seemed, for its part, to consider relative national resources as an ideal basis for the scale of payments, with some exceptions, perhaps, in special cases. The competent authorities in Finland had made many comparisons on that basis, and in every case they had examined they had reached the conclusion that Finland's contribution was too high.

In order to test the results still further, the same Finnish authorities had made calculations on the basis of other data that might possibly be regarded as suitable for use in drawing up a scale — agricultural and industrial production, home trade, the national budget. Broadly speaking, all those calculations had confirmed the conclusion that Finland's contribution was too high as compared with that of other States to which the same test had been applied.

In those circumstances, the Finnish Government felt bound to ask that its contribution be reduced. In a letter to the Secretary-General, it had explained the arguments in support of a reduction. The Allocation Committee had not complied with the request made in that letter. The Finnish delegation could only register regret and reserve its right to revert to the matter when an opportunity occurred.

There was no need to add that Finland would nevertheless pay its contribution without fail, as in the past, because she had always been, and still was, most anxious that the League should work satisfactorily.

Mme. KLUYVER (Netherlands), Vice-Chairman, drew attention to the following passage in the report dated October 6th, 1936: "The reappointment of the Committee has given an opportunity to any State which may feel dissatisfied . . ." She thought it advisable to make it clear that this opportunity had only occurred during the Assembly; as a matter of fact, in the months preceding the Assembly, States whose contributions had been increased in May had had no opportunity of putting forward their objections. The passage should therefore read: "The reappointment of the Committee *during the Assembly* . . ."

Mme. Kluyver then made the following declaration on behalf of her delegation:

"The Netherlands Government was very surprised to find that the Committee on the Allocation of Expenses proposed to increase the contribution payable by the Netherlands from 23 to 25 units.

"The Netherlands delegation protested first in writing and then verbally in the Committee on the Allocation of Expenses against this proposal, for which it saw no justification, and stated that, in the opinion of the Netherlands Government, there should be no change in the number of units allocated to the Netherlands.

"The Netherlands delegation notes with satisfaction that the Committee has modified its proposal in the sense that, in the report now submitted to the Fourth Committee, it proposes an increase, not of two units, as in the preliminary report, but of one unit only.

"The Netherlands delegation regrets that it has been unable completely to convince the Committee and that the latter has been unable to give it full satisfaction.

"In a spirit of conciliation, and being anxious not to destroy all the work accomplished by the Committee on the Allocation of Expenses, the Netherlands delegation will refrain from reopening the discussion. While maintaining its point of view, it has decided not to vote against the new scale but to abstain from voting."

M. MATSCH (Austria) said the Austrian delegation had informed the Allocation Committee that the increase of Austria's contribution from eight to ten units, a proportion of 25%, seemed to it to be too high. According to the Committee's new report, Austria and Portugal were the only Members of the League which would have to pay a higher contribution in 1937 than they had paid hitherto, the general reduction of 20% approved by the Fourth Committee being more than offset by the increase in their contributions. Austria's present economic and financial situation did not in any way justify so large an increase in her contribution. He therefore asked the Fourth Committee to add only one unit to the contribution Austria had been paying in recent years. If the Allocation Committee's decision were maintained, he would be compelled to vote against the report and, if necessary, to raise the question in the Assembly.

M. SCHMIDT (Estonia) recalled that his Government had asked the Allocation Committee to reduce Estonia's contribution by one unit. The Committee had been unable to grant that request. Estonia was therefore one of those European countries which paid a contribution relatively higher than the majority of other States. However, the Estonian delegation would once again bow to the Committee's decision. At the same time, it expressed the hope that Estonia would receive fairer treatment when the question was taken up again.

M. COUCKÈ (Belgium) said that the Belgian delegation, like a number of other delegations, had been unable to agree to the Allocation Committee's original proposal that Belgium's contribution should be increased by three units. It had learned with satisfaction that account had to some extent been taken of its objections and that, under the new scheme, Belgium's contribution would be increased by only one unit.

While repeating its reservations and maintaining the views it had put before the Allocation Committee, the Belgian delegation would accept the report. It associated itself with the tribute paid to the United Kingdom Government, whose generous act had greatly facilitated the Allocation Committee's task.

M. ROSENBLUM (Union of Soviet Socialist Republics) thought that the increase in his country's contribution proposed by the Allocation Committee was too great. He would not repeat in the Fourth Committee the reasoning and arguments he had put before the Allocation Committee. Furthermore, in order to facilitate the very heavy and difficult task of that Committee, he would not vote against the scale recommended to the Fourth Committee, and hoped shortly to receive instructions from his Government authorising him to confirm that decision at the Assembly.

M. SÖDERBLOM (Sweden) explained that, although it had always regarded Sweden's contribution as too heavy, the Swedish delegation had not availed itself of the opportunity offered to all delegations last year to submit observations for the consideration of the Allocation Committee. It felt bound to facilitate the Committee's task by agreeing to the contributions allocated to Sweden. It had not occurred to it that an increase in that contribution could be contemplated at a time when Sweden was one of these States whose burden was heaviest, or that in a revised scale her contribution would be increased.

It was therefore very surprised to find that the Committee proposed an increase of one unit in that contribution. It had expressed its views in a memorandum handed to the Allocation Committee. As it had not been summoned by that Committee, the Swedish delegation had thought that its request had met with a favourable reception. It now found that the proposal for an increase had been maintained. It regretted that decision, maintained its point of view, which it thought legitimate, and reserved its right to revert to the matter at a suitable moment. However, it would not stand in the way of the adoption of the report, but would abstain from voting.

M. HAMBRO (Norway) said the League's work was sometimes obstructed because nations had an exalted idea of their prestige. The task of the Allocation Committee, on the other hand, was rendered difficult by their excessive modesty. States should be grateful to it for enhancing their prestige and credit by recommending an increase in their contributions, but, unfortunately, few of them showed that spirit.

Referring to the States which had protested against the new allocation, he said Sweden's contribution was lower than that of the group of States with which it was most natural to compare her — that was to say, the States of Northern Europe. Under the new scale, she would pay 3.05 units per million inhabitants, as compared with Norway's 3.14 and Denmark's 3.21 units.

Portugal had for many years paid too low a contribution in proportion to her national importance and the part she played in the work of the League. Relatively speaking, she had paid less than 25 % of the Norwegian contribution — namely, 0.86 as compared with 3.14 units per million inhabitants. She was now asked to pay 1.11 units, as compared with Czechoslovakia's 1.65 and Spain's 1.63 units.

M. Hambro appealed to States to regard it as evidence of confidence in them — not of ill-will — when they were asked for a higher contribution. A few States had offered to pay increased contributions; he urged others to follow their example. In any case, as most delegations had shown an understanding of the difficulties of the Allocation Committee, he hoped that, having made their formal protest, they would vote for the reports.

Mr. KNOWLES (New Zealand) said New Zealand had felt for some years that her contribution was too high having regard to her resources, but she did not complain and only made representations when invited to do so. On behalf of the New Zealand delegation, he expressed gratitude for the consideration given by the Allocation Committee to the New Zealand case.

Mr. BISWAS (India) said he could not accept the new standard of national pride set up by M. Hambro. India was grateful for the measure of relief extended to her, but did not regard it as in any way adequate. Superficially, it might seem as though she had received substantial relief. Her contribution had been reduced from 56 units to 55 in 1935; a further reduction to 53 was recommended in 1936, together with a reduction of 4 units owing to the separation of Burma from India; and, in addition, she would benefit to some extent from the devaluation of the Swiss franc. But she was legitimately and properly entitled to claim

a reduction in respect of Burma, because on April 1st, 1936, she had lost a large part of her territory, and 4 units represented 7½% of her assessment, a percentage fixed by a committee to consider financial adjustments as between India and Burma on account of their separation.

The Allocation Committee had not explained on what principles it had proceeded; it merely said it had been guided by common sense. Mr. Biswas fully appreciated its difficulties. Rule of thumb, though bound to lead to inequalities, was probably a more satisfactory method than hard and fast rules. At the same time, there was widespread dissatisfaction in India — and it was affecting her connection with the League — because her assessment was felt to be too high. Only a short time previously a resolution had been moved in the Council of State at Simla recommending withdrawal from the League. An amendment had been substituted recommending that steps be taken to have the amount of India's contribution substantially reduced, preferably from the present year, and had been adopted with the deletion of the words "preferably this year". He felt sure two units would not be regarded as a substantial reduction.

The point was not whether India was able to bear the burden. She probably was. She had passed through dark days, but she had balanced her budget. She did not come as a mendicant on her knees, asking for favours. She wanted a fair assessment as compared with that of other States. He sincerely hoped more equitable treatment would be meted out to her in future.

In the meantime, the delegation of India accepted the reports and would vote in their favour.

M. DE VASCONCELLOS (Portugal) said that, in spite of the very persuasive eloquence of M. Hambro, he was unable to share his views. He might, if need be, agree to an increase of one unit, but an increase of two units would undoubtedly be excessive.

M. Hambro had said that Portugal's contribution was not proportionate to her population. In reply to that statement, he drew attention to the following sentence in the Allocation Committee's report (document A.10.1936.II.A, page 2) :

"The Committee must reject for its part any suggestion that a purely scientific scale of allocation is possible."

That was true; but if it were impossible to draw up a purely scientific scale, what justification was there for taking a single factor, that of population, which was only an artificial and unreliable basis?

M. Hambro had said that the sharp increase in Portugal's contribution was explained by the fact that her contribution had previously been very low. That was not the case. When Portugal had asked that her contribution be reduced, her request was justified. At the time, she was the only State to have devalued her currency by 22%. Moreover, her regime had just changed after serious political disturbances, and she was in a really distressing situation. Now that, thanks to fair, wise and strong administration, she was beginning to recover, she was told that she was prosperous and would have to pay a higher contribution. Portugal could not be called prosperous yet, and the sacrifices asked of her should be proportionate to her actual means. Her contribution should not be raised by more than one unit, and M. de Vasconcellos regretted that he would be unable to vote for the Allocation Committee's report in its present form.

(As the Chairman desired to make a declaration on behalf of his Government, Mme. KLUYVER, Vice-Chairman, took the chair.)

M. GUANI (Uruguay) felt bound to touch on certain material problems with which all States were faced at the present time — a difficult time from all points of view: economic, political and financial. He had listened with interest to Sir Frederick Phillips' statement. He had himself attended meetings of the Committee at which everyone had tried to gain support for his Government's point of view. He had consistently asked the Committee to reduce to three the number of units allocated to Uruguay, for reasons which he had given in full. Sir Frederick Phillips and the other members of the Allocation Committee were aware of those reasons and consequently he would not repeat them, but he desired on behalf of his Government to make the following declaration:

In accordance with his instructions, M. Guani asked for a reduction of two units in Uruguay's contribution, which would be reduced from five to three units. The Committee on the Allocation of Expenses has reduced Uruguay's contribution by one unit. On behalf of his country, the delegate of Uruguay thanked the Committee for giving favourable consideration to his request. He did not wish to protest against its decision at the moment in the Fourth Committee, but he felt sure that his Government would not be entirely satisfied. In these circumstances, he proposed to make certain observations with regard to the 1936 contribution, before the Committee presided over by M. Hambro, and he hoped the request he would place before it would receive favourable consideration.

M. RÉVEILLAUD (France), Chairman of the Committee on the Allocation of Expenses, thanked M. Guani for himself pointing out that the Allocation Committee had to a large extent met his country's request. He did not think it would be possible at present to reduce Uruguay's contribution by more than one unit.

M. Guani had found a solution which might give him some satisfaction for the year 1936. He intended to put his case before the Committee presided over by M. Hambro. All M. Réveillaud could do was to offer cordial good wishes for his success.

(M. Guani returned to the Chair.)

M. RÉVEILLAUD (France), Chairman of the Committee on the Allocation of Expenses, first thanked the Rapporteur of the Committee on the Allocation of Expenses, Sir Frederick Phillips, for both his written report and his verbal statement. He did not, of course, think there would be a procession of States that afternoon thanking the Allocation Committee for endeavouring to enhance their prestige by proposing an increase in their contributions. This was the fourth or fifth scale which M. Réveillaud had seen superseded. He hoped that the new one which the Committee had produced would last at least two years — that was to say, at least as long as the former scale; that in itself would be a triumph.

The atmosphere of the present meeting was reassuring. There were none of those high feelings in the Fourth Committee that had found expression at certain earlier meetings. The sense of the meeting was perhaps not one of keen satisfaction, but, he felt, of patient resignation.

M. Réveillaud thought the Committee had kept all the promises it had made in 1935. He did not know whether those members of the Fourth Committee who had been present during the preparation of the report relating to the Allocation Committee remembered the very keen discussions on the interpretation of the Committee's instructions.¹ Should it examine only the cases of the States that appealed? Should its study cover all States? As Chairman, he had asked that it should be allowed the widest latitude, should hear any States that might advance claims, and should be allowed to examine the scale as a whole and that, even if some States did not feel called upon to advance a formal claim, it should be entitled to make changes. The Committee had therefore been able to consider every case. Consequently, the contributions of a number of States that had advanced no claims had been reduced in the scale now submitted to the Fourth Committee. Those contributions had been reduced simply because the Committee had felt, in view of the statistics available, that it would be unfair not to reduce them. That was characteristic of the spirit in which the Committee had worked.

The Committee's work had also been inspired by the following general consideration — a permanent scale would be brought gradually nearer by repeated revisions. In previous years, the number of units allocated to countries which complained that their League contribution weighed too heavily on their national budgets had been reduced. The reduction had amounted on one occasion to forty-six, on another to thirty-six units; the last time it was twenty. This time it was thirty-five units. M. Réveillaud did not intend to mention all the States benefiting from reductions, whose names would be found in the report. But he wished to emphasise that an increasing number of the States whose contributions varied from five to fifteen units had had their contributions reduced. That made it all the more likely that the Treasurer would receive the sums voted in the budget as and when due. From that point of view, the Allocation Committee could be said to have done very useful work in consolidating the League's finances.

In the first report (document A.10.1936.II.A), increases exceeded decreases by several units, but that situation had been reversed in the second (document A.82.1936.II.A. Annex 3, page 84). As a matter of fact, there was originally a reduction of thirty-one units and an increase of thirty-five units, whereas there was now an increase of only twenty-seven units. That did not make very much difference, however, and the nominal value of the unit would only be increased slightly, while its gold value would be reduced, because the budget had been reduced by 20%.

M. Réveillaud would reply briefly to each speaker, beginning with the representatives of the countries whose contributions had been increased.

Generally speaking, he tendered the thanks of the Allocation Committee to the States that had been good enough to agree to an increase readily, or at least without too much protest. He specially mentioned the United Kingdom, the first on the list, for agreeing, in view of certain circumstances and in order to facilitate the Committee's task, to an increase of three units, although the Committee was by no means sure that the 105 units already paid was not the maximum contribution any State should ever be asked to pay.

He also thanked the delegate of the Soviet Union who, although he had not received specific instructions from his Government, thought it would finally agree to make the sacrifice asked of it. For a long time, the Soviet Union had felt it should pay the same number of units as France. The response to that was that there was no undertaking to that effect, and that the Committee could not agree to any restrictions being laid down as to the deductions

¹ See document A.10.1936.II.A.

it might draw from the figures placed before it. His thanks were therefore the more sincere in that the increase was very large, amounting to fifteen units.

France, in order to set a good example, had also agreed to an increase, in spite of the difficulties due to the devaluation of the franc and to the economic and social crisis.

M. Réveillaud did not forget South Africa, to whom thanks were due for spontaneously accepting an increase of one unit, even before the second meeting of the Allocation Committee, while reserving her attitude as to the future.

Thanks were also due to the States that had been given less satisfaction, such as Belgium, the Netherlands and Sweden. The Committee had very carefully considered all the details of the problem before reaching any decisions regarding them.

Sweden had not been summoned before the Allocation Committee because it had not been realised, when her claim was received, that she was anxious to be heard, and the Committee had therefore confined itself to examining her case.

As regarded Austria and Portugal, it was easy to understand that those two States had been unpleasantly surprised by such a comparatively large increase in their contributions. The increase amounted to 25% in the case of Austria and to very nearly the same in the case of Portugal. There, as elsewhere, however, he was bound, as Chairman of the Committee, to maintain the proposals put forward.

When the number of units to be paid by Austria had been agreed upon in 1925, it was on the basis of information dating back to 1923, and Austria had received preferential treatment. Her special situation had attracted the special attention of the League of Nations. The League had sent a High Commissioner to Vienna, and in these circumstances it had not seemed logical to place Austria as high as she should have been placed in the scale.

In 1936, however, Austria had herself stated in another Committee that her financial recovery, if not quite complete, was at any rate such that she was in much the same situation as other States, and that the High Commissioner's services were no longer required. If only from that point of view, a readjustment of Austria's contribution was manifestly necessary. Indeed, on the basis of the statistics before it, the Committee might even have increased Austria's contribution by four units; however, it had agreed that suddenly to double a country's contribution would be going too far, and had confined itself to proposing an increase of two units, so that she was still receiving preferential treatment to some extent.

There was another point: the abolition of the post of High Commissioner at Vienna relieved Austria of a burden equivalent to four units of the League budget.

In reply to the observations relating to Portugal, M. Réveillaud admitted that population was not an absolute criterion. Nevertheless, if it had no value when Portugal's burden was compared with that of India or China, it was of some importance as far as countries with a very similar standard of life were concerned. The countries mentioned by M. Hambro had a very similar social and economic system to that of Portugal. If Portugal's contribution were reduced, she would no longer be among the countries who paid 1 or 1.15 per million inhabitants, but among those who paid 0.98, and that would obviously be unjust to four or five States which were now in the same situation as Portugal. In those circumstances, he asked M. de Vasconcellos not to press the matter, particularly as he agreed to an increase of one unit and would not find it difficult to convince his Minister for Finance that his country was not being victimised. It should be easier to convince him seeing that the League budget had been reduced by 20%.

M. Réveillaud then turned to the list of countries whose contributions had been reduced. Only the delegate of India — he did not mention the Chairman, as Uruguay's case had been set on one side — had expressed dissatisfaction at the decrease of six units in India's contributions and had drawn a distinction between the two units readily accorded to India at the first meeting and the four subsequently added. Admittedly, that was a fair distinction. The four units in question represented Burma's share of India's contribution. Burma having just been separated from India, India should naturally be relieved of that contribution. It was none the less true that India's contribution had been reduced by two units before that, and in 1935 by one unit, which was an appreciable gain.

As for New Zealand, M. Réveillaud appreciated her expression of gratitude.

Finland and Estonia had said they had expected a decrease, although they were kind enough not to insist. He thanked them for their goodwill, but informed them that their cases had been considered. It had been felt that Finland was well placed in the group of contributors who paid ten units.

As for Estonia, he explained that the Committee had had most trouble over the three Baltic States. Lithuania should clearly pay the highest contribution, then Latvia and then

Estonia ; but, as units could not be divided, Latvia had to be put with either Lithuania or Estonia. The Committee had found a way out of the difficulty, and, had the Estonian delegate been present, M. Réveillaud would have explained to him that his difficulties were appreciated, and the doubts and perplexity felt by the Committee.

In conclusion, he thanked the Rapporteur and his colleagues on the Committee once again. He also thanked the Secretariat for furnishing the Committee, under the able guidance of Mr. Loveday, with all the material it needed. It could not have done its work satisfactorily had it not been sure that the figures placed before it had been compiled with care and with absolute impartiality. It knew it could rely on the figures provided by Mr. Loveday and his assistants. On behalf of the Committee, he expressed his thanks in public in order that they might appear in the Minutes.

The CHAIRMAN said the discussion on the reports of the Committee on the Allocation of Expenses was closed. He thanked the Committee, and observed that, if all States had not welcomed its decisions joyfully, they had at least submitted to them with that patient resignation mentioned by M. Réveillaud.

The Committee adopted the report of the Committee on the Allocation of Expenses.¹

It was understood that the scale of allocations set out in the report of the Committee on the Allocation of Expenses would remain in force for the years 1937, 1938 and 1939.

46. Allocation of the Expenses of the League of Nations : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly.

Sir Frederick PHILLIPS (United Kingdom), Rapporteur, submitted his draft report and resolution.

The draft report and resolution² were adopted (Annex 3, page 84).

47. Allocation of the Expenses of the League of Nations : Appointment of a Rapporteur to the Assembly.

Sir Frederick PHILLIPS (United Kingdom) was appointed Rapporteur to the Assembly on the question of the Allocation of the Expenses of the League.

48. Settlement of the Assyrians of Iraq : Report of the Supervisory Commission.

The Committee adopted the report of the Supervisory Commission (document A.5(b).1936.X, Part I, Chapter B) together with an amendment proposed by M. RÉVEILLAUD (France), Rapporteur of the Supervisory Commission.

49. Election of Members of the Administrative Board of the Staff Pensions Fund.

Mr. MORRISON (United Kingdom) expressed regret at M. Hoel's resignation from the Administrative Board of the Staff Pensions Fund ; his eminence as a mathematician and economist and his integrity had made him a very valuable member. Mr. Morrison suggested that the Committee should convey to M. Hoel its gratitude for the services he had rendered.

He proposed that M. Cramer, a Swedish actuary of high repute, be appointed in M. Hoel's place, and that Mr. Cremins and M. Rappard be reappointed for a further period of three years. He also proposed the re-election of the three substitute members, M. Jan de Modzelewski, M. C. Parra-Pérez and M. van Rappard.

After a short exchange of views, the Committee adopted Mr. Morrison's proposals.

50. Contributions in Arrear : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly.

Sir Frederick PHILLIPS (United Kingdom), Rapporteur, submitted his draft report and resolution.

He drew attention to the proposal to change the name of the Committee to " Special Committee on Contributions ", seeing it had had referred to it the question of the prompt payment of current contributions.

Sir Frederick Phillips was glad to be able to say that fifty-two out of fifty-eight States were in good standing with the League as regarded their contributions, as compared with thirty-five in 1934 and forty-seven in 1935.

The draft report and resolution³ were adopted (Annex 4, page 87).

51. Financial Questions : Examination and Adoption of the General Report of the Fourth Committee to the Assembly.

The draft report and resolutions were adopted⁴ (Annex 5, page 88).

¹ Document A.IV.9.1936. The substance of this document is incorporated in the report of the Fourth Committee to the Assembly on this question (see Annex 3, page 84).

² The resolution was adopted by the Assembly on October 10th, 1936 (afternoon).

³ The resolutions were adopted by the Assembly on October 10th, 1936 (afternoon).

THIRTEENTH MEETING.

Held on Saturday, October 10th, 1936, at 11 a.m.

Chairman: M. GUANI (Uruguay).

52. **Election of an Additional Member of the Supervisory Commission in Accordance with the Resolution adopted by the Assembly at its Sixteenth Meeting held on October 10th, 1936.**

The CHAIRMAN drew attention to Paragraph (2) of the resolution adopted that morning by the Assembly¹ on the proposal of the Fourth Committee :²

“(2) To maintain the existing membership of the Commission until the end of the financial year 1937, while adding a further member to be appointed at the present session.”

It was therefore necessary to elect an additional member of the Supervisory Commission, and this should be done by secret ballot, as usual.

M. DE OTTLIK (Hungary) pointed out that, in the draft resolution it had placed before the Assembly, the Fourth Committee had endeavoured to reconcile two principles of equal importance — namely, the renewal and the continuity of the Supervisory Commission. The Fourth Committee would certainly agree with him that the first candidate to be elected to full membership should be the substitute member. However, having examined the problem as it stood at that moment, he had decided not to put forward his candidature, though he still held the same view, on the understanding that this did not create a precedent contrary to the rules adopted by the Assembly itself. He had various reasons for that decision — considerations of courtesy, a desire to show a spirit of conciliation; he also felt that, having objected to the creation of a sixth seat, he should not claim it for himself. He had still other reasons which he would beg leave not to put forward.

In conclusion, M. de Ottlik asked his colleagues on the Fourth Committee to be good enough that time, and that time only, not to vote for him.

On the invitation of the CHAIRMAN, M. Réveillaud (France) and Mr. Andrews (Union of South Africa) acted as tellers.

A vote was taken by secret ballot.

M. Boris STEIN (Union of Soviet Socialist Republics) *was elected by twenty-five votes, one vote was cast for another name, and there were six blank voting-papers.*

53. **Election of the Three Members of the Committee to consider what Amendments it might be desirable to make in Article 1 of the Financial Regulations.**

On the CHAIRMAN'S proposal, M. HOLMA (Finland), Mr. MORRISON (United Kingdom) and M. RAPPARD (Switzerland) *were elected by acclamation.*

54. (a) **Election of an Additional Member of the Supervisory Commission :** (b) **Election of the Committee to consider what Amendments it might be desirable to make in Article 1 of the Financial Regulations : Examination and Adoption of the Draft Report of the Fourth Committee to the Assembly.**

The draft report to the Assembly was adopted³ (Annex 6, page 95).

55. **Close of the Session.**

After the usual expressions of thanks, the CHAIRMAN declared the session closed.

¹ See *Official Journal*, Special Supplement No. 155, page 114.

² See pages 71 and 83.

³ The conclusions of the report were adopted by the Assembly on October 10th, 1936 (afternoon).

ANNEX 1.

PROVISIONAL AGENDA.

1. Election of Vice-Chairman.
2. Publicity of Meetings.
3. Approval of Detailed Provisional Agenda.
4. Audited Accounts for 1935 and Relevant Passage in the Report of the Supervisory Commission.
5. Financial Situation of the League on August 31st, 1936.
6. Appointment of General Rapporteur.
7. Budget for 1937 and Relevant Passages in the Report of the Supervisory Commission :
 - (a) Secretariat (including Parts IV, V, VI, VII and VIII of the General Budget) ;
 - (b) International Labour Organisation ;
 - (c) Permanent Court of International Justice.
8. Report of the Committee for the Settlement of Contributions in Arrear and Appointment of the Sub-Committee.
9. Allocation of the Expenses of the League.
10. Reports of the Administrative Board of the Staff Pensions Fund.
11. Reports of the Supervisory Commission (in so far as not previously considered in connection with specific items on the agenda).¹
12. Election of Two Members of the Supervisory Commission.
13. Election of Three Ordinary Members and of Three Substitute Members of the Administrative Board of the Staff Pensions Fund.
14. Supplementary Credits.
15. Miscellaneous Questions.

ANNEX 2.

Official No. : A.76.1936.X.

COMPOSITION OF THE SUPERVISORY COMMISSION.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency M. Harri HOLMA (Finland).

After a prolonged discussion which is recorded in the Minutes and during which several speakers adduced the arguments in favour of the application pure and simple of Article 1 of the Financial Regulations, or of the maintenance of the Supervisory Commission's present composition, for one year, or of the addition of a new member to the Commission, the Fourth Committee adopted the following draft resolution, on the understanding that it will only apply to the year 1937. In order to enable it to proceed to the election of the new member provided for in the draft resolution, the Fourth Committee requests the Assembly to take a decision on the present report at the beginning of its next meeting.

Draft Resolution adopted by the Fourth Committee.

"Whereas, in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936 — M. Osuský and M. Réveillaud — are not re-eligible ;

"Whereas, in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole ;

"Whereas, by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested 'to deal with all future financial questions which may arise in connection with the new buildings' ;

"Whereas the new buildings are not expected to be completed until 1937 ;

¹ *I.e.*, disposal of the surplus for 1935, amendments to the financial regulations, pensions for members of the Permanent Court of International Justice, recruiting and promotion (in the scale) of Members of Section, etc.

“Whereas it is eminently desirable that, subject to the addition of a new member, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly;

“Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task, while maintaining the principle of its renewal at regular intervals;

“The Assembly decides:

“(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations;

“(2) To maintain the existing membership of the Commission until the end of the financial year 1937, while adding a further member to be appointed at the present session;

“(3) To appoint a Committee of three members to consider what amendments it might be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session.”

(Adopted by the Assembly on October 10th, 1936.)

ANNEX 3.

Official No: A.82.1936.II.A.

ALLOCATION OF THE EXPENSES OF THE LEAGUE OF NATIONS.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Sir Frederick PHILLIPS (United Kingdom).

1. The Committee on Allocation of Expenses was appointed by the Fourth Committee at the 1935 Assembly with instructions to recommend a scale of allocation of expenses for 1936, to consider the whole question of allocation during that year and to report to the Assembly at its present session.

2. The Committee met at Geneva on December 2nd, 1935—when a general discussion took place and arrangements were made for the preparation of the necessary information by the Secretariat—and again at Geneva from May 4th to 7th, 1936, when the available information was examined and a report was drawn up (document A.10.1936.II.A.).¹

3. The mandate of the Allocation Committee expired with the presentation of its report of May 9th, but the Committee was reappointed by the Fourth Committee during the course of the present Assembly. The Allocation Committee has in this way been given an opportunity to reconsider its recommendations in the light of the present situation and to hear certain Member States for which increases were proposed in the May report. At the conclusion of the 1935 Assembly, an invitation was extended to all countries which felt that their contribution should be modified to make representations to the Committee; but clearly it was impossible for the Committee to give a special warning to countries whose contributions might be increased, since indeed the Committee had come to no decision at that time. The reappointment of the Committee during the Assembly

¹ The members of the Committee who attended the first of these meetings were:

M. RÉVEILAUD, *Chairman* (France);
Dr. PARDO (Argentine);
Sir Frederick PHILLIPS (United Kingdom);
M. GOMEZ (Mexico);
M. HAMBRO (Norway);
M. RAJAWANGSAN (Siam);
M. Cemal Hüsnü TARAY (Turkey);
M. KAGAN (Union of Soviet Socialist Republics).

The same members, with the exception of M. Cemal Hüsnü Taray and M. Gomez, attended the meetings in May, together with M. CAVAZZONI (Italy).

has given an opportunity to any States which may feel dissatisfied, either because an increase in contribution was proposed or because no reduction was proposed or because the reduction proposed was thought insufficient, to approach the Committee on the matter.

The Allocation Committee has held four meetings during the Assembly¹ and has considered written communications from Belgium, the Netherlands and Sweden, and heard oral representations from Austria, Belgium, Bulgaria, Estonia, Latvia, the Netherlands, Poland and Uruguay. The Committee also took note of the declaration of the South-African delegation in the Fourth Committee relative to the increase of its contribution by one unit.

4. The Secretary of State for India, in a letter dated September 14th, 1936, drew attention to the fact that a claim for reduction of India's contribution arose in consequence of the separation of Burma which will come into effect as from April 1st, 1937. The Committee considered this claim justified and assessed the reduction at four units.

The Allocation Committee was, however, anxious that this and other reductions should affect as little as possible the sums to which other countries and especially certain of those paying one unit only would be called upon to pay. A voluntary offer by the British Government to increase its contribution temporarily by three units went far to facilitate its task in this connection. The representative of the British Government explained that the ground for this offer was that it felt that the United Kingdom had reached a more advanced stage of recovery from the economic depression than had certain other Powers paying relatively large contributions. It anticipated that, when the recovery had become more widespread, a readjustment could be considered if necessary.

With this alteration, the changes proposed in the May report stood as follows:

<i>Increases proposed.</i>		<i>Reductions.</i>	
Union of Soviet Socialist Republics	20	Argentine Republic	6
United Kingdom	3	India	6
Belgium	3	Czechoslovakia	4
France	2	Peru	4
Netherlands	2	Australia	4
Austria	2	New Zealand	2
Portugal	2	Bolivia	2
Union of South Africa	1	Roumania	1
Poland	1	Yugoslavia	1
Sweden	1	Chile	1
Latvia	1	Cuba	1
	—	Bulgaria	1
	38	Uruguay	1
		Venezuela	1

35

5. The Allocation Committee has given the closest consideration to all the representations made to it. It has, moreover, felt compelled to have regard to the changed circumstances brought about by the diminution in the League budget as a result of the devaluation of the Swiss franc and the florin. The total of the budget has not sensibly altered, except as a result of the devaluation, between 1936 and 1937. Had no devaluation taken place, therefore, the application of the May recommendations would have involved real increases in the gold value of the contributions of certain States and real decreases in the case of others. As the situation stands now, the increase, proposed, save in two cases, do not involve an increase in the gold value of the contributions but merely imply that the States concerned receive a smaller reduction in the gold value of their contribution than other States. Those States for whom a reduction in the number of units was recommended in May will receive much larger reductions than were then contemplated.

6. In strict logic, a decrease in the League budget would not imply any alteration in the Allocation Committee's proposals of last May. Contributions are fixed in terms of units and the number of units allotted to a State merely indicate what should be its relative share in the expenditure of the League. Whatever the value of a unit may be, it is impossible to decrease the number of units allotted to a particular State without thereby imposing an additional charge on all the other Member States.

Nevertheless, the Fourth Committee does not feel bound to push sound arguments to any extreme conclusion. The Allocation Committee was compelled to take a severe view of the position

¹ The members of the Committee who attended these meetings were: M. Jean RÉVEILLAUD, *Chairman* (France); M. C. A. PARDO (Argentine); Sir Frederick PHILLIPS (United Kingdom); M. BASSOLS (Mexico); M. Carl HAMBRO (Norway); Phya RAJAWANGSAN (Siam); M. Boris ROSENBLUM (Union of Soviet Socialist Republics).

in May, but it has now felt able to modify its conclusions in certain cases, though not to any such marked extent as would involve injustice to the general body of Member States.

The final recommendations of the Allocation Committee as approved by the Fourth Committee are set out in paragraph 8 below.

7. During the course of the discussions in the Fourth Committee, criticisms of the detailed recommendations in the two reports were made by certain of the Member States. In a matter of such complexity, it was not to be expected that complete unanimity would be reached, but the Fourth Committee wishes to pay a tribute to the spirit of conciliation displayed by the States adversely affected. As a particular example of good-will towards the League, it would mention the cases of Austria and Portugal. The increase proposed for these countries was proportionally higher than for any other State, but, while fully maintaining their point of view, they have nevertheless indicated their intention of not opposing the decision of the Fourth Committee.

8. The Fourth Committee ventures to submit the following resolution for the adoption of the Assembly:

- "The Assembly approves for the years 1937, 1938 and 1939 the scale for the allocation of the expenses of the League annexed to the present resolution. •

" Scale of Allocation of League Expenses for 1937, 1938 and 1939.

States (French alphabetical order)	Units	States (French alphabetical order)	Units
		<i>Brought forward</i>	518
Afghanistan	1	Iraq	3
Union of South Africa	16	Iran	5
Albania	1	Irish Free State	10
Argentina	23	Italy	60
Australia	23	Latvia	3
Austria	10	Liberia	1
Belgium	19	Lithuania	4
Bolivia	2	Luxemburg	1
United Kingdom	108	Mexico	13
Bulgaria	4	Nicaragua	1
Canada	35	Norway	9
Chile	8	New Zealand	8
China	42	Panama	1
Colombia	5	Paraguay	1
Cuba	5	Netherlands	24
Denmark	12	Peru	5
Dominican Republic	1	Poland	32
Ecuador	1	Portugal	8
Spain	40	Roumania	19
Estonia	3	Salvador	1
Ethiopia	2	Siam	6
Finland	10	Sweden	19
France	80	Switzerland	17
Greece	7	Czechoslovakia	25
Guatemala	1	Turkey	10
Haiti	1	U.S.S.R.	94
Honduras	1	Uruguay	4
Hungary	8	Venezuela	4
India	49	Yugoslavia	17
<i>Carried forward</i>	518	TOTAL	923

(Adopted by the Assembly on October 10th, 1936.)

ANNEX 4.

Official No. : A.81.1936.X.

CONTRIBUTIONS IN ARREAR.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Sir Frederick PHILLIPS (United Kingdom).

On the proposal of the Fourth Committee, the Assembly adopted the following resolution on September 28th, 1935 :

“ The Assembly,

“ Adopts the two reports of the Special Committee on Contributions in Arrear as approved by the Fourth Committee ;

“ Notes with satisfaction that, as a result of the work of the Special Committee, settlements have been reached with certain States for the payment of their arrears ;

“ Invites the Special Committee as at present constituted to continue its tasks and to present a report to the Assembly at its seventeenth session. ”

The Special Committee was constituted as follows :

M. C. J. HAMBRO (Norway), *Chairman* ;

Count CARTON DE WIART (Belgium) ;

Sir Frederick PHILLIPS (United Kingdom) ;

M. Štefan OSUSKÝ (Czechoslovakia) ;

M. César ZUMETA (Venezuela).

The Fourth Committee, having examined the report of the Special Committee contained in document A.29.1936.X, decided to submit the following draft resolution to the Assembly :

“ The Assembly,

“ Adopts the report of the Special Committee on Contributions in Arrear contained in document A.29.1936.X with the following amendment :

“ The last line of Paragraph No. 9 ‘ Cancellation of Arrangements in Case of Default ’ (page 3 of the report) to read ‘ The Committee recommends, therefore, that the cancellation clause should become operative as from January 1st, 1937 ’ ;

“ Considering that, whilst the position as regards arrears of contributions has greatly improved, it is nevertheless necessary to maintain a vigilant attitude not only with regard to arrears but to the collection of current contributions ;

“ Decides to appoint a Special Committee on Contributions, consisting of the following members, to deal with all matters that may arise in connection with the collection of contributions and to report to the Assembly at its eighteenth ordinary session :

“ Count CARTON DE WIART (Belgium) ;

“ Sir Frederick PHILLIPS (United Kingdom) ;

“ M. C. J. HAMBRO (Norway) ;

“ M. Štefan OSUSKÝ (Czechoslovakia) ;

“ M. A. GUANI (Uruguay). ”

(Adopted by the Assembly on October 10th, 1936.)

ANNEX 5.

Official No. : A:80.1936.X.

FINANCIAL QUESTIONS.

GENERAL REPORT SUBMITTED BY THE FOURTH COMMITTEE
TO THE ASSEMBLY.

Rapporteur : His Excellency Dr. Harri G. HOLMA (Finland).

I. INTRODUCTION.

1. This year's meeting of the Fourth Committee was dominated by two factors — viz., the existence of a sound financial situation on the one hand and the devaluation of different currencies on the other. Although it would be premature to appreciate the direct and indirect effects of the alignment of these currencies on the finances of the League, these two facts are likely to diminish appreciably the financial burden of the majority of the States Members. Accordingly, the Committee devoted its attention mainly to questions of principle, rather than discuss items of a budget which had been prepared with commendable care by the competent heads of the several organisations, and in which cuts had already been made by the Supervisory Commission.

The outstanding feature of the present financial situation of the League is the surplus for the financial period 1935 of 9,034,280 francs. To this should be added the sum of 1,205,000 francs transferred to the Reserve Fund and Guarantee Fund established under decisions of the Assembly. This surplus, of which 8,780,551 francs represent the payment of contributions for financial periods previous to 1935, is the result of the improvement effected in the finances of the League by the successful and valuable efforts of the Committee on Contributions in Arrear. The increase in the receipts of the League in the current financial period and in previous financial periods is shown by the following figures.

In 1935, the amount of contributions for the financial period received was 88.27%, as compared with 71.97% in 1934, while payments in respect of arrears amounted to 24.72% as compared with 21.55% in 1934. The total receipts represented 113% of the budget for 1935, as compared with 93.52% of the budget for 1934. The corresponding figures for expenditure were 83.52% in 1935 and 80.93% in 1934. The position in 1936 continues to be satisfactory: the receipts in respect of contributions to August 31st represent 75% of the estimates. It is not unduly optimistic, therefore, to anticipate that the financial period 1936 will close without a deficit.

II. ACCOUNTS FOR 1935.

2. The Fourth Committee unanimously recommends the Assembly to pass the League's accounts for 1935 in the form in which they are submitted.

III. BUDGET FOR 1937.

(a) *General Considerations.*

3. The total contribution payable by Members of the League was reduced from 33,687,994 gold francs in 1932 to 28,279,901 gold francs in 1936. In the form in which the budget was presented to the Assembly, the corresponding figure was 28,729,497 gold francs, representing an increase of 449,596 gold francs, as compared with 1936, but a reduction of 14% as compared with 1932.

The factors of this increase are analysed below. It is sufficient at this point to say that the principal increase is due to the fact, already reported to the 1935 Assembly, that certain States, non-members of the League, were, exceptionally, liable in 1936 for a double contribution to the budget of the International Labour Organisation.

While the figures quoted reveal an undeniable tendency to progressive reduction of the budget, it is equally true (as one delegate pointed out) that they do not represent the expenditure actually authorised in respect of the different organisations, since the additional receipts, which in the case of the International Labour Organisation represent a considerable source of revenue, and the lump-sum reductions to which the next paragraph relates, have been deducted beforehand. The Supervisory Commission proposes to consider what steps can be taken to make the budget as presented conform more closely to the facts in this respect.

The considerable cuts in the budget in the form of lump-sum reductions to be made good, in case of necessity, out of the Guarantee Fund (1,000,000 francs in the case of the Secretariat and 200,000 francs in the case of the Permanent Court of International Justice) have served to allay the anxieties of certain members of the Fourth Committee, who have hitherto criticised the practice of "over-budgeting".

As the Secretary-General pointed out, the appropriations in the budget have always been based on decisions of the Assembly; but certain items — and those not the least important — relate to contingencies which rarely occur. Hence certain surpluses. The Supervisory Commission and the competent officials have gone thoroughly into the position, and a satisfactory solution of the problem has, it is hoped, been reached. All the appropriations for the contingencies in question have been kept in the budget; but lump-sum reductions have been made under the principal chapters, this step having been made possible by the establishment of a Guarantee Fund out of the 1934 and 1935 surpluses. Several delegates expressed satisfaction with this solution and a hope for further development of the system in the light of experience.

4. As to the devaluation of the Swiss franc, the Committee approved the following conclusions of the Supervisory Commission:

“(a) At its third meeting held on September 28th, 1936, the Fourth Committee requested the Supervisory Commission to examine the effects on the finances of the League of Nations of the devaluation of the Swiss franc and the florin.

“(b) The Commission considered that the subject was too far-reaching and complex, and that it was still too difficult to determine the direct and indirect effects of the new alignment of currencies for it to be able to submit to the Assembly a report dealing with the problem in its full scope. It will continue to follow this question attentively in the course of its forthcoming sessions.

“(c) The Commission therefore concentrated its attention on the problems which must be solved before the end of the Assembly — namely, that of the monetary unit in which arrears and current and future contributions are to be paid and that of the effects of the monetary events on the 1937 budget.

“(d) As regards the first point, the Commission is of the opinion that there can be no question for the moment of modifying the rule that the receipts of the League of Nations should be calculated in gold francs.

“First of all as regards contributions in arrears, which arise out of a delay in payments due in gold francs, it is obvious that any modification of this rule would represent a further surrender of claims by the League of Nations which would be quite unjustified after the reductions which have just been made by the Committee on Contributions in Arrears.

“There can also be no hesitation as regards the contributions for 1936. To abandon the gold franc in the course of the year would constitute an injustice towards the States Members which had paid contributions before the last quarter of the year.

“The Commission nevertheless thought it equitable to accept at their gold value the contributions which were in course of transmission at the time when the devaluation of the Swiss franc unexpectedly occurred — *i.e.*, in all cases in which States had actually purchased the necessary foreign exchange before 12 noon on September 26th, 1936.

“As regards the contributions still to be paid for the 1936 financial period, the profits arising out of the application of this system will be paid to a special account on the disposal of which the Supervisory Commission will submit a report to the 1937 Assembly.

“(e) As regards the second question — that of the total amount to be allocated among the States in 1937 — the Commission considered that on this point, too, it did not have the necessary information to readjust the various budgets, or at any rate the items of those budgets which correspond to expenditure in currencies other than the Swiss franc or the florin.

“On the distinct understanding that the proposal is only being made to deal with exceptional circumstances, the Commission therefore proposes that the several expenditure budgets for the financial year 1937 should be finally approved as adopted by the Fourth Committee — *i.e.*, as made out before the devaluation — and that a suitable reduction should be made in the total receipts budget of the League of Nations. In estimating the coefficient of reduction, the following considerations should be borne in mind: (1) the amounts received by the Secretary-General in respect of contributions should be so distributed as to place at the disposal of the various organisations, within the limits of the remittances received, the amounts required to defray their expenditure in Swiss francs and in florins in accordance with the budget, so that by the end of the financial period they should have received up to the total amount provided for in their respective budgets in the currency in which the latter were drawn up; (2) the devaluation of the florin has, up to the present, been less than that of the Swiss franc; (3) in the case of all three organisations, considerable expenditure has to be defrayed in foreign currency. A certain adjustment is therefore required which can only be made after a careful study and according to the development of the situation. The Commission is of opinion that the best solution consists in creating a special fund which would be under its direct control (see (g) below) and which would consist of the balance of the contributions after the necessary sums had been handed over to the different organisations as mentioned above. The Commission would be able, at the

request of the competent officials, to authorise withdrawals from this fund to supply items of the budgets which might prove to be insufficient owing to the new situation. With this end in view, the various organisations will submit by January 1st, 1937, their estimates of the amounts which they consider should be withdrawn from the fund to meet the requirements to which reference has been made above.

“As regards gifts and subsidies, the competent officials might spend, subject to the concurrence of the donors and of the Supervisory Commission, the total amount of the gift or subsidy in the currency in which it was expressed.

“(f) The gold franc, as adopted by the League of Nations, 100% fine, represents 0.29 gramme or the same value as the old Swiss franc. The new Swiss franc will vary between 0.215 and 0.19 gramme; its devaluation will therefore fluctuate between 25.86% and 34.48%, or an average of approximately 30%.

“On October 6th, the devaluation of the florin, which is no longer linked to gold, amounted to about 20%.

“(g) The Commission proposes that the total charged to the States Members in gold francs should be fixed at a coefficient of 20% below the total expenditure fixed in Swiss francs at the old parity. The sum corresponding to the difference between the said proportion of 20% and the payments to the various organisations referred to above — that is to say, practically speaking, between the 20% in question and the actual devaluation of the Swiss franc — will be paid into the fund referred to above (see (e)). At the end of the financial period, the balance of this account would be refunded to the States Members in the manner which the Supervisory Commission will propose to the Assembly.”

(b) *Secretariat.*

5. The original budget of the Secretariat for 1937 totalled 14,645,963 francs, showing an increase of 54,328 francs over 1936; but statutory salary increments, which represent an automatic and unavoidable increase, since 1932 (when the budget reached its maximum figure), amount to 875,000 francs, while the credit of 750,000 francs for establishment in the new buildings, which in 1936 was shown in another part of the budget, is now included in the estimates for the Secretariat.

A rigorous policy of economy and the adoption of the system of lump-sum reductions have made it possible to arrive at this satisfactory result. That by no means implies that the competent authorities should cease to be governed by considerations of prudence. Constant vigilance is the essential condition of sound finance.

6. Various staff questions (appointments to the posts of principal officers, representation of different nationalities in the Secretariat, and temporary collaborators) came up for special consideration by the Fourth Committee.

As regards the first point, the Committee was at pains to confirm emphatically that no infringement can be tolerated of the provisions adopted in 1932 to the effect that officials must “discharge” their “functions and . . . regulate” their “conduct with the interests of the League alone in view and not . . . seek or receive instructions from any Government or other authority external to the . . . League of Nations”.

It was also decided in 1932 that, where the Secretary-General is a national of a State Member having a permanent seat on the Council, the Deputy Secretary-General must belong to a State which has not a permanent seat. It was further stipulated that principal officers should not have more than one Member of Section of the same nationality as themselves in their offices.

The Secretary-General said he entirely agreed with the attitude of the Fourth Committee. His long experience at the Secretariat fully confirmed the wisdom of the resolutions adopted and the principles laid down in 1932. The motives for the choice of the Deputy Secretary-General who had just resigned would guide him in the choice of a successor. He was grateful to those members of the Fourth Committee who had been good enough, by their observations, to assist him in his choice.

A discussion arose, in connection with the credits for liaison and salaries, on the fair representation of different nationalities in the Secretariat. The establishment of the new system of temporary collaborators, chosen preferably from countries with a small number of nationals in the Secretariat, was very favourably received; and several delegates recognised that the liaison between the League and the different Governments would be greatly improved thereby. It was also pointed out that, after the period of probation, these new agents of the League would constitute a recruiting-ground for permanent Secretariat officials. Some apprehensions were even expressed as to the adequacy of the appropriations for the purpose. These are all to be grouped under a single heading in future budgets.

Useful and necessary as the proposed new system is, it was not sufficient entirely to meet the desires of certain delegates in regard to the number of nationals of their particular country or group of countries on the staff of the Secretariat. The Secretary-General's new proposals to improve liaison justified, in his view, the abolition of the Latin-American

Bureau, established temporarily by the 1922 Assembly. Certain delegates were of a contrary opinion, believing that the Bureau might still play a useful part and facilitate the introduction of new elements in the various Sections of the Secretariat. The representatives of the Supervisory Commission explained that the Commission would never have approved the abolition of the Bureau if it had felt that such a step might diminish the influence of Latin America in the League. The Secretary-General pointed out that the credits for liaison with Latin America, China, etc., were now grouped together under a single heading, including the credits for correspondents and temporary collaborators, which marked the starting-point of a new policy and the future development of liaison in general. The Latin-American Bureau consisted of only one Member of Section, who was now attached to the principal officers of the Secretariat. In conclusion, the Secretary-General maintained that the work of liaison, placed under the direction of one of the highest officials of the Secretariat, would not be interfered with in any way by the resignation of that official.

As regards India, the Secretary-General said he was extremely anxious to meet, so far as possible, the wishes of that great country. He had accordingly sent one of his principal officers on a mission to India. As a result, a number of schemes were now under consideration, the most important being probably that connected with the development of the system of correspondents.

7. The grant made since 1923 to the International Health Organisation by the Rockefeller Foundation will come to an end on December 31st, 1937; and the question arises whether the League should take the place of the Foundation from the beginning of 1938, with a view to the continuance of the work hitherto financed outside the budget. There is no obligation on the League to take over this new expenditure, since the acceptance of the grants in question was subject to their not involving any charge on the Members of the League. On the other hand, the work so auspiciously undertaken could be continued, according to the Director concerned, within the limits of the maximum of one million francs fixed for the total expenditure of the Health Organisation by the 1926 Assembly. Without prejudging the decision of the 1937 Assembly as to the budget of the Health Organisation for 1938, therefore, the Committee agreed to the Supervisory Commission's considering, with the Secretary-General, what proportion of any additional credit could be assigned to an increase in the establishment and to the other requirements of the Organisation.

8. Subject to the above observations, the Fourth Committee approved the Secretariat budget.

(c) *International Labour Organisation.*

9. The estimated expenditure of the Organisation for 1937 amounts to 9,350,140 francs. The expenditure for the current financial period, apart from building costs, amounts to 9,319,093 francs, so that there is a net increase of 31,047 francs. On the other hand, contributions of States Members of the League for 1937 will total 7,608,662 francs, as compared with the exceptionally low figure of 6,699,450 francs for 1936, when certain non-member States paid a double contribution. The figure of 7,608,662 francs for Members' contributions represents 26.48% of the budget of the League, and is 6% lower than the corresponding figure for twelve years ago.

As there will be only one Conference in 1937, Chapter I shows a reduction of 150,000 francs. On the other hand, salaries show an increase of 200,000 francs as compared with the figure for the current financial period: they include an appropriation of 40,000 francs for five new posts and 50,000 francs for temporary staff engaged in execution of the decisions of the Santiago Conference.

In regard to the recruitment of staff, the Director stated that there had been twenty-seven vacancies at the International Labour Office during the last four years, of which nineteen had been filled by the appointment of nationals of nineteen different countries very inadequately represented in the Office. The Administration, he explained, always endeavoured, as vacancies occurred, to apply the system of rotation of nationalities: the effect on the work of the Office had been highly satisfactory. The Committee agrees with the Director on this point, and hopes the system will continue to be applied.

(d) *Permanent Court of International Justice.*

10. The effect of the entry into force of the revised Statute of the Court has been to alter to some extent the form in which the budget of the Court is presented; the Committee approved this new form.

The draft budget for the 1937 financial year includes a part corresponding to the previous budgets, amounting to a figure almost equivalent to the total of those budgets, apart from a reduction of 100,000 florins made in the budgets for 1936 and 1937, and due to the establishment of the Guarantee Fund.

The increase in the 1937 estimates is due partly to the institution — for which the Court was not responsible — of a fund for the pensions system for members of the Court, established by the Assembly in 1924, and partly to an exceptional payment to the family of a deceased judge.

The Committee agreed to the inclusion of a credit of 140,078 florins for the Pensions Fund. One delegate, however, referred to the difficulty of actuarial valuation in the case of such a small number of persons of different nationalities and relatively advanced age, and reserved his Government's right to revert to the question in connection with subsequent budgets.

Subject to the above observations and to the expression of a hope that the temporary collaborators of the Secretariat would also be able to take part in the work of the Permanent Court, the Committee approved the 1937 budget.

(e) *Other Parts of the Budget, Supplementary Budget, and Supplementary Credits.*

11. Subject to the various reports of the Supervisory Commission and observations recorded in the Minutes, these credits were adopted.

IV. DISPOSAL OF THE SURPLUS FROM THE 1935 BUDGET.

12. With regard to the disposal of the surplus from the 1935 financial year, referred to in paragraph 49 of the First Report of the Supervisory Commission (document A.5.1936.X), the Fourth Committee approved the following additional proposals made by the Supervisory Commission :

1. That, in view of the improved position of the Provident Fund, the proposal that the sum of 25,881.17 gold francs be allotted to the Provident Fund be withdrawn ;

2. That, as regards the sum of 714,750.20 gold francs allotted to the Pensions Fund for the members of the Court, the distribution should be made in florins (*i.e.*, 343,135 florins) and the gain of approximately 20% returned to Member States in reduction of their contribution for 1937 ;

3. That the sum of 700,000 gold francs for the extension of the International Labour Office building should be distributed in Swiss francs, and that any gain due to the difference between the two currencies should be placed in a special suspense account, withdrawals from which may be authorised by the Supervisory Commission in respect of increased costs due to the devaluation of the Swiss franc, the balance being dealt with in the report of the Supervisory Commission to the 1937 Assembly.

	Gold francs
In these conditions, the sums of	25,881
plus 20% of 714,750 gold francs	142,950
Total . . .	168,831

might be added to the sum which will be returned to Member States in 1937 from the surplus of 1935, and which will thus be increased from 1,893,648.70 gold francs to 2,062,479.70.

4. The Commission proposes to maintain the allocation of 4,500,000 gold francs to the Reserve Fund.

5. The Commission proposes to maintain the allocation of 1,200,000 gold francs to the Guarantee Fund, on the distinct understanding that only 1,000,000 Swiss francs and 100,000 florins may be used. The disposal of the surplus will be governed by the principle laid down by the Commission in regard to the budget for 1937.

V. BUDGET FOR 1937 : FINAL FIGURES.

13. I. *Expenditure Budget :*

	Swiss francs
1. The original budget amounted to	28,729,497
2. The supplementary budget represents a net increase of (<i>see</i> document A.5(a).1936.X, page 3)	5,082
3. The supplementary credits amount to (<i>see</i> document A.5(b).1936.X).	449,549
Total for the expenditure budget	29,184,128

14. II. *Income Budget :*

	Gold francs
The <i>income</i> budget in gold francs would be equal to this sum less 20% — <i>i.e.</i> , 29,184,128 — 5,836,826 gold francs	23,347,302.—
Less disposal of surplus	2,062,479.70
Sum to be allocated among the Members of the League	21,284,822.30

VI. REPORTS OF THE SUPERVISORY COMMISSION.

15. Subject to the explanations and amendments below, the Fourth Committee adopted the reports submitted to it by the Supervisory Commission (documents A.5, A.5(a), and A.5(b).1936.X).

1. *Amendments to the Financial Regulations — Guarantee Fund.*

In order to secure that the Fund should neither be increased nor decreased except by an express decision of the Assembly, the Committee replaced paragraph 6 of the new Article 33(a) of the Financial Regulations by the following :

“(a) If the statement shows any withdrawals from the Guarantee Fund, the amounts withdrawn shall be made good to the Fund from the budget within two years from the date of their withdrawal, unless the Assembly otherwise decides.

“(b) If, at the end of the financial year, the amounts shown in the statement as standing to the credit of the Guarantee Fund, together with any sums withdrawn from the Fund and still outstanding, exceed the amounts which the Assembly has decided from time to time to have paid into it, the amount of such excess shall be withdrawn from the Fund and treated as a receipt for that financial year.”

2. *Pensions for Members of the Permanent Court of International Justice.*

The Committee agreed to the Supervisory Commission's proposals as to the institution of a Fund for the pensions system for members of the Permanent Court of International Justice, instituted by the Assembly of 1924. It also adopted the Regulations, with a few minor amendments.

The Committee also agreed to the Supervisory Commission's proposal, referred to it by the Council, for the transfer of future Registrars from the pensions fund for members of the Court to the Staff Pensions Fund of the League of Nations.

Finally, in accordance with a proposal made by the Council, the Fourth Committee proposes that the Assembly should amend Article 6 of the Pensions Regulations of the Court by omitting the words “on the proposal of the Council” in the first paragraph, so as to bring the Regulations into line with the revised Statute of the Court. If this proposal is adopted, the Assembly will have power to amend the Pensions Regulations of the Court without previous action on the part of the Council.

These decisions entail the following amendments :

A. *To the Regulations regarding the Granting of Retiring Pensions to Members of the Permanent Court of International Justice and to the Registrar (adopted by the Assembly on September 14th, 1929) :*

(i) In Article 6, first paragraph, omit the words “on the proposal of the Council”.

(ii) Add new Article 7 as follows :

“The provisions of the present Regulations regarding the granting of a retiring pension to the Registrar of the Court shall only apply so long as the present Registrar (elected on February 3rd, 1922, re-elected on August 16th, 1929) remains in office.

“The conditions for the granting of a pension to future holders of the office shall be governed by the Staff Pensions Regulations (of the League of Nations), adopted by the Assembly on October 3rd, 1930, and by any amendments which have been or may be introduced in those Regulations.”

B. *To the Staff Pensions Regulations of the League of Nations :*

(i) Add to Article 1, paragraph 1, the following sentence :

“For the purposes of the present Regulations, Registrars of the Permanent Court, other than the first holder of the office, shall be treated as officials of the Registry of the Court.”

(ii) In paragraph 3 (c), before the words “Deputy Registrar”, add the words “the Registrar and”.

3. *New Buildings.*

16. The Committee noted the information given to it by the Secretary-General and by the Rapporteur of the Supervisory Commission. The exact cost of the building cannot yet be determined with absolute certainty, but there is no reason to suppose that the final figure will appreciably exceed the estimate. The Secretary-General and the Supervisory Commission are instructed to exercise the strictest vigilance over the execution of the work of construction and equipment of the new buildings, within the framework of the decisions taken by the Assembly.

As regards the Library, in order to avoid an excessive increase in overhead expenses, only some of the rooms will be used for the present.

VII. SIXTH REPORT AND SUPPLEMENTARY REPORT OF THE ADMINISTRATIVE BOARD OF THE STAFF PENSIONS FUND.

17. The Committee examined the Sixth Report to the Assembly and the Supplementary Report of the Administrative Board of the Staff Pensions Fund. It also took into consideration the Report of the Actuary on the Third Valuation of the Fund, the Auditor's Report, and the observations of the Supervisory Commission on the suggestions made by the Administrative Board in its reports.

The Committee desires to place on record its great regret at the loss of Professor Friedli, whose death has deprived the Administrative Board and the Fund of services of great and proven value.

The Committee noted the explanations given by the Chairman of the Administrative Board, M. Rappard, on the manner in which the Fund had been administered during the past year. M. Rappard drew special attention to certain administrative problems which were still under consideration by the Board, notably the effect of Article 19 of the Staff Pensions Regulations. Under the terms of that article, officials who have left the service of the League and are in receipt of an annuity may be required to forgo all or part of that annuity should they be re-engaged by the League. This rule has given rise to difficulties in practice, since it has not proved possible to apply it in cases where officials, on resignation, have chosen the capital value of their pensions. The Committee was informed that the Administrative Board had this matter under its consideration and hoped to present a report with suggested amendments to the next session of the Assembly.

18. The Administrative Board has asked the Assembly to approve the following text to replace that of the final paragraph of Article 1 of the Staff Pensions Regulations, which deals with the standard of physical health required for entry into the Fund :

“ . . . and, after a medical examination showing that the official is in good health, that he is free from any defect or disease likely to interfere with the proper discharge of his duties, and that there is no pathological personal or family history of, or definite predisposition to, any disease which might result in premature invalidity or premature death.”

19. The main question which exercised the Committee was the condition of the Fund's finances. It listened to a full explanation from M. Rappard, who dealt with the difficulties of investment, difficulties which had grown steadily greater as the past year had progressed. These difficulties led the financial advisers of the Fund to recommend that an ever-increasing amount of the Fund's assets should be invested in gold, with a consequent heavy loss of interest.

The effect of the devaluation of the Swiss franc, which took place after the reports of the Administrative Board and the Supervisory Commission were presented, has considerably altered the situation of the Fund. If the assets of the Fund were realised, it would now be in a sound financial position.

The Committee was of opinion, however, that, as the outlook for the future was still so uncertain, the greatest prudence was necessary in the matter of investment. It is desirable to consider whether the principle of the autonomy of the Fund admits of reconciliation with the acceptance by the League of Nations of complete responsibility towards the members of the Fund.

That being so, it is the view of the Committee that a procedure for investing the assets of the Fund should be adopted whereby wider powers than they at present possess should be given to the Supervisory Commission and the Secretary-General. It therefore asks the Supervisory Commission to study this matter in consultation with a delegation of the Administrative Board of the Staff Pensions Fund during the coming year and present a report for the next meeting of the Assembly. It is, in the view of the Committee, essential that a system be adopted under which the funds available can be invested by the Treasurer rapidly and securely on the advice of the highly competent financial advisers to whom the Committee has already paid a tribute.

It should be recollected that the actuarial basis of the Fund requires that it should earn interest at the rate of $4\frac{1}{4}\%$. Certain doubts were expressed as to the possibility of being able to earn that rate in the future, in view of the difficulty of finding suitable and absolutely safe investments producing that yield.

The Committee therefore recommends that the Supervisory Commission, in consultation with a delegation of the Administrative Board of the Staff Pensions Fund and the Actuary, should examine closely the whole question of the rate of interest.

VIII. DRAFT RESOLUTIONS.

20. The Fourth Committee has accordingly the honour to propose that the Assembly adopt the following resolutions :

1. “ The Assembly, under Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the seventeenth financial period ended December 31st, 1935.”

2. "The Assembly,

"Under Article 17 of the Regulations for the Financial Administration of the League of Nations :

"Passes, for the nineteenth financial period ending December 31st, 1937, the budget of expenditure of the League of Nations amounting to 29,184,128 Swiss francs, and the *net* budget of income amounting to 21,284,823 gold francs ;

"And decides that the aforesaid budget shall be published in the *Official Journal*."

3. "Subject to the proposals and amendments included in the present report, the Assembly adopts the conclusions of the various reports of the Supervisory Commission submitted for its consideration."¹

4. "The Assembly :

"Takes note of the reports of the Administrative Board of the Staff Pensions Fund for the year 1936 and the report of the Consulting Actuary on the Third Valuation of the Fund ;

"Decides that, for the present, the Fund shall continue to be valued annually by the Consulting Actuary ;

"Requests the Administrative Board to examine and report upon the effects of Article 19 of the Staff Pensions Regulations ;

"Requests the Supervisory Commission to examine with a delegation of the Administrative Board the changes which might be made in the Fund's system of management, in order to take account of the views expressed in this report ;

"Adopts the accounts of the Fund as submitted by the Auditor ; and

"Decides, having regard to Article 7, paragraph (a), of the Staff Pensions Regulations, that the contribution of the League to the Staff Pensions Fund shall, for 1937, be 9% of the pensionable emoluments of the members of the Fund."

5. "The Assembly appoints to the Administrative Board of the Staff Pensions Fund, for the period ending December 31st, 1939 :

"As regular members :

"Professor W. RAPPARD (Switzerland) ;

"Mr. Francis T. CREMINS (Irish Free State) ;

"Professor Harold CRAMER (Sweden) ;

"As substitute members :

"M. Jan DE MODZELEWSKI (Poland) ;

"M. C. PARRA-PÉREZ (Venezuela) ;

"M. C. VAN RAPPARD (Netherlands)."

6. "The Assembly adopts the present report of the Fourth Committee."

(Adopted by the Assembly on October 10th, 1936.)

¹ These conclusions relate to the accounts for the financial year 1935 ; budget and supplementary budget for 1937 ; amendments to the Financial Regulations (new Articles 33(a) and 33(b) and amendment to Article 16(a)) ; pensions for members of the Permanent Court of International Justice ; recruitment and promotion (in the scale) of Members of Section ; carrying forward to the financial years 1936 and 1937 of certain credits in respect of the buildings ; payment to the budget of the Secretariat by States non-members of the League ; Staff Pensions Fund ; correspondents and temporary collaborators ; supplementary credits ; settlement of the Assyrians of Iraq.

ANNEX 6.

ELECTION OF AN ADDITIONAL MEMBER OF THE SUPERVISORY
COMMISSION AND ELECTION OF THE COMMITTEE TO CONSIDER
WHAT AMENDMENTS IT MIGHT BE DESIRABLE TO MAKE
IN ARTICLE 1 OF THE FINANCIAL REGULATIONS.

REPORT SUBMITTED BY THE FOURTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency M. Harri HOLMA (Finland).

The Fourth Committee met this morning to elect the new member which, by adopting the resolution shown in document A.76.1936,¹ the Assembly had decided to add to the Supervisory Commission and to set up the Committee, referred to in the same resolution, entrusted with the duty of considering what amendments it might be desired to make in Article 1 of the Financial Regulations.

The Fourth Committee has therefore the honour to request the Assembly to ratify the following appointments :

Member of the Supervisory Commission :

M. Boris STEIN (Union of Soviet Socialist Republics) ;

Members of the Committee entrusted with the duty of considering what amendments it might be desirable to make in Article 1 of the Financial Regulations :

M. Harri HOLMA (Finland) ;

Mr. W. S. MORRISON (United Kingdom) ;

Professor W. RAPPARD (Switzerland).

(Adopted by the Assembly on October 10th, 1936.)

¹ See Annex 2, page 82.

INDEX

ABBREVIATIONS

Art.	= Article	Govt.	= Government	Perm.	= Permanent
Ass.	= Assembly	I.L.O.	= International Labour Office	Rep.	= Representative
Cl.	= Council	Int.	= International	Resol.	= Resolution
Comm.	= Commission	Kgd.	= Kingdom	Suppl.	= Supplementary
Cttee.	= Committee	Org.	= Organisation	U.S.S.R.	= Union of Soviet Socialist Republics
Del.	= Delegation				

	Page		Page
Accounts of League		Budget of League (continued)	
Audited accounts (1935): 17th financial period		1937. Budget estimates (19th financial period) (continued)	
Discussion and adoption by 4th Cttee.	7, 14, 87, 93 (resol.)	Part II, see below Labour Org., Int. Justice	
Advisory Committee for Protection and Welfare of Children and Young People		Part III, see below Court of Int. Justice	
See Social Questions: Advisory Cttee., etc.		Part IV, see below Opium Board, Perm. Central	
Argentine Republic		Part V, see below Refugees, Nansen Int. Office for	
National Cttee. on Intellectual Co-operation	26	Part VI, see below Buildings, at Geneva	
Arrears, Contributions in		Part VII, see below Pensions	
See under Contributions		Part VIII, see above Assyrians of Iraq	
Assembly of League		Publication in <i>Official Journal</i> 94 (resol.)	
Budget estimates for 1937	20-22	Reports of	
Committees of, see Committees, etc.		Fourth Cttee.	
Assyrians of Iraq		Adoption	80, 94 (resol.)
Budget for 1937, see under Budget		Text	87-94
Contributions from Govts. of Iraq and the United Kgd., Council resol.	20	Supervisory Comm.	
Principles governing voting of credits for.	69	Discussion and adoption	13-14, 43-6, 47-9, 71-2
Audited Accounts		Suppl. credits	
See Accounts, etc.		Child Welfare	66
de Azcarate, P. (Deputy Secretary-General)		Discussion and adoption	71-2
Resignation	13	Intellectual Co-operation	51-2, 71
Branch Offices		Refugees	51-2, 66-71
Amalgamation of I.L.O. office at Delhi and League office at Bombay	18, 72	Reports of	
Correspondents at Bombay and Tokio ..	22, 23	Fourth Cttee.	91
Budget of League		Supervisory Comm., examination and adoption	66-71
Assyrians of Iraq: budget estimates for 1937 (Part VIII)	9	Buildings at Geneva: budget estimates for 1937 (Part VI)	
Decrease in	34	Discussion and adoption	10, 34
Reserved	80	Report of 4th Cttee.	92
Report of Supervisory Comm. adopted	8	Court of Int. Justice, Perm.: budget estimates for 1937 (Part III)	
1932 Budget, allusion to	8	Discussion and adoption	36-7, 38
1935 Budget (17th financial period)		Increase	8
Audited accounts, see Accounts, etc.	7-8	Report of 4th Cttee.	90-1
Financial situation at the end of ..	55, 72, 87, 91	Labour Organisation, Int.: budget estimates for 1937 (Part II)	
Surplus and disposal 9, 14, 43, 54, 55, 72, 87, 91		Adopted	37
1936 Budget (18th financial period)		Discussion	36-7 (statement)
Situation during	8	Increase for 1937	8
1937 Budget estimates (19th financial period)		Report of 4th Cttee.	90
Adopted by the 4th Cttee.	72	Opium Board, Perm. Central: budget estimates for 1937 (Part IV)	
Discussion		Adoption	34
Detailed examination 20-34, 36-7, 39-42		"Over-budgeting", criticism of 9, 15, 19, 44, 87	
General discussion	7-12, 15-20	Pensions: budget estimates for 1937 (Part VII)	
Statement by Sec.-Gen.	7-10	Discussion and adoption	39-43
Final figures	91	Reserved	34
Part I, see below Secretariat.		Report of 4th Cttee.	93
		Refugees, Nansen Int. Office for: budget estimates for 1937 (Part V)	
		Adopted	71
		Decrease	8
		Reserved	34
		Suppl. credits: request of the 8th Cttee., and report of Supervisory Comm.	51-2, 66-71
		Reports of Cttees., see above under 1937 Budget	

	Page		Page
Budget of League (continued)		Conferences	
Secretariat: budget estimates for 1937		Budget estimates for 1937	20-22
(Part I)		Contributions of States to League and	
Adoption	22, 26, 29, 31	Allocation of Expenses	
Discussion	21-34	Arrears, contributions in	
Increase	8, 9	Committee	
Report of 4th Cttee.	89	Question of current contributions	
Sections, chapters and items		to be considered by, <i>see below</i>	
Assembly sessions	20-22	Committee, Special, on Contri-	
Child Welfare	66	butions	
Committees	20-22	Reappointment for one year, and	
Conferences	20-22	composition	34, 35
Council	20-22	Report of	
Intellectual Co-operation	51-2, 71	Adoption	36
Investigations, enquiries and liaison	22-6	Discussion	9, 34-6
Perm. equipment	33	Tribute on work of the Cttee., and	
Profit and loss on exchange	28	of its Chairman	14, 15, 18, 34
Revenue	33-4	Countries referred to, and position of	
Salaries and general services ..	26-8, 30-1	Bulgaria	19
Supervision of revenue and expen-		Poland	35
diture	50	Roumania	35
Work covered by special grants..	28, 31-3	Currency in which arrears should be	
Suppl. credits		paid as result of devaluation	53
1937 Budget, <i>see that title above</i>		General situation	17
Supervisory Comm. to inform 4th		Interest on overdue contributions,	
Cttee. of consequences of preliminary		question of charging	18
vote as to principle adopted during		Proportion paid in respect of 1935	
discussion of	14	as against 1934	8
Time-limit for submission of requests		Report of 4th Cttee.	
for	38-9	Adoption	80
Surplus and disposal, <i>see above under 1935</i>		Text	86
Budget		Committee on Allocation of Expenses	
Buildings of the League		Composition	20
Architects' contracts	48	Extension of term of office for dura-	
Budget estimates for 1937, <i>see under</i>		tion of Ass.	20, 75, 83
Budget		Reports of Cttee.	
Functions of Supervisory Comm. with		Discussion and adoption	73-80
regard to: proposal to postpone re-		Text	83-4
newal of members till completion of		Committee for Settlement of Arrears, <i>see</i>	
buildings, <i>see under Supervisory</i>		<i>above under Arrears</i>	
Comm.: Members		Committee, Special, on Contributions	
Installation: credit for, deleted	8, 9	appointment	86
Labour Office building, new	37	1935 Contributions, position	8, 35
Library, <i>see that title</i>		1936 Contributions	
Occupation of new buildings, credit for...	33, 47	Currency in which outstanding contri-	
Part played by 4th Cttee. in erection of		butions should be paid as result of	
and thanks to all collaborators	7	devaluation	53, 56, 57, 88
Report of Supervisory Comm. on new		Position	8, 34
buildings		1937 Contributions	
Statements and discussion	13, 48	Decisions of Cttee. on Allocation of	
Child Welfare		Expenses: discussion and obs. of	
Suppl. credits for	66	dels. of	
Committees of Assembly		Austria	74, 75, 79, 84
4th Committee		Belgium	79, 84
Agenda		Bulgaria	19, 84
Adoption	7	China	11
Text	82	Estonia	75, 79-80
Chairman	5	Finland	74-5
Close of session	81	France	79
Members	5-6	India	76-7, 79
Part played in erection of new build-		Latvia	80
ings	7	Lithuania	79
Publicity of meetings	7	Netherlands	75, 79
Rapporteur, general: appointment ..	39	New Zealand	76, 79
Reports and resols.		Portugal	74, 76, 77, 79
<i>See also under subjects concerned</i>		Sweden	76, 79
General report on financial ques-		United Kingdom, offer to increase	
tions		contribution	74, 76, 78
Adoption	80	Union of South Africa	18, 79
Text	87-95	U.S.S.R.	17, 76, 78-9
Vice-Chairman	5, 7	Uruguay	77-8
6th Cttee.		Effects of devaluation	88
Request for suppl. credits:		Scale for 1937-1939: report of 4th Cttee.	85
Intellectual Co-operation	51-2, 71	Distribution to I.L.O. and Perm. Court of	
Refugee questions	51-2, 66-71	Int. Justice: effect of devaluation..	50, 53-4
Proposals of Assembly Cttees. involving		Gold franc for payment, definition	57
additional expenditure	71	Reports of 4th Cttee.	
Committees, League		on Allocation of Expenses	
Budget estimates for 1937	20-22	Adoption	80
Suppl. credits for	71	Text	83-5
		on Contributions in Arrears, <i>see above</i>	
		<i>under Arrears.</i>	
		Contributions by States non-Members of the	
		League	47
		Cost of living in Geneva	17, 55

	Page		Page
Council		Health Organisation	
Budget estimates for 1937	20-22	Increase of budget in connection with lapse of Rockefeller grants at end of 1937.....	31-3, 90
Court of Int. Justice, Permanent		India	
o Budget estimates for 1937, <i>see under Budget</i>		Mission of Mr. Pelt.....	31, 72
Devaluation, effect on.....	38	Public opinion concerning the League...	12, 30
Pensions for members of		Intellectual Co-operation and Int. Bureaux Section of the Secretariat	
Grant to widow of deceased judge..	38, 90	Communication from Latin-American delegates <i>re</i> creation of new post, <i>see under Latin America</i>	
Registrar		Suppl. credits requested: resol. of 6th Cttee.....	51, 52, 71 (<i>adopted</i>)
Competence of Ass. to grant retiring pensions	46	"Interest Earned".....	33
Regulations for transfer of future Registrars from Judges' Pension Fund to League Pension Fund, <i>see under Pension Fund, etc.</i>		Investigations	
Regulations adopted by, and report of 4th Cttee.....	91, 92	Budget estimates for 1937	92-6
o Report of Supervisory Comm., discussion.....	13, 37-8	Labour Organisation, Int.	
Percentage of budget paid to, in 1936....	8	Branch Offices, <i>see that title</i>	
Temporary collaborators: proposal that they familiarise themselves with the work of the Court.....	38	Budget for 1937, <i>see under Budget</i>	
Covenant		Buildings, new	37
Elimination of certain League activities not derived properly speaking from: proposal of del. of Chile.....	16	Double contribution to, of certain States in 1936	87
Devaluation		Percentage of budget paid to in 1936....	8
of the Florin		Latin America	
Discussion	53	Communication from delegates of Latin-American countries proposing creation of new post in Intellectual Co-operation Section to provide contact with Latin-American countries on that subject.....	26-8, 49 (<i>withdrawn</i>)
Report of Supervisory Comm.	88-9	Latin-American Bureau, suppression and activities	23-5
of the Swiss franc: effect on League's finances		Liaison work with the I.L.O.....	37
Discussion. 7, 15, 16, 17, 19, 33, 38, 49-50, 53-7, 87		Representation on the Secretariat, Ass. and Cl.	23-4, 25
Report of the Supervisory Comm.		League of Nations	
Discussion	53-7	Branch Offices, <i>see that title</i>	
Text	88	Correspondents	
Enquiries		in India	18-19
Budget estimates for 1937	22-6	Temporary, <i>see Officials, etc.</i> : Temporary, etc.	
Equipment, Permanent		Elimination of certain activities not derived properly speaking from the Covenant: proposal of del. of Chile..	16
Budget estimates for 1937 adopted.....	33	Liaison	
Exchange, Profit and Loss on		Budget estimates for 1937.....	22-6
Budget estimates for 1937.....	28	Library, League	
Expenditure		Report of 4th Cttee.	92
Proposals of Ass. Cttees. involving additional expenditure	71	Members of Section	
Supervision of revenue and expenditure: budget estimates for 1937	28-30	<i>See under Officials, etc.</i>	
Financial Regulations		Nansen Office	
Art. 1, <i>see Supervisory Commission: Members: Revision, etc.</i>		<i>See Budget: Refugees, and Refugees</i>	
Art. 16(a), amendment	14	Nutrition	
Art. 26: interpretation.....	50	Suppl. credits for.....	66
Art. 33(a), amendment		Officials of League Organisations	
<i>See Guarantee fund: Amendment, etc.</i>		Declaration of loyalty to be made by members of	10
Financial Situation of the League		Higher officials	
on Sept. 21, 1936.....	14	Political pressure brought to bear on. 10-11, 89	
Statement by the Sec.-Gen.....	7-9	Principles governing appointment. 11-12, 12-13	
Fourth Committee		Members of Section	
<i>See under Committees of Assembly</i>		Rules for recruitment and promotion: discussion, and adoption of report of Supervisory Comm.	13, 47
General Services		Pensions Fund, <i>see that title</i>	
Budget estimates for 1937.....	26-8, 30-1	Principles governing recruitment and appointment of.....	10-13, 25
Guarantee Fund		Rockefeller staff, inclusion in the establishment of the League requested.....	31
Amendment to Art. 33(a) of financial regulations proposed by del. of United Kgd.			
Cttee. to draft amendment, appointment and text proposed.....	46, 47		
Discussion and adoption.....	43-6, 47-8		
Report of the 4th Cttee.....	92		
Purpose, constitution and general discussion.....	10, 14, 37, 43-6, 53, 87		

	Page		Page
Officials of League Organisations (continued)		Rockefeller Grants	
Salaries, <i>see that title</i>		Effect of withdrawal on the Health Organisation.....	31-3, 90
Temporary correspondents and collaborators, 13, 18, 19, 22-3, 25, 48-9 (rules)		Saar Refugees	
Travelling expenses, <i>see that title</i>		<i>See under Refugees</i>	
Opium Board, Perm. Central		Salaries of League Officials	
Budget for 1937, <i>see under Budget</i>		Budget estimates for 1937:	
"Over-budgeting"		Discussion and adoption.....	26-8, 30-1
Criticisms of.....	9, 15, 19, 44, 87	Comparison between 1932 and 1937.....	9
Pensions Fund for Staff of League Organisations		Effect of devaluation on.....	55
Administrative Board		Reduction in budget for.....	19
Members		Secretariat	
Election of.....	80, 94 (resol.)	Budget for 1937, <i>see under Budget</i>	
Tributes to the memory of Prof. Friedli.....	39, 40, 41, 42	Expenditure up to Aug. 31, 1936.....	8
6th Report and suppl. report		Representation of various countries	o
Discussion and adoption.....	39-43	China.....	11
Report and resol. of 4th Cttee.....	93, 94	India.....	30-1
Budget estimates for 1937, <i>see under Budget</i>		Latin America.....	23-4, 25, 26
Contribution of League to.....	14, 18	Portugal.....	25
Discussion and general situation.....	14, 17, 18, 39-43	Report of the 4th Cttee.....	89
Interest, rate earned and examination by the Supervisory Commission.....	40, 93	Venezuela.....	12
Liabilities: question whether their payment should be made in gold francs or Swiss francs.....	56, 57	Staff, <i>see Officials, etc.</i>	
Medical requirements of candidates.....	39, 93	Social Questions	
Question of officials having left the Secretariat, and returned.....	39, 41	Advisory Cttee. on Social Questions: Composition and functions: passage from report of French rep. to the Cl.	21
Question of persons being pensioned and receiving a salary from the League.....	39, 41, 42, 43	Credits, increase requested.....	21-2
Registrars of Court of Int. Justice: transfer from Pensions fund for judges to League Pensions Fund...	46, 92	Special Grants, Works covered by	
Regulations		Budget for 1937.....	28, 31-3
Art. 1, <i>see above</i> Medical Requirements		Staff, League	
Art. 19, <i>see above</i> Question of persons, etc.		<i>See Officials, etc.</i>	
Reports of		Staff Pensions Fund	
Administrative Board, <i>see above under Administrative Board</i>		<i>See Pensions Fund, etc.</i>	
4th Cttee.....	93, 94 (resol.)	Supervision of Revenue and Expenditure	
Valuation by Consulting Actuary. 39, 93, 94 (resol.)		Budget estimates for 1937.....	28-30
Pensions of Members of the Court		Supervisory Committee	
<i>See under Court of Int. Justice, Perm.</i>		Members	
Principal Officers		Election of additional member: amendment proposed by del. of U.S.S.R. 46, 57-65, 81, 83, 94-5 (resol.)	
<i>See Officials of League Organisations: Higher Officials</i>		Revision of Art. 1 of Financial Regulations on renewal of members Committee on: election and functions.....	29, 81, 83, 95 (resol.)
Publications, League		Discussion and Hungarian proposal.....	28-9, 57-65, 71
Sale of.....	31	Report of 4th Cttee.	
Refugees		Discussion and adoption.....	71
from Germany		Text.....	82-3
High Commissioner: request for suppl. credits to cover administrative expenses.....	51, 52, 71	Reports (1st and 2nd) on work of	
League principle with regard to settlement of.....	66, 67, 68	Adoption.....	92
Mission to Far East, suppl. credits for... 51, 52		Examination.....	13-14, 43-6
Nansen Int. Office		Tribute to the work of.....	18
Budget for 1937, <i>see under Budget</i>		Supplementary Credits	
President of Governing Body: suppl. credits for entertainment allowance requested.....	51, 52, 66-71	<i>See Budget: 1937 Budget: Suppl. Credits and Budget: Suppl. Credits</i>	
Suppl. credits requested.....	51, 52, 66-71	Surplus	
Winding up.....	69, 70	<i>See under Budget: 1935 Budget</i>	
Saar refugees: suppl. credits requested for transfer to Paraguay.....	51, 52, 66-8	Switzerland	
Reserve Fund	17, 44, 87	Thanks to Govt. for decoration of room in new buildings.....	7
Revenue		Temporary Correspondents and Collaborators	
Budget estimates for 1937.....	33-4	<i>See under Officials, etc.</i>	
Supervision of revenue and expenditure, budget estimates for 1937.....	28-30	Terrorism, Diplomatic Conf. on Int. Repression of	
		Suppl. credits for.....	66
		Traffic in Women and Children, Committee on	
		<i>See Social Questions: Advisory Cttee., etc.</i>	
		Travelling Expenses of League Officials	
		Budget.....	31
		Working Capital Fund	44

LEAGUE OF NATIONS

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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

FIFTH COMMITTEE

(Humanitarian and General Questions)

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	5
AGENDA	7
FIRST MEETING, September 23rd, 1936, at 11.30 a.m. :	
1. Election of Vice-Chairman	7
2. Adoption of Agenda	7
3. Appointment of Rapporteurs	7
SECOND MEETING, September 25th, 1936, at 3.30 p.m. :	
4. Traffic in Opium and Other Dangerous Drugs : General Discussion	7
THIRD MEETING, September 28th, 1936, at 10.30 a.m. :	
5. Traffic in Opium and Other Dangerous Drugs : General Discussion (<i>continuation</i>)	10
FOURTH MEETING, September 30th, 1936, at 3.30 p.m. :	
6. Report of the International Relief Union : Placing of the Question on the Agenda of the Fifth Committee	17
7. Traffic in Women and Children : General Discussion	18
FIFTH MEETING, October 2nd, 1936, at 3.30 p.m. :	
8. Child Welfare : General Discussion	23
9. Request for an Increase in the Budgetary Credits for Protection and Welfare of Children and Young People and the Suppression of the Traffic in Women and Children : Appointment of Sub-Committee	31
SIXTH MEETING, October 3rd, 1936, at 3.30 p.m. :	
10. Request for an Increase in the Budgetary Credits for Protection and Welfare of Children and Young People and the Suppression of the Traffic in Women and Children : Draft Resolution submitted by the Sub- Committee : Adoption	31
11. Child Welfare : General Discussion (<i>continuation</i>)	32
SEVENTH MEETING, October 5th, 1936, at 3.30 p.m. :	
12. Child Welfare : General Discussion (<i>continuation</i>)	37
13. Assistance to Indigent Foreigners : General Discussion	39
14. Traffic in Women and Children : Draft Report by the Fifth Committee to the Assembly and Draft Resolution : Discussion and Adoption	41
15. Traffic in Opium and Other Dangerous Drugs : Draft Report by the Fifth Committee to the Assembly and Draft Resolution : Discussion	41
EIGHTH MEETING, October 6th, 1936, at 3.30 p.m. :	
16. Traffic in Opium and Other Dangerous Drugs : Draft Report by the Fifth Committee to the Assembly : Discussion and Adoption	42
17. Penal and Penitentiary Questions : General Discussion	43
18. International Relief Union : General Discussion	47
19. Assistance to Indigent Foreigners : Draft Report by the Fifth Committee to the Assembly and Draft Resolution : Adoption	48
NINTH MEETING, October 7th, 1936, at 3.30 p.m. :	
20. Child Welfare : Draft Report by the Fifth Committee to the Assembly and Draft Resolutions : Discussion	48
TENTH MEETING, October 8th, 1936, at 3.30 p.m. :	
21. Child Welfare : Draft Report by the Fifth Committee to the Assembly and Draft Resolutions : Adoption	48
22. International Relief Union : Draft Report by the Fifth Committee to the Assembly and Draft Resolution : Adoption	48
23. Penal and Penitentiary Questions : Draft Report by the Fifth Committee to the Assembly and Draft Resolution : Discussion and Adoption	48
24. Close of the Committee's Proceedings	49

ANNEXES.

	Page
1. Traffic in Opium and Other Dangerous Drugs : Report of the Fifth Committee to the Assembly	50
2. Traffic in Women and Children : Report of the Fifth Committee to the Assembly	54
3. Child Welfare : Report of the Fifth Committee to the Assembly	57
4. International Relief Union : Report of the Fifth Committee to the Assembly . .	61
5. Assistance to Indigent Foreigners : Report of the Fifth Committee to the Assembly	61
6. Penal and Penitentiary Questions : Report of the Fifth Committee to the Assembly	63
7. Letter and Memorandum on the Repatriation of Foreigners convicted of an Offence against the Ordinary Law	65

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<i>Poland :</i>	Mme. Stanisława ADAMOWICZ. M. Jan FRYLING.
<i>Portugal :</i>	Mme. Virginia DE CASTRO E ALMEIDA. His Excellency Dr. Augusto DE VASCONCELLOS.
<i>Roumania :</i>	Mlle. Hélène VACAESCO. His Excellency M. V. V. PELLA. M. Dino CANTEMIR (substitute).
<i>Salvador :</i>	—
<i>Siam :</i>	His Excellency Phya RAJAWANGSAN. Luang BHADRAVADI (substitute).
<i>Spain :</i>	Mme. Isabel OYARZABAL DE PALENCIA. M. A. FABRA RIBAS.
<i>Sweden :</i>	Mlle. Kerstin HESSELGREN.
<i>Switzerland :</i>	M. Emile KLÖTI. M. Camille GORGÉ. M. Walter STUCKI (substitute). M. Henri VOIRIER (substitute).
<i>Turkey :</i>	Mme. Mihri PEKTAS. M. N. TAHIR.
<i>Union of Soviet Socialist Republics :</i>	Mme. Alexandra KOLLONTAI. M. Georges LACHKEVITCH (substitute).
<i>Uruguay :</i>	His Excellency M. Victor BENAVIDES.
<i>Venezuela :</i>	His Excellency M. C. PARRA-PÉREZ. M. Carlos Eduardo Frías (substitute).
<i>Yugoslavia :</i>	His Excellency Dr. André GOSAR.

FIFTH COMMITTEE OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY

(HUMANITARIAN AND GENERAL QUESTIONS)

AGENDA.

1. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.
2. TRAFFIC IN WOMEN AND CHILDREN.
3. CHILD WELFARE.
4. PENAL AND PENITENTIARY QUESTIONS.
5. ASSISTANCE TO INDIGENT FOREIGNERS.
6. INTERNATIONAL RELIEF UNION.

FIRST MEETING.

Held on Wednesday, September 23rd, 1936, at 11.30 a.m.

Chairman: M. SCHMIDT (Estonia).

1. **Election of Vice-Chairman.**

The Committee elected Mme. STARHEMBERG (Austria) Vice-Chairman.

2. **Adoption of Agenda.**

The Committee adopted its agenda — namely :

1. Traffic in Opium and Other Dangerous Drugs.
2. Traffic in Women and Children.
3. Child Welfare.
4. Penal and Penitentiary Questions.
5. Assistance to Indigent Foreigners.

3. **Appointment of Rapporteurs.**

The Committee appointed as its rapporteurs for the respective questions on its agenda :

- M. GORGÉ (Switzerland) : Traffic in Opium and Other Dangerous Drugs.
Mme. ČIURLIONIS (Lithuania) : Traffic in Women and Children.
M. GAJARDO (Chile) : Child Welfare.
M. PELLA (Roumania) : Penal and Penitentiary Questions.
M. KÜNZL-JIZERSKÝ (Czechoslovakia) : Assistance to Indigent Foreigners.

SECOND MEETING.

Held on Friday, September 25th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

4. **Traffic in Opium and Other Dangerous Drugs : General Discussion.**

M. GORGÉ (Switzerland), Rapporteur, submitted as a basis for discussion an *aide-mémoire* compiled from the account of the League's work on opium questions since the 1935 Assembly given in the Secretary-General's report.¹

¹ See documents A.6.1936 (Ser. L.o.N. P.General.1936.5), pages 177-203, and A.6 (a).1936 (Ser. L.o.N. P.General. 1936.6), pages 51 and 52.

He emphasised the importance of the work of the Fifth Committee in regard to the drug question. So long as the problem remained unsolved, the Committee would have to devote the most vigilant attention to it. It mattered little if it were said that the discussions in the Committee were to some extent monotonous. The members of the Committee had none the less the duty of persevering with their work.

Untiring perseverance, which was the most praiseworthy quality of the Fifth Committee, was even more necessary than hitherto. The evil existed and every means of combating it must be sought. The harm done by the drug traffic throughout the world continued. The existence of millions was threatened, injured or sacrificed by the evil. There were countries which suffered severely from the scourge, and they had not yet succeeded in destroying it, while it continued to exercise a most nefarious influence on their social conditions. It was the duty of the League courageously to continue the action it had undertaken, which was perhaps at the present time its finest, greatest and most decisive achievement. It had undertaken the task of extirpating this leprosy — worse than leprosy, indeed, since it was more contagious and possibly more difficult to cure. The League had drawn up plans; it had taken steps; and it should be said that the results had been more than encouraging — they were real. The enemy was not defeated; but he was retiring, even if slowly. The moment of complete triumph had not yet arrived, but in the light of the progress achieved victory no longer appeared to be a dream. Victory had become possible, and that fact alone was a great achievement.

In certain quarters, alarmed by certain facts and figures, it had indeed been claimed that the League had failed; but that ill-humour was no argument. Medical science, for instance, could not be blamed because it had not yet succeeded in abolishing hospitals. The Advisory Committee on Traffic in Opium, at its last session, had protested vigorously against such facile pessimism. In the light of its experience and being in full possession of the facts, it had expressed the opinion that the present methods of fighting the illicit traffic had produced very appreciable results, due not only to international efforts, but also to the vigilance of the Governments and the police authorities, which had, during late years, worked in close co-operation with each other. At the same time, the Committee did not claim that the present system of control was so perfect that it could not be improved. It did not deny that constructive criticism was helpful, and it recognised the necessity for further measures of international co-operation, more particularly in relation to clandestine manufacture.

In a matter such as the drug traffic, undue optimism should obviously be avoided; but superficial judgments which only dealt with some of the more painful aspects of the problem, instead of covering impartially the whole of the work achieved, should be treated with suspicion. Much remained to be done; but much had already been done. The rampart that law had erected against the evil was not yet adequate, but it was none the less a solid one. It constituted a protection against the illicit traffic which could not fairly be belittled. The Hague Convention of 1912, the Bangkok Convention of 1931 and, above all, the three Geneva Conventions of 1925, 1931 and 1936 formed an impressive structure. A convention such as that on the Limitation of Manufacture would have appeared Utopian a few years ago. It was perhaps the most daring legal achievement that had ever been dreamed of. It seemed incredible to many even whose judgment was sound. In it they saw so great an interference with the private and legitimate interests of the manufacturers that in their eyes it was condemned to failure in advance. None the less, the miracle had happened. Manufacture had been limited. Limitation had become an international practice. Private interests had been sacrificed to the general interest. Manufacturing States had resolutely taken the line of sacrifice. They had ratified the 1931 Convention, and that Convention had up to the present been accepted by fifty-eight States. Extensive progress of that kind obviously justified optimism.

It would be said that between the principles of the Convention and their effective application there was a gap. Possibly; but on the other hand that gap was gradually becoming narrower. The goodwill and loyalty of the majority of the Governments were indisputable. The facts were there; and when they were translated into figures which anyone might check, there was no longer room for doubt. Owing to the combined effect of the Hague and the Geneva Conventions, the manufacture, export and consumption of the three principal drugs — morphine, diacetylmorphine and cocaine — had fallen in 1934 to the lowest level ever known. That outstanding fact should be emphasised. The figures in the Advisory Committee's report¹ were eloquent.

In the case of morphine, the quantity manufactured had fallen from 38,634 kg. in 1930 to 26,778 kg. in 1934. The corresponding figures for diacetylmorphine were 4,088 kg. and 1,110 kg., while the manufacture of cocaine, which amounted to 5,838 kg. in 1930, fell to 3,472 kg. in 1934.

Exports of morphine fell from 2,618 kg. in 1930 to 1,456 kg. in 1934. Exports of diacetylmorphine were 886 kg. in 1930 and 243 kg. in 1934, while exports of cocaine fell from 1,789 kg. in 1930 to 1,115 kg. in 1934.

Figures of consumption appeared to move in the same direction from 1932 to 1934, falling from 7,255 to 6,810 kg. in the case of morphine as such, from 1,257 to 1,019 for diacetylmorphine, and from 3,542 to 3,209 for cocaine.

The Advisory Committee consequently noted that it might generally be stated that the quantities legitimately manufactured by licensed firms came increasingly near, in respect of diacetylmorphine and cocaine, to the quantities necessary for legitimate consumption, and that in the case of cocaine the latter quantity was not even reached. Such an event would

¹ Document C.278.M.169.1936.XI (Ser. L.o.N. P.1936.XI.10).

have been considered a miracle a short time before. In conclusion, the Advisory Committee noted that the tendency towards a continued decrease was apparent in the manufacture as well as the export and consumption of the three principal drugs. The very encouraging results obtained were a striking justification of the work of the League, and a conclusive argument in favour of extending the system of international conventions so that the clandestine manufacture and trade might be eliminated, such manufacture and trade being at present almost the only source of supply for the illicit consumption of narcotic drugs.

There was thus a disturbing shadow in the picture. The general situation had improved to a remarkable extent : the illicit traffic could no longer find a source of supply in authorised manufacture ; but, unfortunately, the traffickers had found another method of carrying on their sinister trade — namely, by means of clandestine manufacture. In that respect the situation was disturbing. To judge by the report of the Sub-Committee on Seizures, illicit traffic might not be on the increase, but it was still very active. It was found principally in the Far East, and the situation as regards manufacture, more particularly in Manchuria and Jehol, had been described as terrifying. It was to be hoped that the Governments concerned would respond to the appeal addressed to them by the Advisory Committee, and would deal remorselessly with those who were still engaged in the illicit traffic and particularly in clandestine manufacture.

The situation in China gave rise each year to full discussion. That situation was well known, and it was earnestly hoped that the Chinese Government, which was so courageously combating the evil, would succeed in overcoming it. The Chinese Government would have, as always, the sympathy of all civilised States, and doubtless the support of all States which were in a position to lend it practical aid in its ungrateful but salutary crusade.

There was ground for optimism, and the admirable work of the League in that field deserved unstinted praise. The distressing problem would never be completely solved unless cultivation, like manufacture, were restricted. That grave question had again been raised during the Conference for the Suppression of the Illicit Traffic in Dangerous Drugs, and the delegates had been almost unanimously of opinion that, until the producing countries had entered into engagements similar to those entered into by manufacturing countries, it would be vain to expect an end of the illicit traffic.

Further, the abolition of the traffic was out of the question if the quantities of poppy opium, not to speak of other matters, which were thrown on the world market each year depended merely on the whims of the sun. Excessive stocks of raw materials were a serious danger. Those stocks had a commercial value, and they naturally tended to become dispersed throughout the world and, in the absence of adequate outlets, to feed the illicit traffic. It would thus be surprising if, in a campaign such as that which had been launched, the serious problem of production were not settled in the near future. The difficulties of producing countries were widely understood, but the Committee was certain that they would not be found to be insurmountable. The Committee counted on the effective help of those countries and must therefore associate itself with the resolution by which the Advisory Committee proposed "to continue the studies and the collection of documentary material relating to control of the cultivation of the opium poppy with a view to convening, at as early a date as possible, a conference for the limitation and control of this raw material".¹

M. MARTOLA (Finland) stated that his Government had acceded to the Limitation Convention of 1931 and that the instruments of ratification would be deposited with the Secretariat on the following day.

M. KLÖTI (Switzerland) stated that his country had played a considerable part in the efforts made to diminish the illicit traffic. In 1934, Switzerland had only manufactured 805 kg. of morphine, 33 kg. of heroin and 99 kg. of cocaine, whereas in 1928 the quantities manufactured were 2,446 kg. of morphine, 952 kg. of heroin and 140 kg. of cocaine. Expressed as a percentage of world manufacture, the quantity made in Switzerland was only 3.2 % for morphine, 3 % for heroin and 2.8 % for cocaine. As regards codeine, which was more and more replacing morphine, Switzerland's share in world production was only 3.6 %. Those figures were eloquent in view of the extent of the Swiss chemical industry. They furnished the best reply to ill-informed persons who still considered Switzerland to be one of the great suppliers of drugs. With regard to the illicit traffic, the situation in Switzerland had been completely cleared up, cases of contraband were now very rare, and seizures amounted to no more than a few grammes.

The Swiss delegation attached great importance to the conclusion of a convention for the limitation of the cultivation of the poppy and the coca-leaf, and it earnestly desired that an international conference with that object should soon be convened.

¹ Document C.278.M.168.1936.XI (Ser. L.o.N. P.1936.XI.10). page 17.

THIRD MEETING.

Held on Monday, September 28th, 1936, at 10.30 a.m.

Chairman: M. SCHMIDT (Estonia).

5. Traffic in Opium and Other Dangerous Drugs : General Discussion (continuation).

Sir V. T. Krishnama CHARI (India) considered that the Rapporteur had summed up impartially the results achieved by the League. It was a signal achievement that the licit trade in drugs was now regulated so effectively. The measures taken for the suppression of illicit trade might not have been entirely successful, but the organs of the League were facing the problem courageously, and it was to be hoped that, with the co-operation of the Governments concerned, there would be a steady improvement in that respect also.

It was unnecessary to restate the policy of India in regard to opium, but there was one point which should be mentioned. In 1925, the Government of India announced that they had adopted the policy of an all-round reduction and ultimate extinction of exports to all destinations, except for medical and scientific purposes. That programme was to cover ten years. Accordingly, by the end of 1935, all exports of opium from India ceased, with the exception of the exceedingly small quantities occasionally sent to the United Kingdom and a few other places, for purely medical and scientific purposes. That meant a great financial sacrifice for India, as the revenue from the export of opium, which fell from £7¹/₄ million to £1¹/₄ million between 1910/11 and 1914/15, had now entirely disappeared. That was convincing evidence of India's desire to assist in securing the improvement of the world's situation in regard to the trade in opium and drugs.

The internal distribution of opium was also strictly controlled. All stages, from the cultivation to the sale to the consumer, were closely supervised by the Government, and year after year there was a fall in consumption. The total annual consumption per head of the population, including all uses, was now less than three-quarters of a gramme of opium. Public opinion in India was strongly in favour of the policy of rigid control, which strengthened the hands of the Government.

It might be safely said that, in the international traffic, Indian opium was not a factor of importance, and there had been practically no seizures of Indian opium in recent years in illicit international traffic. Further, the Government of India had ratified the Bangkok Agreement in December 1935.

The delegate of India concluded by expressing the hope that efforts to control the clandestine traffic would be redoubled by the Governments concerned.

Mr. ROGERS (Canada) remarked that his Government was much interested in the subject before the Committee. Canada was included among the consuming countries of dangerous drugs. Owing to its geographical position, Canada had also been used as a base of operations for the smuggling of drugs into the United States. It was naturally the wish of the Canadian Government to suppress that illicit traffic, but the co-operation of producing countries was indispensable in doing so. As was noted in the report of the Secretary-General, evidence supplied to the Advisory Committee by the representatives of Canada and the United States proved that there was an extensive traffic in cocaine and other drugs from Japan to the North-American continent, to India and other Far-Eastern territories. The Canadian Government welcomed the assurance of the Japanese Government¹ that adequate measures would be taken to deal with the situation.

Substantial progress had been made during the past year by the various committees and boards dealing with the question, and the Convention of 1936 marked further progress towards the objective in view. The Canadian Government would continue to give its support to all measures for the suppression of the illicit traffic in dangerous drugs.

M. DE VASCONCELLOS (Portugal) referred to the problem of the limitation of production, and recalled that, when it had been desired to stop the development of the manufacture of and trade in drugs, the countries concerned went straight to the heart of the problem and reduced manufacturing to the quantities necessary for medical and scientific requirements, while they regulated the distribution of drugs. The encouraging results obtained by those means as regards licit manufacture and trade had been mentioned by the Rapporteur at the previous meeting. Similar action should be taken in regard to illicit traffic, which must be repressed at the source by limiting production. That would be the only effective method of overcoming the evil; the task might be difficult, but would not be impossible of achievement. He desired to make certain suggestions with a view to solving the problem of the limitation of production.

¹ See document C.278.M.168.1936.XI (Ser. L.o.N. P. 1936.XI.10), page 9.

If the history of the action taken to control the drug traffic were considered, together with the various turning-points in that action — 1912, the Hague Convention; 1925, the Geneva Convention and Agreements; 1931, the Limitation Convention and the Bangkok Agreement; 1936, the Convention for the Suppression of Illicit Traffic — it would be seen that, in attacking one problem after another — the problem of the manufacture of drugs, the problem of opium-smoking, the problem of the repression of crime in connection with drugs — international legislation had necessarily and inevitably moved towards the last great problem with which they were now faced — namely, the limitation of the raw materials used in the manufacture of drugs.

In the past there had been a difference of opinion, which was sometimes acute, between those who desired to solve the problem by dealing first with raw materials and those who wished in the first place to settle questions in connection with the manufacture of drugs and prepared opium. To-day, that difference of opinion was of historical interest only, and all those who for a quarter of a century had been bearing a part in the organised action against the drug scourge could unite in attacking the last great problem with which the Committee was confronted — namely, the limitation of the production of raw materials and the regulation of distribution.

What were the results obtained and the positions reached from which they could proceed to cover that last stage and arrive at their objective, which would crown the international legislative and administrative action taken in connection with the drug problem?

While among the countries represented at the Hague Conference in 1912 there was not a single one which was in a position to determine exactly what its own medical and scientific requirements were, and while in 1920, after the League of Nations had begun to apply in practice the provisions of Article 23 (c) of the Covenant, it had not been possible to determine the legitimate requirements of the world for any particular drug, not only were those quantities known to-day, but such a complete system of national and international supervision had been created that only the quantities needed to satisfy the world's legitimate requirements were manufactured. That was an impressive result if it were remembered that, during the Limitation Conference in 1931, it had been found that, in the six years from 1925 to 1930 inclusive, some 72 tons of morphine in its different forms, representing the world's legitimate requirements for three years, had passed into the illicit trade.

A very complete system of statistics, based on information furnished by Governments, enabled the quantities of manufactured drugs to be fixed to-day with great precision. As regarded prepared opium, the consumption of which was authorised, fairly complete information was also available, except from China; that enabled the world requirements of raw materials to satisfy the legitimate manufacture of drugs and preparation of opium for smoking to be very accurately calculated.

The situation as regarded the manufacture of drugs might therefore be said to be fully satisfactory from the standpoint of the existing conventions and their actual application. It might be questioned whether so much could be said of raw materials, and particularly raw opium. The existing Conventions provided for national supervision of production and distribution of raw opium, and also regulated the imports and exports of that raw material by means of the system of import and export certificates; but they provided no means of directly limiting production itself.

The following figures, showing world requirements of raw opium according to statistics furnished by Governments, deserved consideration. The legitimate manufacture of drugs required, in 1931, 260 tons of raw opium; the figure for 1932 was 219 tons, that for 1933, 224 tons, and that for 1934, 240 tons — *i.e.*, an average of 240 tons of raw opium.

To take only the statistics for those countries which furnished statements concerning the quantities of raw opium utilised for the manufacture of prepared opium, some 300 tons of raw opium had been utilised on the average in that manufacture for the same years 1931 to 1934. It followed that the world required a total of about 540 tons of raw opium to meet authorised requirements. M. de Vasconcellos desired to mention two figures to illustrate the striking difference between the requirements which he had just mentioned and the world production of raw opium. In 1933, the world had produced, apart from China, 1,530 tons, and, in 1934, 1,080 tons approximately. Thus, in 1933 and 1934, production had exceeded the world requirements for the manufacture of drugs and prepared opium by about 1,000 tons and 540 tons respectively. Further, account must always be taken of the production of raw opium in China, which annually reached some 12,000 tons. In some countries which produced raw opium, certain quantities were consumed by chewing, so that there still remained each year enormous quantities which must either go to increase existing stocks or be absorbed into the illicit traffic.

Those were the facts that evoked the question why the efforts to limit the production of raw opium had not made substantial progress since the first decision of the Assembly in the matter. The truth was apparently that, in spite of the progress made in connection with other sides of the drug question, and in spite of the highly valuable precedents embodied in the Limitation Convention, there were still certain difficulties in connection with the limitation of raw materials which must be examined with that sense of realities which alone would enable results to be obtained.

The countries producing raw opium were Afghanistan, Bulgaria, China, Greece, India, Iran, Japan proper and Korea, Turkey, the Union of Soviet Socialist Republics and Yugoslavia. In those countries, hundreds of thousands of peasant families were annually cultivating the opium poppy over an area of some 100,000 hectares, not including China. When, in 1931,

the Limitation Conference had been called upon to solve the problem of limiting manufactured drugs, it had only to consider sixty factories in fifteen manufacturing countries. It was obviously easier to restrict the output of factories which, almost without exception, manufactured, in addition to harmful drugs, other chemical products, than to limit the production of an agricultural product which often was the most important and sometimes the only one cultivated by the peasants. He was glad, therefore, to pay a tribute to the Government of India, which in the period it had fixed had succeeded in practically eliminating the export of opium, which ten years previously had amounted to some hundreds of tons.

Apart from that fundamental difference between the problem of limitation in the industrial sphere and in the agricultural sphere, there was another highly important difference. The limitation of the manufacture of drugs was ultimately based on the idea of adapting manufacture to actual requirements. That idea was right, since the rhythm of industrial production could be regulated by accelerating it, retarding it, or even by stopping it completely for a certain period according to the requirements of the market. The production of raw opium, on the other hand, was an agricultural process, the rhythm of which was regulated independently of man by the seasons, and the output of which could in no way be foreseen, since the annual harvest of a given area frequently varied by more than 100 %.

Hence, while the excess manufacture of a given year might be put into stock and deducted from the following year's output, it was less easy to increase or diminish the cultivated area from one year to another in order to adapt the agricultural output to world requirements.

Another aspect of the problem was provided by the social condition of the producer. While conditions of the worker in the drug industries varied to some extent from one country to another, such variation was certainly less than in the case of the producers of raw opium. It was sufficient to consider the social condition of a European peasant on the one hand and an Oriental peasant on the other to realise how great was that difference.

Account should also be taken of the systems of land tenure in the countries producing raw opium. In some of those countries smallholders were common; in others there were large estates with a semi-feudal system; while yet others had collective farms, where production was regulated in advance for each year by the State. Finally, though it did not exhaust the list of those differences, there was yet another which should be mentioned. While the consumers of manufactured drugs (morphine, diacetylmorphine, codeine etc.) were millions of sick persons — isolated individuals, in fact — the consumers of raw materials were, first, factories, which he had already referred to, and, secondly, the countries where opium for smoking formed a monopoly and the number of buyers was consequently restricted. That fact should greatly facilitate an agreement between producers and consumers.

There were still many other points which might be mentioned to show the difference between the limitation of manufactured drugs and that of raw materials; but the few points already mentioned must be emphasised if a facile and excessive optimism — always a bad counsellor — was to be avoided. In mentioning the differences and the difficulties, M. de Vasconcellos pointed out that a serious and persistent effort on the part of the Fifth Committee, the Advisory Committee and the Governments was necessary at an early date if the difficulties and opposition were to be overcome and if effect were to be given as soon as possible to the decision of the Advisory Committee, approved by the Council, "to continue the studies and the collection of documentary material relating to control of the cultivation of the opium poppy with a view to convening, at as early a date as possible, a conference for the limitation and control of this raw material".¹

The Portuguese representative would have liked the Committee and the Assembly to make more definite the meaning of the expression "at as early a date as possible". For that purpose, the Committee would have to form an idea of the means to be employed and the measures to be taken to hasten the meeting of the international conference. The first condition for the success of such a conference was thorough preparation and as exact and complete a collection of documentary information as possible. The second condition would appear to be a knowledge of the intentions of the countries producing raw opium and the countries which consume it. The third condition would seem to be the calling of preliminary conferences similar to that which met in London in November 1930 to prepare for the Limitation Conference of 1931. One of those conferences would be devoted to the discussion of the problems relating to the raw opium necessary for the manufacture of drugs and another to the discussion of the problems concerning the raw opium necessary for monopolies of opium for smoking. The first preliminary conference would include representatives of producing countries which export raw opium to drug-manufacturing countries, and also representatives of the latter. The second would include representatives of the countries producing opium exported to countries which have a monopoly of opium for smoking and representatives of the latter countries. The decisions and agreements which would be reached at those preliminary conferences would make it possible to prepare the necessary legal instrument and also a fuller body of documentary information for the international conference itself, which would finally settle the question.

With regard to the time required for the programme which he had sketched, it would seem necessary to express a definite recommendation that the preliminary conferences should be held in 1938 and the principal conference not more than two years after the preliminary conferences. If the Committee formulated a recommendation to that effect, it was certain that the Governments, the competent international bodies and the Secretariat would do

¹ See document C.278.M.168.1936.XI (Ser. L.o.N. P. 1936.XI.10), page 17.

everything possible to set up for raw materials a universal system of supervision similar to that already in force for manufactured drugs.

The Committee would no doubt recommend that the preparatory work of the competent bodies and the Secretariat, and the success of the conference itself, should not be compromised by financial considerations. He himself would do what he could in that direction in the Fourth Committee.

In conclusion, M. de Vasconcellos added that a positive result must be obtained if they were not to forget the lesson given to the world on the ravages caused by dangerous drugs before the establishment of a universal system of national and international supervision — a system which required for its completion the regulation of the production of raw materials.

M. TSIEN Tai (China) noted with satisfaction that, since the last session of the Assembly, several countries, including the Union of Soviet Socialist Republics, whose co-operation had been greatly desired last year by the Chinese delegate in the Fifth Committee,¹ had acceded to the 1931 Convention.

He considered that the Convention for the Suppression of the Illicit Traffic in Drugs, concluded in June 1936, marked fresh progress in international co-operation in that field. China, which was a victim of the illicit traffic, was keenly desirous of seeing that instrument come into force at an early date and yield the results expected from it.

With reference to the situation in China, he had nothing to add to the information given by the Chinese representative at the session of the Advisory Committee in May 1936 regarding the efforts recently made by the Government for the application of its plan for the total suppression of poppy-growing and the use of opium within a fixed period, and the methods it was employing to put down the illicit traffic and the clandestine manufacture of drugs. The Chinese representative had drawn the attention of the Advisory Committee to the increasingly serious situation in China as regards manufactured drugs, and the difficulties met with by the Chinese authorities in endeavouring to improve it.² The principal difficulties came from abroad, and the Chinese Government could not overcome them without the co-operation of the Powers concerned. The Advisory Committee had recognised that fact and had adopted a resolution in which, while expressing its satisfaction at the measures taken by the Chinese Government, it addressed an earnest appeal to the foreign Governments concerned to take all possible measures to prevent their nationals from engaging in the illicit traffic in China and to punish those who were already so engaged.³ The resolution had been approved by the Council.⁴ The Chinese Government was grateful to the Advisory Committee and the Council for the support which they had thus given it in its campaign against the drug evil, and he hoped that the Fifth Committee would also support the resolution.

He concluded by stating that the Chinese Government would continue and increase its efforts to attain the object which it had in view — namely, the suppression of the use of opium and other harmful drugs throughout Chinese territory. It would not fail to keep the League of Nations informed of the development of the situation.

M. LEVILLIER (Argentine Republic) observed that the Argentine Republic neither produced, manufactured, nor consumed drugs, but was interested in the question on humanitarian grounds. That was proved by its having collaborated with the Advisory Committee since the Argentine became a Member of the League of Nations.

He was in favour of limiting the production of raw materials. The representatives of three large producing countries on the Advisory Committee — China, Iran and Turkey — had declared their readiness to consider the calling of a conference for limiting the cultivation of the poppy. He hoped that the Fifth Committee would support the Advisory Committee in that matter. The work of the League in connection with narcotic drugs would not have reached its logical culmination until production corresponded with the exact requirements of normal world consumption. He did not underestimate the difficulties of the task, but was glad that circumstances had become even more favourable to the limitation of opium-poppy cultivation than those mentioned in the Advisory Committee's report for 1934. The difficult situation of the opium market had not improved, but might even be said to have become worse. There were possibilities in the progressive execution of the programme for the limitation of Chinese manufacture. India had reduced the area cultivated and was no longer an exporting country. Most of China's output was consumed at home.

In order to assist the work of the Advisory Committee, M. Levillier considered that the Fifth Committee should support the appeal to the Governments of the producing countries to furnish the information requested if possible before January 31st, 1937. The Fifth Committee might also recommend the Assembly to draw the Governments' attention to the desirability of facilitating in that way the preparatory work of the Advisory Committee prior to the meeting of the Conference.

As a delegate of an American State, M. Levillier could not refer to the problems of the limitation of raw materials without mentioning the question of the coca-leaf. The Advisory Committee had considered it desirable to dissociate the two problems because they had different economic aspects and were fundamentally different. The habit of chewing the coca-leaf was an age-long custom in Bolivia and Peru, which were the producing countries, and it

¹ See *Official Journal*, Special Supplement No. 142, page 37.

² See document C.290.M.176.1936.XI (Ser. L.o.N. P. 1936.XI.17), pages 52 *et seq.*

³ See document C.278.M.168.1936.XI (Ser. L.o.N. P. 1936.XI.10), page 9.

⁴ See *Official Journal*, November 1936, page 1149.

was found in the north-west of the Argentine and in the north of Chile among the few thousands of natives who had not been absorbed by race admixture. Coca was considered so inoffensive in the Argentine that no legislative measures applied to it. The Argentine Republic did not manufacture cocaine, and the quantity of leaf imported from Bolivia, which was less every year, was consumed in the Andine provinces of Jujuy, Salta and Catamarca. Coca was a stimulant which enabled natives to cover long distances, and it would be useless to contemplate its suppression unless a substitute were first found. The use of the leaves, which, when chewed, were not a mere pleasure-giving drug but a sustaining agent, was adapted to the climate and the special circumstances.

The Argentine Republic hoped that the Advisory Committee would take that fact into account, and he suggested as a substitute maté, which had the same stimulating effect as the coca-leaf and was not open to objection. By encouraging the use of that substitute, it would be possible to avoid the social and economic difficulties that arose through depriving races of a product to which they had been accustomed for centuries, and the consumption of which had to be reduced for the sake of the nation's health.

Mme. KOLLONTAI (Union of Soviet Socialist Republics) had pleasure in stating that the Soviet Union had acceded to the 1931 Convention, and assured the Committee that the Union would collaborate still more closely than in the past with all the signatory Powers.

Passing to the problem of the strict limitation of opium and other harmful drugs to medical and scientific needs, the representative of the Soviet Union observed that her Government was guided in that matter by the two following principles : the limitation of production of all raw materials (opium, coca-leaf, Indian hemp) and not merely manufactured drugs, and the institution of a State monopoly for the production of raw materials and the manufacture and distribution of all drugs. Those two principles had been expressed at the 1930 and 1931 Conferences, but only the second had been accepted in the form of a recommendation.

At the present time, when the Fifth Committee was required to reach a conclusion on the Advisory Committee's decision,¹ approved by the Council, that a conference for the limitation and control of raw opium should be convened as early as possible, the Soviet delegation desired to reaffirm the principles which had guided the Soviet Government in 1930 and 1931. As regarded the institution of a State monopoly, the Government of the Soviet Union was convinced that, so long as Governments did not themselves take direct responsibility for dealing with the final product — namely, raw opium — the problem could not be satisfactorily solved. In that matter, the Government of the Soviet Union based its view on the experience gained in its own territory.

Under the Decree of August 27th, 1926, the monopoly of the opium produced throughout the territory of the Union was in the hands of a single company, which was a State organisation (*Lecklehsyrio*). That company had the exclusive monopoly of purchasing raw opium produced on the territory of the Union, exporting it and supplying the home market.

Further, under the Decree of October 27th, 1934, the Government had taken measures which went further than a monopoly for buying and selling raw opium. Under that Decree, a system of limiting the cultivation of the opium poppy and the manufacture of raw opium had been instituted. That system was based on the following principles : estimates of medical and scientific needs throughout the country ; specification by a central authority of areas for cultivation ; direct limitation of the area cultivated ; and integral supervision of all operations from the cultivation of the opium poppy to the delivery of the final product — namely, raw opium — to the company in whose hands the monopoly of home and foreign trade was placed, and to the factory which transformed it into drugs.

Under the foregoing decrees, the opium poppy intended for medical and scientific purposes might be sown on the territory of the Union only under special licence issued by the local agricultural bodies. Opium-poppy fields cultivated without such licences were destroyed, and the persons who cultivated them were prosecuted. At latest on August 15th of each year, the competent authorities determine the total area to be cultivated the following year and allot that area among the different districts. At present, the narcotic poppy is cultivated only in two autonomous republics, Kirghiz and Kazakstan. Experimental cultivation was undertaken this year for the first time in the territory of Kuibishef.

Since 1934, the opium poppy had only been cultivated by collective farms (*kolkhoses*) situated in the districts mentioned. During the present year, there were in all 276 collective farms which had sown the opium-poppy over 10,050 hectares.

Lastly, in 1932, the area sown was still about 28,000 hectares, but, since 1934, it had not exceeded 10,300 hectares. The latter figure represented only a minute proportion of the total area of the Soviet Union.

It was well known that drugs coming from the Union had never been found in the illicit traffic, and that the seizures of raw opium to which the Government had drawn attention were the consequence of illicit imports. These facts furnished eloquent evidence of the efficiency of the system adopted by the Union.

The Government of the Union of Soviet Socialist Republics fully approved the measures taken to limit the production of raw materials such as raw opium, coca-leaf and Indian hemp. It was ready to support, as in the past, all international efforts for the effective limitation of those products to legitimate world requirements.

¹ See document C.278.M.168.1936.XI (Ser. L.o.N. P. 1936.XI.10), page 17.

Mme. MALATERRE-SELLIER (France) stated that the French delegation had followed the recent work of the Advisory Committee with the keenest interest. She was glad that that Committee had adopted a resolution in which it had decided to continue its studies with a view to convening, at as early a date as possible, a conference for the limitation and control of the cultivation of the opium poppy.

France had actively collaborated in the work of the Advisory Committee. At the last session of that Committee, the French delegate had submitted a memorandum in which the principal aspects of the problems of the limitation of opium-poppy growing were examined. The French delegation proposed to submit at a future session of the Advisory Committee a study of the principles which might serve as a basis for a convention followed by a plan for the application of that principle.

The preparation of that study had greatly strengthened the faith of the French delegation in the possibility of arriving at practical results. Without ignoring any of the difficulties, she, like the previous speakers, was convinced that the present circumstances were favourable. The Convention for limiting the Manufacture and regulating the Distribution of Drugs, signed at Geneva on July 31st, 1931, had created a precedent of great importance in the international, political and economic fields. It was the first attempt at planned economy covering an entire industrial and commercial process which extended from the raw material to the consumption of the manufactured product. That attempt had succeeded, and it was now necessary to make a further move. For that reason, the French delegation supported the wish expressed by various delegations that the Fifth Committee should adopt a resolution emphasising the keen interest which it took in the work undertaken by the Advisory Committee and the possible setting-up of a preparatory committee to frame the new convention.

Mme. STARHEMBERG (Austria) referred to the importance of the Convention of 1936 for the suppression of the illicit traffic in dangerous drugs, and drew attention to certain points in that connection. She observed that the Convention had been concluded after laborious preparatory work, and that its subject-matter had received most careful consideration, not only from eminent jurists, but also from experts. It therefore represented the result of continuous study of every aspect of the question, and as such should receive the most favourable consideration by all States, with a view to its ratification and application. The present Committee, in reporting to the Assembly, should urge the importance of ratification and application of the Convention by all States without delay. To be effective, the Convention would have to be universally applied. The Conference which had adopted the Convention had been attended by delegates from forty countries and observers from two other countries. Moreover, if the Convention was to crown the work of the other three Conventions — those of 1912, 1925 and 1931 — which had all received more than fifty ratifications (in the case of the Limitation Convention, it was sixty ratifications) it must be at least as generally applied.

The result of the earlier Conventions was to institute very strict and effective control of the legitimate manufacture of and trade in dangerous drugs. The Convention of 1936, however, was directed against the illicit traffic, and thus dealt with a matter of criminal law; and if the earlier Conventions were to prove thoroughly effective, it could only be by the simultaneous, worldwide application of all four Conventions.

Further, if the situation of clandestine manufacture were duly taken into account, it would be found that collaboration between the penal administrations of all Governments was the only possible means of dealing with the problem effectively.

Without discussing the Convention in detail, Mme. Starhemberg desired to draw attention to three of its features, which would reinforce the action already being taken against illicit traffickers. Those features were, first, the principle of severe penalties for all acts of illicit traffic; secondly, international co-operation, to prevent offenders escaping prosecution and punishment merely on technical grounds, such as non-recognition by some States of the extradition of nationals; and, thirdly, international administrative arrangements among all countries to facilitate the application of the Convention and the prosecution and punishment of offenders.

In conclusion, she would request the Committee to recommend the Assembly to urge on all Governments the importance of the immediate ratification and application of the Convention in question.

M. FRYLING (Poland) observed that, in spite of the strict regulation of manufacture, the illicit traffic did not diminish in volume, and that, instead of obtaining its supplies, as formerly, in authorised factories, it now obtained them by means of clandestine manufacture. As had been pointed out by the Polish representative on the Advisory Committee, police action alone was insufficient to deal with clandestine manufacture. The Advisory Committee would also have to attack with vigour the demand for drugs, which gave rise to the illicit traffic, and which was largely due to drug addiction.

In those circumstances, one of the important duties of the Fifth Committee was to combat addiction to drugs. The Advisory Committee would have to maintain the question on its agenda and give attention to all possible new developments in that field.

Propaganda against drug addiction among the young, which had been contemplated as a means of overcoming the evil, was attended with great danger if carried on in European countries, where young people were largely ignorant of the effects of harmful drugs, and might be further interested in those effects if direct propaganda were made among them.

Turning to the limitation of raw materials, and in particular the opium-poppy, the Polish representative stated that his country remained favourable to limitation, which would diminish the drug danger. A very clear distinction should be made, however, between the poppy cultivated for its opium and the poppy cultivated for such agricultural purposes as the production of oil, seeds and similar purposes. The majority of European countries, including Poland, cultivated the poppy for purely agricultural objects, and the climatic conditions of the country prevented the extraction of opium in the way in which that was done in the East or in south European countries. The Polish representative drew the attention of the Fifth Committee and the Secretariat to that fact in order that the preparatory work for the Limitation Conference should clearly distinguish between the cultivation of the poppy for the production of opium, and the cultivation of the poppy for exclusively agricultural objects, as the latter form of cultivation ought in no way to be limited.

Miss GRAVES (United Kingdom) considered that the Committee had now reached what might be termed the second stage of its work. The increasingly effective supervision of the legitimate manufacture of narcotic drugs had driven the illicit traffic underground and into regions where the raw material was easily obtainable and efficient control over the traffic very difficult. They had now reached the stage of facing the problem of the limitation of production. She had heard with great interest the remarks of M. de Vasconcellos regarding the best means of obtaining a convention for the regulation of the production of raw material, and, on behalf of His Majesty's Government in the United Kingdom, she urged that serious consideration should be given to the proposals of the Portuguese delegate for a programme of work in connection with preparatory conferences.

The limitation of production was closely linked with the economic factor. Turkey, Iran and China, the countries which were chiefly concerned with the production of the opium poppy and its place in the economic life of their peoples, had agreed, in principle, to examine the grounds for an international conference to draw up a convention for the regulation of production.

As regards the cultivation and harvesting of the coca-leaf, there were difficulties which did not arise to the same degree in regard to the regulation of the cultivation of the opium poppy. His Majesty's Government, therefore, strongly supported the practical suggestion that, while the collection and collation of information concerning the coca-leaf should be carried on, work should be immediately started with a view to the summoning of the conference to which the Portuguese delegate had referred, and the purpose of which would be the drawing up of a convention for the regulation of the production of the opium poppy.

Miss Graves further stated that His Majesty's Government would support China in her efforts to deal with the evil of opium. She reminded the Committee that in that connection it had, in 1935, been decided to apply to British subjects in China the penalties provided in the United Kingdom under the Dangerous Drugs Act. Provisions to that effect would be included in a forthcoming Order-in-Council. It might, however, be observed that offences against the narcotics regulations by British subjects in China were extremely rare. The question of the application of penalties to persons enjoying extra-territorial rights was dealt with in the Convention of 1936, to which reference had been made by the Austrian delegate. All countries which signed and ratified that Convention would be under an obligation to apply in extra-territorial countries penalties as severe as those in force in the home country. She agreed with the Austrian delegate as to the desirability of general ratification of that Convention.

M. TAHIR (Turkey) expressed his pleasure at the great efforts made to organise the campaign against the drug traffic throughout the world. He paid a tribute to the work of the Opium Section of the Secretariat and said that his country had followed with interest the proceedings of the Advisory Committee's Sub-Committee on Seizures and of the International Conference for the Suppression of the Illicit Traffic in Dangerous Drugs. Those various bodies and that Conference, through the thoroughness with which they had discussed the subject, had fully justified within their respective spheres the hope placed in their work by public opinion.

A keen interest was taken by the Turkish Government in the campaign against drugs. He need not refer to the action which that Government had taken to regulate the cultivation of and trade in the opium-poppy and the effective measures that had been taken against international traffickers and smugglers; they had been described in detail in the various committees and conferences. He merely wished to state that, in his Government's view, the first step would be to invite the non-producing countries which had for some time evinced a growing tendency to introduce the cultivation of the poppy on their territory to give up that useless and precarious experiment. In the view of the Turkish delegation, the line to be taken, if effective results were desired, would be, in the first place, to limit the number of producers, and subsequently to deal with the limitation of production.

The Turkish delegate was entirely in agreement with the view of the Rapporteur, who at the previous meeting had laid emphasis on the favourable influence which the controlled limitation of raw material, and particularly the poppy, would undoubtedly have on the general situation. But if a sacrifice had to be made by the producing countries for the general welfare, a sacrifice must similarly be made by those which were needlessly entering upon a new and totally useless experiment. The Fifth Committee would be wise if it

recommended that States which were not in the category of producing countries should prohibit the cultivation of the poppy on their territory. Such a measure would prepare the way for limitation and control of the cultivation of the opium poppy.

As regarded the 1936 Convention for the Suppression of the Illicit Traffic in Dangerous Drugs, the Turkish delegate observed that that Convention was at present being carefully studied by his Government, and that an early decision was to be looked for by which Turkey would be able to define her position with regard to that diplomatic instrument.

Mlle. VACARESCO (Roumania) remarked that the opium poppy was not cultivated in Roumania, but that her Government associated itself with the whole work of the League in connection with the drug campaign. The Roumanian delegation entirely agreed with the account given by the representative of Portugal, and also with the ideas expressed by the delegation of the United Kingdom, and hoped that the conference for the limitation of the production of raw materials used in the manufacture of drugs would meet at the earliest possible date.

M. TSIEN Tai (China) thanked the United Kingdom delegation for the assistance which the United Kingdom proposed to accord to his country in its campaign against opium. He congratulated M. de Vasconcellos on his clear statement on the preparation of the conference for the limitation of the production of raw materials, and stated that China would support that initiative, which was one desired by his Government.

With regard to the figures for the production of opium in China mentioned by M. de Vasconcellos, it would appear that the figures were those supplied by the United States delegation to the Advisory Committee, and had not been accepted by the Chinese delegation. The Chinese representative had informed the Advisory Committee of the reasons why he had to make reservations in regard to those figures,¹ and there was thus no need to repeat them. At the same time, the Chinese delegation expressed reservations with regard to the figures for the production of opium in China quoted by M. de Vasconcellos.

M. BENAVIDES (Uruguay) observed that drugs were neither produced nor manufactured in his country, which none the less was keenly interested in the work of the Fifth Committee and the Advisory Committee, since the illicit traffic in drugs was a great danger for all countries.

At the last Pan-American Conference, Uruguay had proposed to limit the production of drugs to medical and scientific requirements, and their proposal had been accepted by the Conference. The opium-poppy would never be cultivated in Uruguay unless there was a lack of raw materials for legitimate drug requirements, which appeared unlikely. The Government of Uruguay would therefore study with the greatest attention the proposal which would be submitted at the conclusion of the session.

M. DE VASCONCELLOS (Portugal) thanked the delegates who had approved his suggestions.

In reply to the Argentine representative, he observed that it was on his own proposal that the Advisory Committee had separated the question of the coca-leaf from that of the opium poppy, for the twofold reason that it was impossible to limit the production of the coca-leaf, since coca grew wild in certain countries, and that the practice of chewing the coca-leaf was a necessity in certain regions, a necessity which had to be recognised.

In reply to the Chinese representative, M. de Vasconcellos admitted that the figures which he had quoted were partly based on the enquiry made by the United States, but the Chinese delegation had not furnished satisfactory proof of the inaccuracy of the figures. The Chinese delegation had merely said that the Chinese Government was making great efforts to reduce production — efforts which the speaker was glad to acknowledge — and had made a reservation.

FOURTH MEETING.

Held on Wednesday, September 30th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

6. Report of the International Relief Union²: Placing of the Question on the Agenda of the Fifth Committee.

The CHAIRMAN informed the Committee that, on the proposal of the delegation of Venezuela, the Assembly had decided to refer to the Fifth Committee the report of the International Relief Union on the activities of the Executive Committee from January 1st to December 31st, 1935.

The Committee decided to place the examination of the International Relief Union's report on its agenda.

¹ See document C.290.M.176.1936.XI (Ser. L.o.N. P. 1936.XI.17), page 72.

² Document A.26.1936.XII (Ser. L.o.N. P. 1936.XII.B.9).

7. Traffic in Women and Children : General Discussion.

Mme. ČIURLIONIS (Lithuania), Rapporteur, submitted as a basis for discussion an *aide-mémoire* giving an account of the work of the League in regard to the question of traffic in women and children since the 1935 Assembly.

She drew the Committee's attention to the necessity of increasing the efforts made for the suppression of the traffic in women and children. The three factors which should be co-ordinated for that purpose were : the initiative of the League of Nations, the awakening of the interest of Governments, and the development of the social conscience of the public.

The results obtained during fifteen years in the social field through the international collaboration established by the League of Nations furnished the best propaganda for the ideas of the League, and should be sufficient to convince the most pessimistic of the immense value of the work already achieved by the League in that field. At the same time, a feeling of apathy, not to say a lack of interest, in social questions had been noticeable for some years. No one who examined the League's work in regard to the traffic in women and children could fail to be struck by the lack of liaison between the Governments and the League of Nations. A large number of Governments had not sent in their annual reports on the traffic in women and children or on obscene publications. She earnestly hoped that the delegates would urge upon their Governments the desirability of forwarding the annual reports regularly, as they were essential to enable the Secretariat to keep information up to date and for the sake of international liaison, which was gratifying and also provided a stimulus.

With regard to the work of prevention, the Rapporteur noted that there were various organisations, such as the boy scout movement, in several countries, which encouraged activities among young people based on sound and liberal principles, which protected them from unhealthy influences.

The Committee's action should not be confined to combating the traffic in women and children, but should also include measures of hygiene and the rehabilitation of prostitutes, while attention should also be given to the education of the public with a view to helping those who were fighting the evil. Many people were resigned to the present state of affairs, because public opinion was not sufficiently informed. There was much to be done by the Committee in that field. It happened not infrequently that Government officials had not specialised in questions relating to the traffic in women which fell within their administrative competence. Individual action by members of the Fifth Committee was called for. They would have to direct the attention of their respective Governments to the necessity of rehabilitation homes, female social workers, women police, etc. Individual initiative, ideals and self-denial, even to the point of self-sacrifice, were essential for carrying out that social work.

As an illustration of what might be done, the Rapporteur referred to the *Maison des Mères* at Lyons, which was an admirable institution conforming with the strictest requirements of hygiene, based on a knowledge of psychology, guided by the most humanitarian sentiments, and directed by highly competent persons. That institution, due to the initiative of M. Herriot, Mayor of Lyons, might furnish a useful example for other countries.

At the same time, it was not enough that the delegates should only deal with their own countries. It was not enough, after cries of distress had come from distant countries, for the members of the Committee to go on quietly with their business. She referred to the situation of women of Russian origin in the Far East. In 1935, there had been mention of the necessity for an agent of the League in the Far East to study the question on the spot, and it was considered preferable that that agent should be a woman. But for reasons of economy the Fourth Committee had not authorised credits, and the matter had been handed over to voluntary organisations, which found it extremely difficult to raise the necessary funds. The question now came before the Committee once again. The Secretariat had compiled a dossier on the subject, but it would be unfortunate if the matter were left there. She had heard that the Nansen Office would take the matter in hand. The Acting Chairman of the Governing Body of the Nansen Office had asked for a credit of 15,000 francs to enable a mission to be sent to China and Manchukuo to investigate the refugee problem. She suggested that the information compiled by the Secretariat on the situation of women of Russian origin in the Far East should be transmitted to that mission, and hoped that the question of those women would be fully discussed in the Sixth Committee when the whole problem of refugee was considered.

A step forward in the campaign against the traffic and the co-ordination of the work of the authorities in the East would be made in 1937 at the Conference of Central Authorities in Eastern Countries which was to meet at Bandoeng in Java. That Conference appeared likely to be of the greatest utility, and it was therefore hoped that the Assembly would not refuse the necessary credits. The Fifth Committee could only thank the Governments which had announced their intention to take part in the Conference and sincerely wish it every success. She urged delegates who had special knowledge of the question or who had taken part in the work of abolishing the regulation of prostitution to communicate at the same time information on the measures taken for the improvement of public health.

In conclusion, the Rapporteur appealed to members of the Committee to endeavour to revive interest in the question of the traffic in women, so that the work undertaken should not remain at a standstill.

Mme. SAYAH (Iran) said that a new and progressive Government had assumed power in Iran in 1924. The reason why the Conventions for the Suppression of the Traffic in Women and Children and for the Suppression of the Circulation of and the Traffic in Obscene Publications had not been ratified until 1932 and 1933 respectively was that neither of those

problems was of any material significance in Iran. She wished to make it clear, however, that Iran was an abolitionist country, and that licensed houses were prohibited by law. There were no special laws dealing with prostitution, for that problem had only existed in the days when women still wore the veil and were, generally speaking, unable to find employment. Since January 1936, women in Iran had been free, and enjoyed full equality in the matter of employment. It was certain that that indirect method would be far more effective in abolishing prostitution than any specific legislation. The Government had, moreover, taken measures for helping women to find employment, and a number of vocational institutes had been set up by the Ministry of Public Instruction.

Mme. Sayah regretted that funds should be lacking to deal with the problem of women of Russian origin in the Far East. It was inconceivable to her that the Committee should not be able to send a single person to study the problem of the traffic in women in the Far East on the spot. At the same time, if that was the situation, the problem might be treated in a different manner. At Shanghai, there were emigration organisations which worked efficiently. The Committee might apply to those organisations for the information required on the question of women of Russian origin, and might later ask them to take effective steps to remedy the position of those women.

In that connection, Mme. Sayah pointed out that moral propaganda was not sufficient to combat prostitution; financial resources were required. Prostitution was a purely economic and social problem. If prostitution was spreading among women of Russian origin in the Far East, the reason was that the circumstances in which those women lived were deplorable. They belonged, in the main, to intellectual *milieux*, and if they engaged in prostitution it was because they had no other means of existence. In those circumstances, it was idle to collect information and set up committees if the Fifth Committee had no funds. Committees and reports were useless; what was required was to find work for those unfortunate women. That was the primary duty of the Fifth Committee, and she regretted that she had not seen any concrete proposal in the matter.

Mme. Sayah stated that Russian women refugees were also living in large numbers in Iran. No prostitution existed among them, however, for they had all been able to find regular employment. Unemployment was, in fact, non-existent in Iran at the present time.

Mme. DE CASTRO E ALMEIDA (Portugal) stated that the Portuguese Government proposed the gradual abolition of licensed houses. She pointed out that the abolition of regulated prostitution could not be carried out in every country in the same way, and the same methods should not be employed by nations whose mentality and culture were different. In Portugal, action should, in the first place, be taken with respect to men. In all ranks of society the devotion of men to their wives and mothers was almost religious in character, but that respect did not extend to women in general, and was entirely absent in regard to fallen women. The result was that women fell rapidly into prostitution. In those circumstances, it was desirable that efforts should be made primarily to change the mental outlook of men. She was convinced that the solution would be found within the framework of the corporative State. In Portugal, licensed houses had not yet been abolished, but their abolition was under consideration. Meanwhile, there existed several institutions for the rehabilitation of prostitutes which had given good results as regards both health and morals. Admittedly, those institutions were merely a palliative, but the prostitution problem would eventually be solved by slow but sure action.

Miss GRAVES (United Kingdom) considered, with regard to the reorganisation recently decided upon by the Council, whereby the Traffic in Women and Children Committee was to be merged into the Advisory Committee on Social Questions, that its effect would be to widen the interest taken by public opinion in the fight against the traffic. She suggested that it would be useful if the Advisory Committee on Social Questions would reserve a special place on its agenda for the problem of the traffic in women and children, which was specifically mentioned in Article 23 (c) of the Covenant.

The United Kingdom Government considered that the enquiry which had been conducted on the subject of the rehabilitation of adult prostitutes had been most useful. In that connection, she reminded the delegate of Iran that the report on rehabilitation which the Committee was considering would contain suggestions as to the forms of assistance to be given to prostitutes under the schemes of rehabilitation. The preliminary report emphasised the value of social services at centres for the treatment of venereal diseases.

In the United Kingdom, that system was already being tried. It had, however, been found that the older women accepted social services more readily when undergoing treatment in a public assistance institution than when they attended the ordinary hospital clinics as out-patients.

It was very satisfactory to learn of the good progress being made in the ratification of the Conventions for the Suppression of the Traffic in Women and the Traffic in Obscene Publications. His Majesty's Government in the United Kingdom had ratified those Conventions; but, in connection with the Convention of 1933 for the Suppression of the Traffic in Women of Full Age, she desired to state that her Government was in entire sympathy with the objects of the Convention, and the delay in ratifying it had been due solely to technical difficulties arising from domestic legislation. British law in practice provided adequate penalties for persons who engaged in traffic in women and children, but it was arguable that, in form, it did not cover the whole ground covered by the Convention, though it was effective

for practical purposes. It might thus be necessary to consider an extension of the existing law, and the question was under active consideration.

With regard to the draft Convention for the Suppression of the Exploitation of Prostitutes, the Council had submitted the drafts to Governments, and the observations of His Majesty's Government in the United Kingdom would be forwarded in due course. She would, however, like to remind the Committee that for many years the Traffic in Women and Children Committee had affirmed that the licensed-house system favoured traffic in women. At the instance of countries desiring to examine the possibility of abolishing licensed houses, the Committee had prepared special reports indicating measures to safeguard public health. It had also made a survey of the conditions in certain areas after the abolition of licensed houses. Her Government always maintained that an important factor conducive to traffic in women was to be found in the system of licensed houses, and it strongly urged that the object to be sought was their abolition.

The Government of the United Kingdom was not being directly represented at the Conference of Central Authorities in Eastern Countries, but would be represented through the Colonial Governments of Hong-Kong and Malaya. The Government considered that the agenda of the Conference corresponded to the aims which the experts had in view. It was a matter of satisfaction that the question of women of Russian origin in the East was included in the agenda. In conclusion, Miss Graves suggested that the Committee should ask the Assembly to send a message to the Conference expressing keen interest in its work and the hope that closer co-operation and good results might follow that work.

Mlle. HESSELGREN (Sweden) thanked the Rapporteur and agreed with the delegate of Iran that it was useless to open an enquiry and that what was wanted was work of a practical nature. That was why the appointment of a woman agent of the League in the Far East had been proposed in 1935. Excellent results had been obtained in another part of the world by a woman agent with modest funds at her disposal, but having the moral support of the League in her work. There were several philanthropic organisations in the Far East, but their action was too widely scattered and a liaison agent was necessary to ensure the co-ordination necessary in such a vast territory. Mlle. Hesselgren was glad to note that the report of the Nansen Office for 1936¹ reverted to the idea in another form by asking that two persons should be sent to study the refugee problem in the Far East. She emphasised that one of these persons should be a woman capable of acting as agent in the way defined in 1935.

As for the remark in the report that preventive work should be continued, particularly with regard to the protection of minors, it should be noted that, about three years previously, Sweden had adopted a law authorising Child Welfare Councils to protect their wards up to the age of 21 and even 23. The beneficial results of that law had already been felt. It was between 18 and 19 that young girls ran the greatest risk in Sweden. These Child Welfare Councils did not treat the young girls as adults; they made them learn a trade, etc. Many young girls were rescued by those means.

Mme. MALATERRE-SELLIER (France) associated herself with the congratulations previously addressed to the Rapporteur. She recalled that Dr. Cavaillon had pointed out the interest felt in France in the problem of the rehabilitation of adult prostitutes, when in the course of the statement he had made before the Traffic in Women and Children Committee he had explained the measures adopted in his country.² He had, besides, in a draft resolution, stressed the importance in that connection of social welfare services, and particularly of a specialised service for the campaign against venereal disease. The French delegation attached great importance to that point.

Mme. Malaterre-Sellier particularly wished to draw the attention of the Committee to a point which had already formed the subject of a communication in the annual report — namely, the recent experiment made in Paris of appointing women police, more commonly referred to as *assistantes de police*. That appointment was not entirely new, for certain provincial towns had already made the experiment on a smaller scale, particularly Nancy, Lyons, Strasburg and Grenoble. The difference between those experiments, the oldest of which went back four years, and the experiment carried out in Paris, was that the *assistantes de police* had until then possessed no real police powers. Moreover, in certain towns, they were called health inspectors, although their work consisted in protecting children and prostitutes.

In Paris, the women police had genuine police powers. By a Decree of April 8th, 1935, two policewomen were appointed as an experiment. The experiment seemed to have succeeded, for on December 31st, 1935, the Conseil Municipal had decided to raise that number to twenty. Policewomen had to have a diploma in social questions, for it was thought necessary that they should have definite qualifications in social questions. The policewomen's office was at the Prefecture of Police. That arrangement had seemed very important, for it gave the policewomen the necessary authority and established constant contact between them and the Prefecture. They wore a uniform, and experience had proved that that had been useful to them on numerous occasions when they had gained the spontaneous goodwill

¹ See document A.27.1936.XII (Series L.o.N. P. 1936.XII.B.7), page 11.

² See document C.204.M.127.1936.IV (Series L.o.N. P. 1936.IV.3), pages 5 *et seq.*

of the public. They were responsible for the supervision of the streets and, in particular, for the protection of girls under age. They supervised, in particular, the approaches to stations, schools, employment agencies, squares and public gardens. Police superintendents used them for enquiries of a delicate nature, and preferred to rely on them when families had to be approached. They were in constant touch with public and private organisations dealing with children, prostitution or immorality; they promoted the rehabilitation of women who had been driven to prostitution through poverty; and they also dealt with the repatriation of young girls coming from the provinces or from abroad.

The fact that the experiment first undertaken with two policewomen in Paris was now carried on with twenty policewomen would seem to warrant the highest hopes. Such was the opinion of many provincial municipalities which were examining the possibilities of establishing a system of policewomen. France had profited from the experience of other countries in the introduction of her policewomen, and her representative had merely wished to demonstrate the benefits of the system to countries which had not yet adopted it.

Mme. STARHEMBERG (Austria) was glad to note that the progress of international legislation had not been hampered by the various difficulties with which States were faced. It was clear that the social conscience of most States was wide awake and that they did not want to be left in the wake of progress.

Austria was a party to the instruments of 1904 and 1910, which had preceded the League, and had ratified the 1921 and 1933 Conventions, while it was one of the seventeen countries which had ratified the 1933 Convention for the suppression of traffic in women of full age.

Austria was following with very great interest the developments taking place with the object of concluding an international convention for the suppression of the exploitation of prostitutes. Without prejudicing the official attitude of her Government, she desired to state that it was in full sympathy with the aims of the new instrument. Licensed houses had been abolished in Austria, so that the problem of the existence of keepers of licensed houses did not arise in her country.

With regard to the rehabilitation of prostitutes, she noted that little was being done in many countries in that direction, and there seemed to be no unanimity among social workers with regard to rehabilitation, the best methods of effecting it, and the possibility of success. It appeared to be proved, however, that attempts at rehabilitation on the occasion of treatment for venereal disease appeared to be unexpectedly successful. Nearly all the countries with experience in that field which had reported to the League had been able to announce successes. That was a gratifying result in view of the regrettable cynicism sometimes shown regarding the possibility of rehabilitation of prostitutes. She noted with satisfaction the resolution proposed by the French delegation at the last session of the Traffic in Women and Children Committee, drawing attention to the important results obtained as regards the rehabilitation of prostitutes by the institution of social service, and, in particular, social service specialising in the campaign against the danger of venereal infection, and recommending that the attention of health authorities should be drawn to the question, and that the institution or extension of that service should be contemplated.¹ Similar efforts in Austria had been attended by gratifying results.

Mme. Starhemberg referred to the importance of enquiries into the antecedents of prostitutes, which had not only brought to light facts already quite well known, but had also given prominence to other less obvious elements. It was shown that nearly one-third of the prostitutes whose history had been investigated had started work, or had worked, at some time of their lives as domestic servants, while a fair percentage were factory-hands, shop-girls, dressmakers or waitresses.

Another interesting fact on which light had been thrown was that illegitimacy, which in the nineteenth century played such a large part in influencing women to become prostitutes, was now an almost negligible factor. On the other hand, the report found that the fact of having had an illegitimate child appeared to be still a very important element in the complex of motives and reasons leading women to a life of prostitution. The final conclusion of the study might be expected to have considerable practical influence on the work carried on in the various countries in that connection.

Mme. Starhemberg proceeded to refer to the importance of the Conference of Central Authorities in Eastern Countries. Austria was not directly concerned with the Conference, but it was the right and duty of every country to interest itself in developments in any part of the world. She expressed satisfaction that the preparations for the Conference were progressing favourably, and that all the countries whose participation was important had declared their readiness to take part.

It was a matter for satisfaction that, within the last few years, traffic in women and children in the strict sense had diminished in Europe itself, and that the well-known trend of the traffic from Eastern Europe to South America had been reduced to a small percentage of its former proportions, thanks to the increasing collaboration of the European and American authorities. The situation was less satisfactory as regarded the Pacific region, however, and it was hoped that the League's efforts would reduce the traffic in that part of the world. If the Conference succeeded in remedying the present state of affairs, even though only partially, the League would have rendered good service to countries far removed from its headquarters and from the bulk of its activities.

Sir V. T. Krishnama CHARI (India) said that, when the question of the proposed Conference of Central Authorities in Eastern Countries had first been raised, the Government

¹ See document C.204.M.127.1936.IV (Ser. L.o.N. P. 1936.IV.3), page 7.

of India had stated that, as the main interest of the Conference would be the problem of the international traffic which did not concern India, they felt that no advantage would be gained by India being represented at the Conference. That reason still held good; but, in view of the desire which had been expressed in the Advisory Committee and elsewhere, the Government of India had agreed to be represented. Their delegate would probably be an Indian lady with special knowledge of the subject.

The Government of India hoped that the Conference would lead to the adoption by the Governments concerned of measures for the effective suppression of the evil.

Mme. ADAMOWICZ (Poland) stated that her Government attached great importance to the study of the problem of prevention as well as to the institution of an enquiry into the protection of minors. The majority of girls who entered a life of prostitution were driven to it by poverty, and, if they had been helped in time, many of them might have been saved from it.

It was useful to watch the conduct of girl minors in the cinema, in dancing-halls and in public parks, and to give warning to them if necessary. Another possible source of prostitution was street trading by women. It was also of importance to ensure that girl minors, arrested by the police should not be kept in custody at a police-station, but in special rooms for the purpose, so as to avoid their coming into contact with the lowest classes of society. If the campaign against corruption was to succeed, it should be entrusted to the women police, in view of the excellent results obtained by them in many countries, including Poland. Women police had now existed in Poland for ten years, and their number was about two hundred.

Attention should also be given to the vocational and social training of young people, on account of unemployment and its effect on morals, and also the vocational and social re-education of those who had already fallen into evil ways.

Mme. Adamowicz hoped that the enquiry in question would ensure the continuity of the League's work for the rehabilitation of prostitutes, and that, with the collaboration of experts, jurists, doctors, teachers and sociologists, it would enable new and successful methods of prevention and rehabilitation to be adopted.

Countess APPONYI (Hungary) pointed out, in connection with the despatch of two agents to the Far East, that their object would be, not to study the refugee question, but to assist those who were leading a life of prostitution. The despatch of the agents, one of which should certainly be a woman, should not entail great expense. Their work would consist in co-ordinating the efforts of the institutions already in existence, and it should not be difficult for someone familiar with conditions in those countries to do valuable work. She hoped that, if the question were to be dealt with by the Nansen Office, the Fifth Committee would be kept informed of what was being done.

While it was interesting to have information regarding action for the rehabilitation of prostitutes, preventive measures were even more important. In that connection, the Swedish Act enabling Child Welfare Councils to supervise girls up to the age of 21, and even 23, should result in a considerable decrease in the number of prostitutes.

Countess Apponyi concluded by emphasising the importance of obtaining the annual reports of Governments more punctually.

M. RUTGERS (Netherlands) remarked that, with regard to the reorganisation of the various committees into one committee for social work, the subject had been discussed in the Second Committee,¹ and the Assembly had approved its report. The proposal appeared to be that the new Advisory Committee on Social Questions should consist of representatives of Governments and assessors appointed either for a limited period or for dealing with a specified subject — in other words, there would be two categories of assessors, general and special. Since the adoption of that report, the Advisory Committee on Child Welfare had reported on the position of assessors in a different manner, proposing that assessors should be appointed for special questions and should not be members of the Committee.² He considered that those two interpretations of assessors were not consistent, and he feared that the part played hitherto by assessors representing welfare associations would be diminished. Possibly he had misinterpreted the position, but for his part he hoped that the co-operation of special assessors would remain the same as it had hitherto been, as the work of the Committee would otherwise be adversely affected.

The Netherlands Government was extremely pleased that its suggestion for the holding of the 1937 Conference at Bandoeng, in Java, had been accepted.

M. BENAVIDES (Uruguay) stated, with regard to the draft Convention for suppressing the Exploitation of Prostitution, which was based on the principle of the abolition of licensed houses, that the delegation of Uruguay had supported the Convention because it was his Government's intention to abolish licensed houses as soon as possible. In Uruguay, a return had been made to the system because the health services of the country were not sufficiently developed, particularly with regard to venereal disease. A draft law for the abolition of licensed houses was being examined, however, and Uruguay might be expected to abolish such houses once more before long.

¹ See *Official Journal*, Special Supplement No. 140, *passim*.

² See document C.192.M.121.1936.IV, pages 2 and 3.

FIFTH MEETING.

Held on Friday, October 2nd, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

8. Child Welfare : General Discussion.

M. GAJARDO (Chile), Rapporteur, made the following statement :

“ The Rapporteur considers, in the first place, that the Special Committee appointed to examine the constitution, procedure and practice of Committees of the League of Nations should be thanked for its valuable suggestions in connection with the reorganisation of the Committee on Social Questions. He thinks that the Special Committee's recommendations will be a useful guide to the Committee on Social Questions in its future work.

“ In short, the Advisory Committee on Social Questions should be :

“ (1) A centre of international documentation, in order to facilitate the exchange of experiences, methods and results between Governments and private organisations ;

“ (2) A centre of study which would conduct, direct or simply provoke international or national enquiries on social questions ;

“ (3) A centre of action, to organise co-operation between Governments, prepare conventions, agreements, international conferences, etc., and establish co-operation between private organisations dealing with international social questions.

“ The Rapporteur thinks that this was a very satisfactory outline for the past work of the Committee on Social Questions, and that it might be profitably adopted for the future. He has, however, certain observations to offer on the past work of the Committee and its future activity.

“ The resolution¹ of the Assembly in 1925, by which the Child Welfare Committee was constituted, is extremely short, and is confined merely to directing the Committee's attention to the normal child and to emphasising the constructive side of child welfare, including the limited, though vital, question of protecting the child from adverse influences or wilful exploitation.

“ The Rapporteur considers that, if the work of the Social Questions Committee is to be really effective and useful to the national Governments, it must also reflect and follow the new tendencies of social work in the countries concerned.

“ Obviously, the development of social work, like the evolution of social policy, is not identical in all countries. It presents different stages in different countries ; nevertheless, certain common tendencies may be discerned. At the present time, very few traces are left in the world of the purely eleemosynary work which existed in the last century. Social consciousness and the feeling of social responsibility are developing more and more ; the old methods are being replaced by new ; the development of scientific social work in all countries is rapidly conferring a professional character on social work in general. Preventive action is a factor which is everywhere added to the conception of social work carried out on scientific lines.

“ On considering the salient points of the discussions in the Second Committee, two well-defined tendencies have been observable, which reflect the considerations now chiefly prevailing among Governments. A number of delegates drew attention in their speeches to the close relations existing between social conditions, economic factors and peace in the political sphere. At the same time, many delegates stressed the special attention devoted by their Governments to the rural aspect of the questions discussed in the Second Committee.

“ In view of these facts, the Rapporteur considers that the Committee on Social Questions, in making a choice among the new questions to be studied, should direct its attention to those problems which have roused such general interest.

“ In 1935, the Fifth Committee drew the attention of the Advisory Committee on Social Questions to the importance of considering, in the first place, the normal child,² and it suggested certain directions in which the Committee's work might be developed in order to attain this object :

“ (1) A comparative study of the organisation and conduct of child welfare work, with reference to the competence both of the authorities and of private organisations ;

“ (2) The extension of child welfare work to populations living in other than large urban communities.

¹ See *Official Journal*, Special Supplement No. 33, page 133.

² See *Official Journal*, Special Supplement No. 142, page 75.

“ In view of the great interest displayed by Governments, as reflected in the Second Committee's discussions on the subject, the Rapporteur thinks that point (2) — *i.e.*, the extension of child welfare work among the population living in other than large urban communities — might be a useful point of departure in guiding the Committee's activities towards the problems connected with normal children.

“ The aim of such a study would be to find out to what extent national child welfare legislation is administered differently in the large urban and small rural communities. Everybody connected with child welfare work knows that statutory provisions and the execution of child welfare laws are not always the same in all the administrative divisions of a country. This study would show whether children living in other than large urban communities are at a disadvantage so far as child welfare measures are concerned.

“ It should also endeavour to ascertain whether, in small and large communities, the work of private organisations makes good the shortcomings of the provisions of legislation or local regulations.

“ The Rapporteur thinks that the new Committee on Social Questions might profitably bear this programme in mind when it considers its new task.

• “ As regards the past, there would be some advantage in bringing to a conclusion the study of certain problems which the Child Welfare Committee has been carrying out for several years. As a matter of fact, in social work, problems never disappear entirely ; but when a problem has been studied by an international body like the Committee on Social Questions, it ceases, at all events for a certain time, to have the same international interest, and, pending new developments, it belongs to the category of those which can be dealt with by national administrations.

“ Therefore the Rapporteur can see no real advantage in continuing the study of certain questions over ten or twelve years ; the less so since, if the Committee on Social Questions cannot from time to time bring to a conclusion the study of certain problems, it will be blocking its own work.

“ The Rapporteur would therefore recommend very strongly that the Advisory Committee should review the subjects which have been on its agenda for several years, and should decide whether they can soon be brought to a satisfactory conclusion, or whether, for one reason or another, they should be deferred to a later date. Nevertheless, the Committee should from time to time examine the action which the Governments have taken on its recommendations.

• “ As regards the work of the Committee on Social Questions at its twelfth session,¹ the Rapporteur desires to draw attention to the following points :

“ 1. *Boarding-out of Children in Families.*

“ The study of this question is further advanced than last year. The Rapporteur wishes to emphasise the important part played by small communities in the placing of children in families. The documentation obtained by the Secretariat shows that the methods and practice of administering the laws and regulations in small communities present some special problems. The Rapporteur, in suggesting for the future work of the new Committee on Social Questions a study of child welfare in small communities, was thinking of this type of problem.

“ Apart from the aspects already mentioned, other aspects were brought out, particularly the legal problem of transferring the rights of parents without causing the loss of parental rights. The Rapporteur thinks that the Committee would do valuable work by pursuing the study of the question of the placing of children in families.

“ 2. *Recreational Aspects of the Cinematograph.*

“ The question of the cinematograph has engaged the Committee's attention since 1925. It has been approached from two different angles : the cinematograph as a recreation for young people, and co-operation between the Child Welfare Committee and the International Educational Cinematographic Institute in Rome through a liaison officer.

“ The recreational aspect of the cinema is certainly of the greatest importance from the point of view of the welfare of young people, and deserves closer examination.

“ In view of the educational and social influence which films can exercise on children and adolescents, and of the fact that this influence makes itself felt particularly in the ordinary cinemas, it is absolutely essential that steps should be taken to guide young people in their appreciation of the cinema as a form of art.

• “ The Rapporteur requests the Fifth Committee to express its opinion on the recreational aspect of the cinematograph, as opposed to its educational and social aspects, for children and young people in general. Nevertheless, he thinks that, at this present stage of the enquiry, the Committee can hardly do more than it has done at its previous sessions. He considers that it would be desirable to publish the material of the enquiry and offer such conclusions and observations as could be drawn from that material.

¹ Document C.204.M.127.1936.IV (Ser. L.o.N. P. 1936.IV.3).

“ 3. *General Study of the Problem of the Neglected and Delinquent Child.*

“ The Committee has decided to undertake, in 1937, a general study of the principles underlying the treatment of the neglected and delinquent child, in order to take account of the facts ascertained and the conclusions arrived at by it on special points during previous sessions. This is an indication that it intends to bring the study of this particular subject to a conclusion.

“ This general study will also include Child Welfare Councils and the boarding-out of children in families, so far as they are connected with the treatment of the neglected and delinquent child.

“ It would greatly help the Committee on Social Questions in drawing up its conclusions on the treatment of the neglected and delinquent child if the Fifth Committee would express its opinion on the general principles of the question.

“ 4. *Information Centre.*

“ The Social Questions Section, acting as an Information Centre on child welfare, in accordance with the Assembly's directions and those of the Committee on Social Questions, approved by the Council, has been engaged in collecting documentary material on the national and international organisations dealing with every aspect of child welfare ; it has gone through the annual reports of the Governments and has informed the Committee of their contents ; it has published a list of the official authorities with which it is corresponding in the different countries on all questions relating to children, as well as several inforatory notes. It has replied to the requests for information which it has received.

“ 5. *Problem of Nutrition.*

“ The Rapporteur wishes to express his great appreciation of the Committee's interest in the problem of nutrition. It is not to be denied that the problem of nutrition is one of those which have a great bearing on public health and the economic, agricultural and social development of all nations. He therefore sees with great satisfaction that the Council has approved the Committee's suggestion to have a representative on the Mixed Committee on Nutrition. The Rapporteur thinks that the Committee on Social Questions will be particularly interested in the problem of the distribution of foodstuffs, according to both quality and quantity, among the whole population, as far as children are affected. He thinks that social assistance should be considered from the point of view of allotting foodstuffs to the assisted, particularly as far as children are concerned. Of course, the effectiveness of this form of assistance depends very much on the methods by which it is administered. It appears from the Mixed Committee's report that this form of assistance is already in practice in certain countries, especially for large families and for special groups of children. *It would be worth while for the Committee to make a closer study of these methods and practices from the viewpoint of child welfare.*

“ The Rapporteur thinks that the methods of educating the general public in order to bring the newer knowledge of nutrition within its reach are one of the other questions which are of practical interest to the Committee on Social Questions, since it is of such eminent importance for the development and welfare of children and young people.

“ He would observe that the study of the problems of child welfare in areas other than large urban communities is in many ways connected with the nutritional problem, so that these studies would naturally complete each other.

“ 6. *Family Desertion.*

“ The Committee decided not to place this question on its agenda for the moment, as it is closely bound up with other legal questions.

“ 7. *Ill-treatment of Children.*

“ This question can be considered from different points of view — social assistance, civil law, penal measures — and careful examination must be made to decide what aspects deserve special study. The Committee accordingly decided to place the question on the agenda of one of its future sessions.”

The Rapporteur added that the Advisory Committee on Social Questions, with which the Child Welfare Committee would now be amalgamated as a result of the reorganisation decided upon by the Council, must at the same time be a centre of documentation, study and action. Its studies should take the form of enquiries of national services as well as of Governments, and its activities should consist of proposing international conventions with the object of modifying national laws where necessary in the interests of child welfare.

The Committee must, further, follow the evolution of public opinion regarding child welfare problems, and the development of social activities in various countries, in order to be able to do useful work on the international plane.

In view of the close relationship between social questions on the one hand and questions of hygiene, economics and politics on the other, the Committee should keep in close touch with developments in all those spheres. It must also keep in touch with organisations, both within and outside the League, which dealt with those problems.

Regarding child welfare, a new question had been brought to the attention of the Committee — that of child welfare in country districts. Usually, the most advanced social organisations concentrated especially on child welfare in towns, and children in rural areas were apt to be somewhat neglected. The Committee on Social Questions would have to pay particular attention to them, and study, as had been suggested in the Fifth Committee in 1935, the extension of child welfare work to people living in communities other than large cities.

As for the character of the work to be undertaken, since the Assembly, at its 1935 session, and the Advisory Committee in May 1936, had expressed the opinion that the chief concern of the Committee on Social Questions should be the normal child, that Committee would have to direct its attention more particularly to preventive action.

The Rapporteur emphasised the need of limiting the questions to be studied. In his opinion, it was preferable to take only two or three questions each year and study them thoroughly in order to be able to present well-grounded suggestions likely to bear fruit.

Finally, he touched on the very important problem of child nutrition. Having been appointed to represent the Advisory Committee on the Mixed Committee for Nutrition, he had stated in that Committee that, in their study of nutrition problems, it was necessary to devote particular attention to the nutrition of children and mothers, but he had had some difficulty in getting that idea accepted. However, the Mixed Committee had finally studied the question. It was, therefore, most appropriate that the Fifth Committee should draw the Assembly's attention to the importance of that point, and should suggest in a resolution that the problem of nutrition should also be studied from a social point of view, and therefore from the point of view of the protection of children and mothers.

COUNT CARTON DE WIART (Belgium) observed that the Fifth Committee was faced with a new aspect of child welfare work — namely, the suppression of the traffic in children. The two Committees which had previously dealt with those subjects were now amalgamated into an Advisory Committee on Social Questions. Constituted by a resolution of the 1925 Assembly, the Child Welfare Committee had itself come to the view, after ten years' experience, that the time had arrived for such a reform. The composition of the new Committee was different. Twenty-five Governments were represented on it (instead of nine at first, and afterwards twelve and fifteen), so that its proceedings would acquire increased importance. The members were to be appointed for three years and would be re-eligible. Lastly, the system of representation of international organisations was arranged on different lines. On the two Committees there had been sitting representatives of some twelve international organisations. The arrangement that would be followed in the future was more elastic; the Committee would itself approach the international organisations according to the nature of the questions it proposed to examine and would invite them to send experts to represent them at its proceedings. The experts, however, need not necessarily be representatives of those organisations. Moreover, the Committee might include associate or corresponding members, who would keep the League *au courant* of the reforms carried out in their countries and would disseminate the League's ideas there.

The Rapporteur's statement, in indicating what the work of the new Advisory Committee was to be, adjoined certain considerations, some of which could not be accepted by the Belgian representative without reserve.

Referring to the sixth paragraph, the statement that there were very few traces left in the world of the purely eleemosynary work which had existed in the last century, Count Carton de Wiart observed that fortunately that was not so, and that there were a very large number of eleemosynary institutions, dating from the nineteenth and previous centuries, which were still doing admirable work in assuaging human misery, particularly in the case of morally and materially abandoned women and children.

As regards the next sentence in the Rapporteur's statement, the Belgian delegate emphasised that the charitable activities and general working of social institutions were in course of evolution, and more scientific methods were being adopted. He was particularly alive to the value of schools of social service, as those schools were in a specially flourishing condition in his own country; but he felt that the Committee should not give the impression that initiative in social work and participation therein should be reserved for professional workers and should be a vocation in itself. Social responsibilities devolved upon all. It was the price paid for the benefits that each derived from the social life. As regards children in particular, all people should be held accountable for the future. The wording of the sentence should be slightly more precisely expressed.

Referring to the Advisory Committee's work for its next session, Count Carton de Wiart expressed the great interest he felt in the work of the Information Centre, and stated that he would be glad to see the problem of ill-treated children placed on the programme of work. It was distressing to find that in our would-be advanced civilisation the number of unnatural parents should be on the increase. The Committee might perhaps contemplate the introduction by Governments of stricter penal provisions and the establishment or encouragement of institutions to make good the shortcomings of the families in such cases.

With reference to the financial consequences of the reorganisation of the Advisory Commission, Count Carton de Wiart drew the Fifth Committee's attention to the necessity for providing the new Committee with the means of carrying out its work. The appropriation in the 1936 budget for the two Committees — Traffic in Women and Children and Child Welfare — amounted to 23,850 francs. That credit, instead of being increased in the 1937 budget, as the Committee was entitled to expect, had been reduced, and the appropriation for the Committee on Social Questions was only 21,650 francs. In spite of the observations made by the Fifth Committee, the child welfare budget had been steadily reduced since 1933;

from 30,884 francs in 1933, it had fallen to 27,910 in 1934, to 26,610 in 1935, and to 23,850 in 1936. Yet the 1932 Assembly had adopted a resolution of the Fifth Committee expressing the hope that, since the work done by the Advisory Commission for the Protection and Welfare of Children and Young People was of primary social importance, the importance of the Commission's work should never be overlooked in establishing future League budgets, and that that work should be more liberally encouraged as soon as the financial position permitted, so as to enable the Commission, not merely to continue its activities, but also to enlarge their scope as might be desirable. The progressive reductions in the credits, and especially the reduction in the 1937 budget, would be absolutely inexplicable had not the budget for 1937 been drawn up before the reorganisation of the Advisory Committee had been decided upon. It should be borne in mind, as the representative of France had observed at the Council meeting of September 26th, 1936, that, in future, it would be the Advisory Committee on Social Questions which would co-opt assessors.¹ The cost of remunerating those occasional collaborators or experts would be borne by the League, and credits would accordingly have to be provided to meet them.

Count Carton de Wiart thought that an increase of some 10,000 or 15,000 francs would have to be contemplated, to be devoted more particularly to expenditure of sub-committees and for experts, for which the 1937 budget contained an estimate of 12,500 francs. That was clearly not enough. Moreover, part of the increase would have to be allotted to printing and miscellaneous expenses. If the Fifth Committee proposed an increase, it would be brought up in the Fourth Committee, and Count Carton de Wiart would be glad if the members of the Fifth Committee urged their respective delegations to see that the Advisory Committee on Social Questions was provided with the necessary funds to enable it to bring the work upon which it was engaged to a successful conclusion. The moment was a decisive one. If the adequate credits were not granted, that noble and useful form of the League's activity would languish. He recalled the popularity which had been earned by the League throughout the world, and the spread of its ideas, through the Child Welfare Committee. Thus the Committee's suggestions in regard to children's courts, auxiliary services and family allowances, the fate of natural children, and family desertion, had already led in many countries to the adoption of measures which had brought very real benefit, not to speak of all that had been done to suppress the traffic in women and children.

Lastly, Count Carton de Wiart adduced the evidence of Sir John Simon, who, at the fourteenth Assembly, had stated that it would be a mistake to overlook the humanitarian and social activities which the League carried on under Article 23 of the Covenant. They formed an undercurrent of patient work and progress, and followed their course undeterred by the indifference that so many minds displayed towards them.²

Mr. JORDAN (New Zealand) strongly approved of the idea that the Advisory Committee should be a centre of action and thought that the Fifth Committee should also be one, since the delegates could influence the countries they represented, as the outcome of the exchanges of views which took place and the proposals adopted. In that connection, he urged that the Committee should confine itself to practical proposals.

As regards New Zealand, after being reduced on account of the contraction of credits during the depression, the social services were again making headway, as the new policy encouraged their development. Special attention was being paid to child welfare. After enumerating the measures adopted by the Government with regard to delinquent or abnormal children, the representative of New Zealand emphasised the importance of preventive work.

Child welfare work began with the pre-natal period and continued until the child reached the age of 17. Pre-natal clinics and State maternity homes were within the reach of all. Babies were examined by visiting Plunkett nurses, who looked after both European and Maori children and visited even the most remote districts. School-children received dental care and underwent a regular medical examination, while medical treatment in schools had recently been introduced. Moreover, cocoa and milk were distributed free of charge in the schools at Government expense.

Children in rural districts were by no means neglected. They were looked after in the same manner as town children, and an itinerant dental clinic had been specially established to attend to school-children living in out-of-the-way districts.

Steps had been taken to see that children were properly fed and had fairly comfortable surroundings. The worker's basic wage was fixed at a sum considered sufficient for the needs of a father, mother and three children. Where there were more than three children the payment of family allowances was compulsory. Widowed mothers received a State allowance of £1 a week, plus 10/- for each child until it reached the age of 15, and, in the event of the mother's death, the same allowance was paid to the orphans' guardian. Deserted women received the same allowances as widows.

In order to provide the best possible living conditions for normal abandoned children, etc., recourse was had to the boarding-out system which produced excellent results. The Government inspectors visited the wards and insisted that they should be treated as members of the family.

Lastly, child labour was strictly forbidden by law, even on farms.

The representative of New Zealand said that he had given these particulars simply in order to show that his country had striven to adopt a policy in accordance with the views of

¹ See *Official Journal*, November 1936, page 1174.

² See *Official Journal*, Special Supplement No. 115, page 39.

the Child Welfare Committee. He added that his Government was prepared to carry out any practical suggestions which might be made in future by the Advisory Committee.

M. LEYILLIER (Argentine Republic) said that the Argentine Government had decided to ratify the Convention of September 30th, 1921, for the Suppression of the Traffic in Women and Children, and the Convention of September 12th, 1923, for the Suppression of the Circulation of and Traffic in Obscene Publications. The Argentine was happy to accede to those two instruments; the only reason why she had not done so before was that she had only been a Member of the League of Nations since 1933.

Countess APPONYI (Hungary) wished to refer more particularly to the proposal for a comparative study of child welfare work undertaken by public authorities on the one hand and by private organisations on the other. Comparisons were not easy to make, for the situation was constantly changing. In general, child welfare work was initiated by private organisations. Later, as such work developed and its benefits became evident, public authorities stepped in, and in due course extended the scope of the work. It was often thought that the entry of public authorities into the field of child welfare work rendered the activities and even the existence of private organisations unnecessary. She thought that view entirely mistaken; the fact that public authorities were extending the field of their activities gave greater freedom to the private organisations, and enabled them to undertake work in new directions, to conduct enquiries, etc. There was still an immense amount of new work to be done, and it was therefore essential not to waste time in laying down the line of demarcation between Government and private activities, but to ensure the fullest co-operation between the two. It must often depend on national and local circumstances whether special action in the social field could be taken more usefully by the public authorities or by private organisations. There must be no rivalry between them. Public authorities and private organisations alike must work in a spirit of fraternal charitableness; for that was the cornerstone of the whole structure of Christian civilisation, which was the inspiring force behind the social movement of to-day.

The work of the League of Nations Social Organisation touched at many points the work of other organisations, and she thought that closer contact should be secured between the Social Organisation and the Health Organisation, the International Labour Office, the International Educational Cinematographic Institute at Rome, and the Mixed Committee on Nutrition. The Health Organisation and the International Labour Office were already represented on the Committee on Social Questions; in the case of the Cinematographic Institute, one of the Government members of the Social Questions Committee was also a member of the Governing Body of the Institute; and a member of the Social Questions Committee had recently attended the meetings of the Mixed Committee on Nutrition. Those links were of the greatest value and should be strengthened, in particular by the appointment of a member of the Social Questions Committee to represent it in the Health Organisation and in the International Labour Organisation. In the case of the Nutrition Committee, the representative of the Social Questions Committee had only assisted in the last stages, when the report on nutrition was being adopted; but the contact had already proved useful. She urged that those measures of co-operation should be placed on a permanent footing; they need not involve much expenditure if, for example, an official of the Social Questions Section was appointed as representative on the Health Organisation and at the International Labour Office. She was glad to see the Rapporteur urge in his statement that the agenda of the Committee on Social Questions should not be burdened with old questions which had, in fact, proved insoluble. Such questions should be dropped for the present, and taken up again when circumstances became more favourable. The question of the recreational aspects of the cinematograph was, however, one which should be solved as soon as possible. There was already in many countries an abundance of excellent literature for children. The absence of recreational films was no doubt due to fear that there were no profits to be made from such films. But success would be assured if an author successful as a writer of children's books could collaborate with a film producer ready to break new ground. It was most desirable that children should be able to see films other than educational and scientific, if their interest in the cinema was to be retained.

The problem of the neglected and delinquent child was one affecting all countries, and it was most desirable that there should be the fullest exchange of views and practical experiences. She thought that the ill-treated child should be regarded as a special example of the child in moral danger. Much had recently been done in Hungary, especially in rural districts and the smaller towns, to improve health conditions and social institutions in those territories.

Turning to nutrition, she thought that, before any scientific and theoretical investigations, the question of ensuring adequate food supplies for all children and their parents should be solved. It was essentially an economic question. The necessary food was available; the question came before all others, and should be solved first.

M. PELLA (Roumania) quoted the sixth paragraph of the Rapporteur's statement, which indicated that, on the subject of family desertion, the Committee on Social Questions had decided not to pursue its enquiries, as the question was closely bound up with other legal questions. Similarly, on the question of the ill-treatment of children, the Committee had

decided to place the question on the agenda of one of its future sessions.¹ He suggested that the latter phrase indicated an indefinite postponement, and that, in fact, the Committee had entirely dropped both questions.

As to family desertion, Mlle. Vacaresco had, as far back as 1932, stressed the urgency of the question before the Fifth Committee.² In order that financial difficulties should not be adduced in justification of inaction, she had undertaken to supply the Child Welfare Committee with all the necessary documentation. The documentation was duly forwarded to the League of Nations a year later by the Roumanian Government, in collaboration with the International Bureau for the Unification of Penal Law. At the request of the Roumanian Government, the question of family desertion was also added to the agenda of the Conference for the Unification of Penal Law held in Madrid in 1933. In 1935, the Secretariat, with the assistance of the Bureau for the Unification of Penal Law, sorted and analysed the documentary material, and the Roumanian delegation had begun to hope that the Child Welfare Committee would at last undertake a study of the matter. Although they had persistently raised the matter at every meeting of the Committee, no action had followed, and the study of family desertion had never been begun. To-day the question was even more urgent, since penal statistics showed an enormous increase in cases of desertion in recent years. Moreover, a number of Governments, including those of France and Belgium, had laws making desertion a criminal offence. The Committee's inaction was therefore all the more to be deplored.

The same fate seemed to be reserved for the problem of the ill-treatment of children, which Mlle. Vacaresco had raised in 1935.³ The Rapporteur's statement made it clear that the question had been adjourned indefinitely. No doubt the question of the recreational aspects of the cinematograph was an important one; but he asked the Fifth Committee whether they could really hesitate between helping children unprovided with suitable cinema performances and helping children suffering from ill-treatment.

The Roumanian delegation would merely ask when the Committee on Social Questions proposed to examine those two topics; but it would be glad to have a definite answer.

In connection with family desertion, the Rapporteur had stated that the question was closely bound up with other legal questions. A definite statement of that sort called for explanation, and he would be glad to discuss the problem with the Rapporteur in order to ascertain whether it was not possible to overcome the difficulty of the other legal questions. He begged the Fifth Committee to urge that neither family desertion nor the ill-treatment of children should be relegated to the distant future, and requested the Rapporteur to supply the Child Welfare Committee with a statement at least of the difficulties which stood in the way of an enquiry.

Mlle. FORCHAMMER (Denmark) proposed to deal only with the question of the cinema. The question had often been discussed in the Fifth Committee from the educational, recreational and other points of view. She wished to draw the attention of the Committee to the use of the film as a means of stimulating the interest of the general public in child welfare. A film had recently been produced in Denmark on the work of child welfare institutions — orphan homes, homes for delinquent children, etc. The work of baby-clinics was also shown, and stress was laid on the importance of correct feeding, and in particular of breast-feeding. The film had been shown at the Inter-Scandinavian Child Welfare Congress held in Copenhagen in June 1936.

A film on the correct feeding of children was also being made in connection with a campaign for the "Health of our Children", launched on the initiative of the Danish National Council of Women. Further details of the campaign were to be given by the Danish delegation in the Second Committee. She urged the Advisory Commission on Social Questions not to neglect the very important question of stimulating interest in child welfare by the use of suitable films.

Mrs. WATERWORTH (Australia) said that child welfare work was not only essential on humanitarian grounds, but was also sound business, since a nation's adult health bill could be greatly reduced by adequate care of children. Much had been done in that sense in Australia in recent years.

The boarding-out of children in families had been practised for many years, and had been found to be a great improvement on the earlier large orphanages. But the boarding-out of a child always involved the making of a profit, however small, and there was a temptation to economise by cutting down the nutritive value of the child's food. The possibility was therefore being considered of forming groups of children, placed in the charge of a highly qualified woman receiving a salary; it was thought that experiment might lead to valuable results.

Much attention had recently been given to the cinema in Australia. In many cases, the film was the strongest influence in children's lives, and there was a grave danger of that influence being bad. Children might, for example, readily acquire a contempt for the institution of marriage, if their notions were entirely derived from the cinema. Australia had

¹ See document C.204.M.127.1936.IV (Ser. L.o.N. P. 1936.IV.3), page 22.

² See *Official Journal*, Special Supplement No. 108, pages 9 and 10.

³ See *Official Journal*, Special Supplement No. 142, page 20.

made a special effort to discourage the showing of "horror" films, now so prevalent, and cinema proprietors had been induced to reduce the number of such films shown.

With regard to delinquency, Australian experience showed that the greatest single factor making for juvenile crime was truancy from school. There could be no more civilising influence than constant daily attendance at school, which guarded the child from bad company and from a frame of mind which almost inevitably led to the juvenile court. She urged the importance of appealing to the good sense and intelligence of the modern child at the earliest age, in favour of regular school attendance.

Australian authorities had been devoting much attention to the problem of nutrition ever since a report on national health, published in 1926, had shown the women of Australia to what extent faulty nutrition was responsible for the high rates of maternal morbidity and mortality, for a high percentage of rejections in army recruiting depots, and for other signs of ill-health. The economic depression had made the problem still more urgent, and efforts had been concentrated on the better nutrition of children, especially in rural districts. Here school-children often had to cover very great distances, insufficiently clad, and to go for long hours without hot food. A Committee of women had now been created in most schools to provide the children with a hot midday meal, to supply extra clothing where required, and to keep in touch with the children's parents. The Bush Nursing System, moreover, covered every rural household and performed much valuable maternity work. Through those two agencies, a national survey of children's health was in progress, and a further step was being taken towards building a healthy nation.

She welcomed the emphasis which the Rapporteur's statement laid on the normal child. In recent decades a great deal had been done for abnormal and sub-normal children who, in a great many countries, were extremely well cared for, while thousands of normal children were in much less favourable circumstances. It was necessary to take a common-sense view and to realise that, where resources were limited, the normal child had the first claim. Naturally, abnormal and sub-normal children must be given all the care they required; but normal children were the backbone of the nation, and a sense of proportion must be preserved.

Mlle. REUTZ (Norway) referred to the Child Welfare Councils established in Norway since 1900, when the law on neglected children was adopted. The main principle of the system was, originally, not only to protect children in moral danger, but to protect the community itself; and it was significant that the Law of 1900 had been promoted by the Director of Public Prosecutions by reason of the high proportion of juvenile criminals in the country. The latest report of the Norwegian Government showed that that law, and the Child Welfare Councils set up under it, had worked well during the last thirty-five years. Criminal statistics showed a very marked decline in juvenile crime since 1900. It had also been shown that results were best when children who came under the care of a Child Protection Council were removed from their old surroundings as early as possible.

In recent years, fresh efforts had been undertaken on behalf of abandoned and neglected children. Despite the difficulties created by the economic depression, the opinion had gained ground in several countries that money spent on the care of children was the wisest investment. Just as, under the stimulus of the economic depression, Governments were turning to a balanced and regulated economy, so child welfare work should form part of a plan covering the social and economic life of the nation.

The legal status of children was also an important point. The Norwegian Children's Law of 1915 had practically abolished all legal distinction between legitimate and illegitimate children, making the parents equally responsible for the support of the child, who was entitled to take its father's name and to exercise all the rights of inheritance. That revolutionary measure had been much opposed at the time; but the results, over a period of twenty years, had proved entirely satisfactory.

The provision of school meals for children had lately been entirely changed in Norway, and efforts were now concentrated on securing the best nutritive content for such meals. They were now given free to all children who needed them, taken in the morning before school work starts; they consisted of a breakfast composed of the best body-building and protective foods. Here, again, as discussions in the Second Committee would show, the system had its economic importance as well as its social significance.

The next step will be to extend the hygienic services from the big towns into rural districts. She realised that those measures were more easily taken in small countries, such as New Zealand and Norway; but the experience acquired in small countries must prove of value for the bigger nations, who were also making efforts in the same direction.

9. **Request for an Increase in the Budgetary Credits for Protection and Welfare of Children and Young People and the Suppression of the Traffic in Women and Children : Appointment of Sub-Committee.**

The CHAIRMAN read the following draft resolution submitted by the delegation of Belgium :

“ The Fifth Committee,

“ Referring to its resolution of 1932 adopted by the thirteenth Assembly of the League of Nations, in which the inadequacy of the credits then allocated in the League's budget to the Advisory Commission for the Protection and Welfare of Children and Young People was already recognised ;

“ Whereas the credits voted for this purpose, instead of being increased during the last few years, have been progressively reduced in the budgets for 1934, 1935, 1936 and the draft budget for 1937, in which the appropriation for the two former Committees amounts to only 21,650 francs ;

“ Taking note of the Council's decision of September 26th, 1936, providing for the reorganisation of the former Advisory Commission, which in future is to be known as the Advisory Committee on Social Questions, and on which twenty-five instead of fifteen Governments will henceforward be represented, and bearing in mind the possibility of this Committee's being obliged to enlist the co-operation of assessors or experts whose expenses will have to be defrayed out of the League's budget ;

“ Whereas in all probability the work of the Advisory Committee, including both the sessions of the sub-committees and the expenses of experts, and also the cost of printing, documentation and ' miscellaneous ' items will necessitate expenditure in excess of the appropriation in the draft budget for 1937, which was made before the reorganisation of the Advisory Commission was decided upon :

“ The Fifth Committee strongly urges that the credit voted for the various items relating to the protection and welfare of children and young people and the suppression of the traffic in women and children, the actual heading of which will have to be amended, should be increased by 15,000 francs, to be divided among these various items, and asks the Fourth Committee to be good enough to take account of this request when it examines the 1937 budget.”

After discussion, *the Committee decided to appoint a Sub-Committee*, under the chairmanship of Count Carton de Wiart (Belgium), composed of the delegates of the United Kingdom, France, Hungary, the Netherlands and Poland and the Rapporteur, to draft a text. After examination by the Fifth Committee, the resolution might then be referred to the Fourth Committee, within the time-limit laid down in the Rules of Procedure for the submission of requests for supplementary credits.

SIXTH MEETING.

Held on Saturday, October 3rd, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

10. **Request for an Increase in the Budgetary Credits for Protection and Welfare of Children and Young People and the Suppression of the Traffic in Women and Children : Draft Resolution submitted by the Sub-Committee : Adoption.**

Count CARTON DE WIART (Belgium), Chairman of the Sub-Committee, submitted the following draft resolution :

“ The Fifth Committee,

“ Referring to its resolution of 1932 adopted by the thirteenth Assembly of the League of Nations, in which the inadequacy of the credits then allocated in the League's budget to the Advisory Commission for the Protection and Welfare of Children and Young People was already deplored and attention was called to the importance of the work undertaken ;

“ Whereas the credits voted for this purpose, instead of being increased during the last few years, have been progressively reduced until the appropriation for the two former Committees in the 1937 draft budget amounts to only 21,650 francs ;

“ Taking note of the Council's decision¹ of September 26th, 1936, providing for the reorganisation of the former Advisory Commission, which in future is to be known as the Advisory Committee on Social Questions, and bearing in mind that twenty-five instead of fifteen Governments will henceforward be represented, and that this Committee will have recourse to the co-operation of assessors or experts whose expenses will be defrayed out of the League's budget ;

¹ See *Official Journal*, November 1936, page 1174.

“ Bearing in mind also the expense of the sessions of sub-committees and of the extra cost of printing and of documentation, in establishing and maintaining co-operation with the correspondent members, and the ‘ miscellaneous ’ items, all of which will necessitate expenditure in excess of the appropriation in the draft budget for 1937, which was made before the reorganisation of the Advisory Commission was decided upon :

“ The Fifth Committee strongly urges that the credit voted for the various items relating to the work of the new Advisory Committee on Social Questions, the actual heading of which will have to be amended, should be increased by 15,000 francs, to be divided among the various items, and asks the Fourth Committee to be good enough to take account of this request when it examines the 1937 budget.

“ ANNEX.

“ (1) *Advisory Committee on Social Questions.*

“ (a) Sessions of the Committee and Sub-committees ; assessors, experts (including expenses for occasional corresponding members)	Swiss francs 20,000
“ (b) Printing, documentation and Information Centre	14,000
“ (2) Cables, telegrams and miscellaneous	600
“ (3) Penal administration (printing)	350
“ (4) Assistance to indigent foreigners and execution of maintenance obligations abroad (printing)	900
“ (5) Other social questions entrusted to the Section and unforeseen contingencies	800
	36,650.”

Count Carton de Wiart explained that the resolution drew attention to the financial consequences of the Council’s decision of September 26th, 1936, relating to the reorganisation of the Advisory Committee. He pointed out that the annex, outlining a scheme of allocation for the Committee’s budget, was unofficial, and intended simply for the information of the Supervisory Commission.

The draft resolution was supported by the delegations of Czechoslovakia, Denmark, Iran, Roumania and Sweden.

The Committee unanimously adopted the resolution.

11. Child Welfare : General Discussion (continuation).

Mme. DE PALENCIA (Spain) stated, in connection with the reorganisation of the Advisory Committee, that she warmly welcomed an increase in the number of Governments represented on the Advisory Committee on Social Questions. Problems relating to the protection of children were of such importance that it was important to secure the participation of the greatest possible number of Governments. Each country had its particular problems and its own experiences ; a comparison of the results achieved was of the very greatest value. The Advisory Committee had power to call in experts ; these should be recruited, not solely from specialists, but also from persons in touch with public opinion and capable of giving to the enquiries in which they took part that life and broad humanity which is denied to those who have concentrated on one single problem, or on one aspect of a problem, all their lives.

She supported the remarks made by the delegate of Belgium at the preceding meeting on the subject of charitable institutions. Such institutions had performed admirable work in the past, and their activity in the future should on no account be disregarded.

She had been particularly struck by the emphasis given in the Rapporteur’s statement to the question of child welfare in rural districts. The question was of special interest for an agricultural country such as Spain. She well knew how difficult it was to supervise the conditions of life of children in rural districts. The struggle against infantile and maternal mortality was particularly arduous in those districts, and it was a very difficult task to bring about improvements in that respect. Mortality rates were closely linked with the nutrition problem, and it had been found in Spain that infantile mortality was largely due, not to a lack of food, but to the wrong choice of foods. The boarding-out of children, again, was a particularly difficult problem in rural districts. Admittedly, boarding-out in the country was less costly, and children enjoyed a more spacious and a healthier life ; but here, again, supervision was far more difficult than in the towns.

She shared the view of the Danish delegate that use should be made of the cinema for stimulating the interest of mothers in child welfare. The question of recreational films, however, was to her mind less simple ; it seemed almost a hopeless task to interest children of various ages in films which they felt to have been thrust upon them. She therefore hoped that means would be found of capturing children’s attention by the showing of films the moral of which was not unduly emphasised.

Good results had been obtained in Spain in connection with the difficult and arduous problem of abnormality in children by organising lecture tours and by the use of travelling dispensaries.

Turning to the question of the employment of children, she stressed the difficulties which often arose in the limitation of hours of work. In industrial centres, it was a relatively easy matter to supervise child labour; but that was not the case in rural districts, where the enforcement of legislation and the imposition of reasonable limits on the hours during which children worked in the fields were extremely difficult matters. She hoped that the International Labour Office would assist the Advisory Committee in that respect, more especially from the economic point of view.

M. RUTGERS (Netherlands) supported the Belgian representative's observations made during the preceding meeting, relating to the manner in which the Rapporteur had dealt with purely charitable institutions in his statement. It was a mistake to think that only a few vestiges remained of such institutions; there were in most countries a great many private organisations, lay and religious, which were not mere vestiges of the institutions of the last century, but were a direct continuation of them.

He did not deny that a social conscience, and a feeling of social responsibility, were growing, that methods were altering and taking a more professional and more scientific aspect; but he felt that a charitable attitude was not in conflict with that new frame of mind, and that very many men and women still devoted themselves to useful works of protection and rehabilitation in a spirit of pure altruism.

He drew attention to another passage of the statement in which the Rapporteur, dealing with the studies to be undertaken by the Advisory Committee on Social Questions, said that the latter should "endeavour to ascertain whether, in small or large communities, the work of private organisations makes good the shortcomings of the provisions of legislation or local regulations". He proposed that that sentence should be reversed, and that the investigation should bear on whether legislation and local regulations were now filling the gaps left by private organisations. The question was one of policy. Should public services cover the ground as completely as possible, or should they, on the contrary, intervene only in case of need? The Netherlands had chosen the latter principle as regards child welfare. It had been found that the work of private organisations was capable of far greater elasticity than State action, and that it was better adapted to meet the varying educational theories and systems favoured by different sections of the public. Moreover, it had been felt that children should, as far as possible, be given an education consistent with the beliefs held in the environment from which they sprang. As evidence of the importance of the part played by private organisations in the Netherlands in the field of child welfare, he observed that in 1934 State reformatories and rehabilitation establishments housed an average of 400 minors a day, while the corresponding private establishments, managed by charitable associations, dealt with approximately 11,000 children entrusted to their care by civil legislation and 800 children put in their charge by criminal legislation. He would not ask the Committee to adopt the Netherlands delegation's view; the Netherlands were, in fact, not represented on the Child Welfare Committee. But he emphasised that the view he had put forward was not peculiar to his own country. It would be unfortunate if that view was ruled out at the very outset of the investigations of the Advisory Committee on Social Questions.

Turning to the nutrition problem, he doubted whether it would be wise for the Advisory Committee on Social Questions to take up its study. The Advisory Committee had before it many problems concerning the traffic in women and children, and child welfare. If it tried to deal with every conceivable social question, the quality of its work in its own particular sphere — *i.e.*, the traffic in women and children — would suffer. It would be wiser to leave the question of the nutrition of children to the health experts, who of their own accord were dealing with the food requirements of mothers and infants. Moreover, the League of Nations report on nutrition, to which he paid a sincere tribute, dealt very fully with nutrition in relation to expectant and nursing mothers and to infants.

The question of family desertion was one which deserved the closest attention of a Committee dealing with child welfare. He was sorry that that Committee had decided, because it was closely bound up with legal questions, not to place it on its agenda.¹ The Committee had followed the opposite reasoning in the case of ill-treatment of children, the Rapporteur had pointed out in his statement.

As regards the ill-treatment of children, he pointed out that, if the question were looked at from the criminal law aspect, it became a part of the general problem of the punishment of offences against children.

Again, it might be regarded as one of the instances in which deprivation of parental authority in the case of unfit parents and the appointment of a guardian instead might be recommended. It would then be a matter of applying a provision of civil law. In either case, the ill-treated children simply formed one category of those for whose protection action had to be contemplated. They formed only a very small part of the total number of such children — including delinquents, children in moral danger, neglected children and so on — and, from the point of view of the action to be taken, they could hardly be distinguished from the other categories. Hence an enquiry limited to ill-treated children would be only a fragmentary one, and, from the practical point of view, it was open to question whether the

¹ See document C.204.M.127.1936.IV (Ser. L.o.N. P. 1936.IV.3), page 22.

choice of so limited a subject was to be recommended. In practice, the point whether civil or criminal law was applicable often depended on fortuitous circumstances. Experience in the Netherlands showed that the distinction was often difficult, if not impossible, to draw between delinquent children or children in moral danger and neglected children. Suppose a child spent day after day in the streets; to justify action in its case, should the starting-point taken be the neglect of the child, or any offence that it might have committed, such as stealing apples from a cart? In either case, the action to be taken was similar. When criminal law was applied, a judge in the Netherlands might place the child "at the Government's disposal" until it came of age. In the large majority of cases, the Government would then hand the child over to a private organisation — a step very similar to what would be done if unfit parents were deprived of their authority, when the guardianship of the child was entrusted to an institution subsidised by the Government.

Miss GRAVES (United Kingdom) said that, in principle, her Government supported the main suggestions of the Rapporteur — namely, that the Committee should examine the social aspects of the problem of nutrition and draw up a report on child welfare in rural areas. She could say, from her knowledge of the latter, that such a report would be extremely valuable.

She wished, nevertheless, to make a few remarks on certain points in the Rapporteur's statement.

With regard to boarding-out in families, Miss Graves could not entirely agree with the suggestion that the new Committee should examine the legal problem of the transfer of legal supervision of children whose parents had not been deprived of parental power. In the United Kingdom, the law of 1933 on children and young persons (Children and Young Persons Act of 1933), as well as former legislation, provided that, in certain cases, the courts could order the removal of a child or adolescent from the care and authority of its parents and confer the guardianship on a suitable person or private institution. The courts could, however, restore the parents' authority over the child in certain cases, when there was every reason to believe that such a step would yield satisfactory results.

Another question which the delegate of the United Kingdom wished to mention, from a purely national point of view, was that of nutrition. In connection with that problem, the Rapporteur had suggested that social relief must be considered from the point of view of the provision of foodstuffs to persons in receipt of State relief, particularly in the case of children. Referring to her personal experience in England, Miss Graves remarked that the relief system was seldom satisfactory and rarely met the needs of those to whom it was applied. She suggested it would be better if the new Committee examined to what extent the rate of relief pay and insurance benefit, as well as the care bestowed on children in institutions, corresponded with the nutritive standards laid down by health experts in various countries.

Miss Graves recalled the generally recognised truth that nutrition influenced the mental development of the child, and thought that that could serve as a point of departure for the study of abnormal children. A wholesome and adequate diet should contribute to the development of children who were delinquent or backward.

Referring next to the report of the Advisory Commission for the Protection and Welfare of Children and Young People, Miss Graves noted that the purpose of the two main suggestions of the Rapporteur on the study of the social aspect of the problem of nutrition and on child welfare in areas other than large urban ones was to give effect to the recommendation of the sixteenth Assembly that the Advisory Commission should primarily consider problems concerning normal children.¹ Miss Graves stressed the importance of boarding-out in families, which gave a child in abnormal circumstances the chance of adapting itself to normal family life.

With regard to the recreational aspect of films for children, she drew attention to the very interesting information provided in Appendix I of the report of the Child Welfare Committee² on the percentage of films considered unsuitable for children, and quoted the figures given on that subject. She mentioned the fact that enquiries made among children in different countries had shown that they preferred films which were full of life and movement, showing the world as they knew it or imagined it, and that to please children a film must give the impression of reality and not have too pronounced a moralising tendency. Her conclusion was that the best way of educating children was by the "play way".

In the case of delinquent and neglected children, the principle to be observed when gauging the value of any method for their care and education was that it should correspond to the general standards for the education and upbringing of normal children.

The Government of the United Kingdom expressed its satisfaction with the decision admitting a representative of the Child Welfare Committee to the Mixed Committee on the Problem of Nutrition. They were in complete agreement with the proposal that the new Committee should help to give publicity to the recommendations made by the Mixed Committee on the Problem of Nutrition.

Miss Graves agreed with the Roumanian delegation that family desertion was an important problem. Nevertheless, as the Rapporteur had recalled that the Child Welfare Committee was waiting for additional information, she thought it would be better to let the Committee draw up its own agenda and wait for the further documentary material before going into this question. She remarked that, in the legislation of her country, family desertion was not considered a penal offence, but that there was power to make a maintenance order, on

¹ See *Official Journal*, Special Supplement No. 138, page 124.

² See document C.204.M.127.1936.IV (Ser. L.O.N. P, 1936.IV.3), pages 23 *et seq.*

application, and there were adequate methods for enforcing payment under that order. As a point of purely human interest, Miss Graves mentioned that a procedure of conciliation under the supervision of the courts had lately been introduced in the United Kingdom in cases of matrimonial separation and was yielding excellent results.

With regard to ill-treatment of children, Miss Graves sympathised with the remarks made by the Roumanian delegation, but considered that the question should be studied in greater detail, so that the Commission could reach a decision.

Mme. STARHEMBERG (Austria) observed that, in spite of great financial and economic difficulties, much had been done in Austria for child welfare. A number of new activities had been grouped under the recently formed Fatherland Front. Among them, a central organisation for assistance to mothers, founded by the late Chancellor Dollfuss, now extended its activities over the whole country. It gave material and moral help to every indigent mother, and to children until they entered school. That organisation, under the direction of Mme. Wolfring, had achieved excellent results in close collaboration with official and private institutions. In the difficult times Austria had passed through, such bodies, fighting as they were both for material improvement and for the ideals of motherhood, were very essential.

In addition to medical aid, homes for mothers and their infants, and similar institutions, efforts had been chiefly concentrated on providing holidays for poor children. Through the Fatherland Front organisation, 60,000 children had been given a free holiday in the summer of 1936. Apart from the benefit to their health, children acquired a social sense by visiting new neighbourhoods and mixing with different categories of the population.

Particular attention was also being given to the care of young people in the post-school period, in which, owing to the economic depression, great numbers failed to find steady work and a purpose for their lives. In other countries, such as Belgium and France, that grave problem had been met by raising the school-leaving age. Austria could not take such a step, but continuation schools had been opened in Vienna and other centres to which young persons, unable to find work, could turn for additional training and vocational guidance. A beginning had also been made by the Ministry of Social Welfare, with the assistance of local authorities and private organisations, in providing camps for young people of either sex. Lack of means was a great obstacle; but there were good hopes that the women's section of the Fatherland Front, of which Mme. Starhemberg was President, would succeed in opening additional camps in the near future. In 1935, the Rapporteur to the Fifth Committee had drawn special attention to the serious problem of post-school welfare work. She hoped this year the Fifth Committee would draw the particular attention of the Advisory Committee on Social Questions to its importance. The social and moral dangers to which that category of young people was exposed ought certainly to be studied as soon as possible.

Turning to nutrition, and in particular to the survey of measures taken by Governments, public authorities and private organisations in Volume III, Chapter 2, of the Mixed Committee's report,¹ she pointed out that, while much had been done in providing canteens, soup-kitchens, milk dispensaries and other material assistance, there was very little evidence that authorities were giving advice on dietetics and household management to necessitous families. There was a danger there of taking away that sense of responsibility which the head of every family should possess. She therefore urged that the Mixed Committee should undertake a comparative study of the various measures taken to improve nutritional standards, and should give particular attention to the ultimate social advantages of careful education in dietetics, as opposed to the mere distribution of additional food.

Mlle. HESSELGREN (Sweden) said she had particularly welcomed the emphasis M. Gajardo laid in his statement on the normal child. The delegate of the United Kingdom had made several interesting comments on nutrition and the normal child. She recalled that the provision of adequate food for children and mothers had been discussed at length in the Second Committee, both in 1935 and at the present Assembly. She therefore warmly agreed with the Rapporteur when he urged that the Fifth Committee should follow the question closely.

This year, the Second Committee had also discussed housing, a question which had long been studied by the Health Organisation from its particular point of view. The delegation of Sweden had proposed that the Second Committee should study the financial, economic and social aspects of the problem of housing; and this proposal had met with a ready welcome. She therefore suggested that the Advisory Committee on Social Questions should also take up the question of housing, with particular reference to the size of the family and the physical and moral condition of the children. Recent investigations made in Sweden had yielded very disturbing information which tended to show that bad housing conditions had as harmful an effect on children as any other form of social maladjustment. From 40 to 46% of the

¹ Document A.12(b).1936.II.B (Ser. L.o.N. P.1936.II.B.5), pages 80 *et seq.*

children below 15 years of age were found to be living in dwellings consisting of one room and a kitchen, while about 21% of families with three children or more were living in the worst type of accommodation. Briefly put, the position was that, the bigger the family, the worse the home in which it lived, and the graver the danger to morals and physique. Probably other countries could show the same state of affairs. The Swedish Government, gravely perturbed by that proof — among others — of unsatisfactory housing conditions, had spent some 130,000,000 crowns since 1933 in building or rebuilding homes for poor families, and in assisting necessitous families through a scheme by which a rent allowance was paid by the State, varying from 20 to 50% of the rent of an adequate dwelling, according to the number of children in the family, in order that overcrowding and other evils might diminish. She therefore urged that housing in relation to the lives of children should be studied by the Advisory Committee on Social Questions, the Health Organisation, the International Labour Office and other bodies, and that a representative of the Committee on Social Questions should follow any investigations on housing which might be undertaken. She agreed with the Rapporteur that the agenda should not be overburdened with new questions; but this was an issue of urgent importance, and any lead which the Fifth Committee might give would be of the greatest value to Governments.

Mme. MALATERRE-SELLIER (France) stated that the French delegation had decided to give its wholehearted support to the Belgian proposal when it came before the Fourth Committee.

Additional financial resources would be granted only if the Fifth Committee could show that concrete results had been obtained in the field of social welfare. In that connection, she hoped that the Information Centre would soon be in full operation and in a position to render the services which the Assembly had expected of it when, in 1934, it had passed the credits necessary to establish it and set it in operation. She understood that a library had just been opened, and she urged the Social Questions Section of the Secretariat to expedite the organisation of the Information Centre. The French delegation had decided to forward to the centre a very complete series of reports on the child welfare in colonies and mandated territories, drawn up by M. Besson, of the French Ministry of the Colonies.

She was glad to note that the Fifth Committee had followed with great interest the Second Committee's discussions on nutrition, and she hoped the Mixed Committee would continue to study the question of better nutrition for future and nursing mothers, infants and adolescents.

She had highly appreciated the emphasis laid in M. Gajardo's statement on the need for drawing up a definite and detailed programme of work on social questions. The new Advisory Committee must act as an executive body, directing the work of the various groups of experts. The selection of suitable subjects for investigation was not always an easy matter; perhaps the example of the International Committee on Intellectual Co-operation, which had set up a small committee of experts to scrutinise proposals and draw up suitable agendas, might be followed. Duplication was to be avoided above all; and, where a particular problem was already being investigated by some other organisation, the Advisory Committee should either drop the question altogether or arrange for effective co-operation with the organisation concerned. The Advisory Committee was unique in that it consisted largely of Government representatives, and its enquiries should therefore turn mainly on questions suitable for Government action or for international action through the League of Nations.

There were two main categories of social questions: measures of prevention and measures of assistance, general or special. A plan of work covering several years might be built up on that double basis, so as to meet the criticism made in earlier times that co-ordination was lacking in the League's social work. The reports regularly sent in by Governments provided a useful check on the relative importance of the various problems studied.

Starting from that general basis, the French delegation proposed that the Advisory Committee on Social Questions should begin its work with a study of the general organisation of child welfare. The question was a vital one in itself, but was more particularly urgent because in most countries a serious lack of co-ordination was apparent in the various public or private activities concerned with the question. A survey of child welfare work showed that in some fifteen countries the child welfare problem was being centralised. The measures taken might be divided into four main categories. There was, first, the purely advisory system — for instance, that adopted in the United States, where the Children's Bureau set up in 1912 provided information, advice and criticism through a network of subsidiary bodies. Next came a more official type of organisation, such as the *Ceuvre nationale de l'Enfance*, set up in Belgium in 1919 with Government support and certain powers of management. A third category comprised such bodies as the Chilian Council for the Defence of Childhood, set up in May 1935 with powers of co-ordination, inspection and control. Finally came the Ministry of Child Welfare set up in Uruguay in April 1934, constituting a homogeneous and unified system covering the whole country. Each one of those forms of organisation should be studied, in order to enable other Governments to benefit from the experience gained. It was just such a study of the experience of other countries which had led to the recent creation in France of a *Sous-Secrétariat d'Etat* for Child Welfare with a

woman at its head. A League survey of all the different methods adopted should not only describe those methods, but should comment upon their effectiveness, and even suggest a model national plan for the organisation of child welfare, upon which national systems might be based. The French delegation therefore proposed that the Fifth Committee should call the attention of the Advisory Committee on Social Questions to the desirability of undertaking such a survey, and submitted the following draft resolution :

“ The Fifth Committee :

“ Attaches particular importance to the decision of the Advisory Committee on Social Questions to draw up at its next session a ‘ scheme of study ’ — that is to say, a programme of work ;

“ And is of opinion that one of the first points in its work should be a study of the more important solutions that have been found for the problem of the general organisation of child welfare.”

Sir V. T. Krishnama CHARI (India) said that the increased interest shown in recent years in child welfare had been very marked in India. A wide network of maternity and child welfare centres covering even small communities, and extending into rural areas, was now in operation, while a number of legislative measures dealing with child welfare had been taken in the last few years. Laws affecting the age of marriage and of consent had been passed, and authorities had been empowered, both in British India and in a number of Indian States, to deal with neglected and ill-treated children. Young offenders no longer came into contact with prisons, but were sent to special schools or reformatories, where children’s aid societies and Borstal associations helped the Government to re-educate them.

Women in India were increasingly alive to the problem of child welfare, and the new Constitution, which gave the vote to millions of women and enabled them to take part in public administration, would certainly intensify that interest and stimulate all forms of welfare work.

He hoped the Advisory Committee on Social Questions would not be tempted to launch into too vast a programme at the outset. Results of practical value could only be secured if efforts were concentrated on a few important subjects. It should also be remembered that child welfare work varied enormously from country to country, and that those variations were natural and often rooted in religion. Hasty international action was thus apt to do more harm than good, and the scope of international Conventions was necessarily limited. He urged that the Advisory Committee’s activity should be confined to the collection and dissemination of facts likely to be of value to Governments and to social workers, and that action should be left to the initiative of national agencies.

SEVENTH MEETING.

Held on Monday, October 5th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

12. Child Welfare : General Discussion (*continuation*).

Mlle. VACARESCO (Roumania) expressed her regret at the indifference displayed towards the question of the ill-treatment of children and that of family desertion. She reminded the Committee that the Child Welfare Committee itself had taken the initiative in the matter of the protection of ill-treated children. At present, unemployment, alcoholism and poverty were increasing the number of unnatural parents. Public opinion was stirring, and the League’s inaction in the matter would be harshly judged. The Advisory Committee on Social Questions would be very wrong to neglect the question.

Turning to family desertion, she said that the fact that the question was closely bound up with other legal questions did not justify its exclusion from the agenda of the next session of the Advisory Committee. The Roumanian delegation had supplied a great deal of information on the question. She urged that the question should not be postponed, and emphasised its importance in the eyes of public opinion. Both the Fifth Committee and the Advisory Committee on Social Questions must show that they were making progress in the humanitarian work which was one of the League’s glories.

Mme. ADAMOWICZ (Poland) stated that, in view of political conditions in Poland, social welfare work there had been carried out entirely by private organisations for many years until the great war. Poland therefore could hardly fail to recognise the value of the work

of voluntary organisations. Now, however, public social services were in existence, and it was clear that at the present time social work, like any other occupation, called for theoretical and scientific training, a systematic plan and professional workers. The public authorities, however, attached great importance to the collaboration of private organisations. On that subject, Mme. Adamowicz expressed the view that the rôle of those organisations was to fill gaps and to make experiments in social welfare work, as the public social services could only follow the sure roads.

As regards the Advisory Committee's programme of work, the Polish delegate thought that Committee should be allowed full freedom of decision. The questions of delinquent children and children in moral danger, and of children in rural districts, were certainly very important, and the Fifth Committee should support the prosecution of that work. Poland was greatly interested in it. It was enough, however, to draw the Advisory Committee's attention to those questions without laying down rigid lines for it to follow.

As regards the nutrition problem, the Advisory Committee on Social Questions should simply follow the work of the Health Committee and the Mixed Committee. The Advisory Committee already had a vast field of activity before it and must avoid any duplication of work.

In conclusion, the delegate of Poland congratulated Count Carton de Wiart on the initiative he had taken as regards the resolution asking for an increase in the credits for the Advisory Committee on Social Questions, and emphasised the importance of the work done by the Social Questions Section in centralising and disseminating information regarding child welfare. The Information Centre for Child Welfare set up by that Section was obtaining all information useful to social workers, and its further development was highly to be desired.

M. BENAVIDES (Uruguay) alluded to the keen interest his country took in child welfare. Uruguay was at present engaged in codifying all the laws relating to child welfare, and in the legislation of the country no distinction was made between legitimate and illegitimate children as far as child welfare was concerned.

The practice of boarding out children in families was contemplated in the children's code of Uruguay, but only when every possible means of keeping the child at home with its own family had been tried.

Much had recently been done in connection with recreational films. There was a national Child Welfare Committee, which examined all films, and children up to the age of 16 years were only allowed to see films passed by that Committee.

In the matter of nutrition, Uruguay was very advanced. There was a National Nutrition Committee, which gave special attention to the feeding of mothers and infants; and there was a National Institute, with all the necessary technical and financial resources, which ensured that children of pre-school age obtained the rational nutrition prescribed by health specialists.

Mme. SAYAH (Iran) said that there were no special laws dealing with child welfare in her country, but that steps had already been taken to prepare legislation on the subject. In Iran, all matters relating to child welfare were in the hands of the Government. The position was such as to facilitate the opening of a special centre for child welfare services, as that appeared to be the best method.

In connection with recreational films, an experiment was being made at Teheran; a special hall had been equipped to show instructional films. There were performances two or three times a month, and free tickets were distributed to school-children. Successful results had already been obtained, and it was proposed to extend the practice generally to the other towns of Iran.

M. GAJARDO (Chile), Rapporteur, stated, with regard to the comments of Count Carton de Wiart, that he had not intended to imply that charitable work in the field of child welfare should be done away with; his idea was rather that the feeling of social responsibility was constantly growing, that the duties of the community towards those in need were becoming more and more imperative, and that the former ideas of charity and of pity should be dropped, as they no longer corresponded to modern views. He assured the delegate of Belgium, and the other speakers who had supported the latter's views, in particular the delegate of the Netherlands, that he would take due note of their criticisms.

Turning to the questions of family desertion and the ill-treatment of children, the Rapporteur stated that he had intended solely to record the present position.

When the question of family desertion came before the Advisory Committee, it was decided to undertake a study in concert with the International Institute for the Unification of Private Law, and that organisation was accordingly asked to lend its assistance. In forwarding the documentary material relating to Roumanian legislation, M. Pella had announced that that material was to be supplemented by information relating to other countries, which would be sent to the Institute and forwarded to the League of Nations. The International Bureau for the Unification of Private Law met at Paris in 1935; it decided¹ to supplement that documentary material, to bring it up to date as at April 1st, 1935, after consultation with the Secretariat, and to classify it. The Secretariat had not yet received the complete collection of material, and in consequence the Advisory Committee had been

¹ See document C.204.M.127.1936.IV (Ser. L.o.N. P. 1936.IV.3), page 22.

unable to take further action in the matter. He added that, for his part, he would welcome a decision on the question. Chile was keenly interested, and had just adopted a law relating to family desertion.

Criticisms had been aimed at his statement that the question of the ill-treatment of children would be placed on the agenda of a future session of the Committee. He explained that the Advisory Committee was unable to decide in advance at which particular session a specific item would be discussed. The Agenda Sub-Committee was entirely responsible for such decisions.

In connection with nutrition, the Netherlands representative had expressed the view that the Advisory Committee was not competent to deal with the matter; the Polish delegate, on the other hand, had uttered a warning about the risk of duplication. He felt that the numerous references made to the nutrition problem were evidence of a general desire to reach a rapid solution. He emphasised that, in the course of a debate in the Second Committee, the Chairman of the Mixed Committee had declared himself favourable to the closest collaboration with the Advisory Committee on Social Questions in any investigation of the social aspects of nutrition.¹ He would take that opportunity of expressing his gratitude to Viscount Astor, and felt certain that the Advisory Committee's representative on the Mixed Committee would meet with generous understanding and be enabled to forge useful links between the two bodies. He thought there was a misunderstanding as regards the competence of the Advisory Committee on Social Questions to deal with the problem of maternal and infant nutrition. The Advisory Committee had never intended to take up the problem, but had merely expressed a wish to be represented on the Mixed Committee on Nutrition, so that that Committee should be able to deal with the social aspects of the problem.

The Rapporteur fully agreed with the French delegation's initiative, as expressed in the draft resolution concerning the future work of the Advisory Committee.

Miss GRAVES (United Kingdom), on behalf of His Majesty's Government, warmly supported the first paragraph of the draft resolution submitted by the French delegation at the previous meeting. She suggested an addition to the second paragraph, however, recording the fact that the Committee's attention had been drawn to the question of child welfare in the smaller urban centres and in rural communities. Reference might be made to a study of that question by adding the following sentence to the second paragraph of the resolution :

" [The Fifth Committee] is of opinion that this study might be combined with the enquiry concerning methods of promoting child welfare in smaller urban centres and in rural districts, to which reference was made by several delegates."

Mme. MALATERRE-SELLIER (France) feared that, if the resolution singled out one point for study, the impression would be given that the other points in the general organisation of child welfare had been ignored; that might impede the organisation of the future work of the Advisory Committee. By way of compromise, she suggested that the Rapporteur should mention the United Kingdom delegate's suggestion in his report to the Assembly.

Miss GRAVES (United Kingdom) agreed that it might be unwise to stress one particular point in the resolution. She suggested that the Rapporteur should embody, in the draft resolution which he would be proposing to the Committee, the idea she had put forward concerning a study of child welfare in smaller urban centres and rural communities.

Mme. SAYAH (Iran) suggested that the resolution concerning the future work of the Advisory Committee on Social Questions should mention the desirability of communicating the results of the study of the general organisation of child welfare to all countries, whether represented on the Advisory Committee or not, in order that each might have the advantage of the experience gained elsewhere; that would prove of particular benefit to countries not represented on the Advisory Committee.

M. GAJARDO (Chile), Rapporteur, while recognising that the suggestion of the delegate of Iran was very valuable in itself, thought that it might most usefully be considered when the results of the Advisory Committee's enquiry were put before the Fifth Committee.

The Committee adopted the draft resolution submitted by the French delegation.

13. Assistance to Indigent Foreigners : General Discussion.

M. KÜNZL-JIZERSKÝ (Czechoslovakia), Rapporteur, submitted an *aide-mémoire*² and drew attention to some outstanding points.

The problem of assistance to indigent foreigners deserved particular attention, for the plight of those persons had been aggravated by the economic depression and the resulting unemployment. The treatment of indigent foreigners differed from country to country; it turned largely on the financial capabilities of the country concerned, and that was the reason for the slow progress made in solving the problem.

Since the 1935 Assembly, some progress had nevertheless been achieved. The Committee of Experts set up to study assistance to indigent foreigners and the execution of maintenance

¹ See *Official Journal*, Special Supplement No. 157, page 29.

² The substance of the *aide-mémoire* was embodied in the report by the Fifth Committee to the Assembly (Annex 5).

obligations abroad had met for the second time between January 27th and February 1st, 1936, and had prepared a second draft multilateral Convention,¹ which represented a compromise between the various views expressed in the replies received from Governments and in the discussion which took place during that meeting. The United States experts had proposed to the Committee of Experts that it should collect more detailed information as to the methods applied in the various countries in the matter of assistance to indigent foreigners. The Committee of Experts had accepted that proposal, and had also studied the execution of maintenance obligations abroad. Having learnt, through a communication from the International Institute for the Unification of Private Law at Rome, that that Institute had already gone very thoroughly into the question, the Committee had instructed the Secretariat to approach the Rome Institute.²

In pursuance of a Council decision of May 11th, 1936, the second draft multilateral Convention was forwarded to Governments with the request that they should communicate their views by January 1st, 1937, at the latest.³ So far, only three replies, of a negative character, and two acknowledgments have been received. The Rapporteur felt, therefore, that it would be premature to consider immediately the question of convening a diplomatic conference for the purpose of drawing up a multilateral convention relating to assistance to indigent foreigners. The situation of indigent foreigners was, however, becoming more and more parlous, and it was desirable that matters should be expedited by requesting Governments to communicate their views on the second draft Convention submitted to them, and by asking the Assembly to request the Council forthwith to summon an inter-governmental conference for the conclusion of a multilateral convention, provided a sufficient number of Governments declared themselves favourable to such a convention.

For that purpose, the Rapporteur submitted the following draft resolution :

“ The Assembly,

“ Noting the work of the Committee of Experts on assistance to indigent foreigners and the execution of maintenance obligations abroad, at its second session in January 1936 :

“ Thanks the Committee for its efforts to improve the position of indigent foreigners by framing a second draft multilateral convention on the basis of the observations of Governments ;

“ Asks the Governments to send the Secretary-General, in conformity with his letter C.L.118.1936.IV, dated July 13th, 1936, their observations on this second draft Convention by January 1st, 1937 ;

“ Requests the Council to take cognisance of these observations, and in the light thereof to decide whether or not it will be desirable to convene the Committee of Experts to study and report on the observations communicated by Governments and to take any other or further action which may seem appropriate.”

As regarded collaboration between the Committee of Experts and the International Institute for the Unification of Private Law in Rome, the Rapporteur stated that the Institute had been engaged for several years in an exhaustive study of maintenance obligations. A comparative study of legislation on the subject was all the more necessary, since hitherto maintenance obligations had only been dealt with very summarily in comparative legal studies. The Institute was now drawing up tables comparing the laws of the various countries ; it was also preparing a survey of the application of judicial decisions taken in foreign countries on the subject of maintenance obligations. A Committee of Experts had been set up, to which the results of the Institute's investigations would be submitted in 1937. It was hoped that the Institute's report on maintenance obligations would prove valuable to the League of Nations Committee which was dealing with the question.

Miss GRAVES (United Kingdom) was unable to communicate the views of the United Kingdom Government on the second draft of the international Convention relating to assistance to indigent foreigners, but the official communication would be sent in due course to the Secretariat.

On the subject of the draft resolution submitted by the Rapporteur, the United Kingdom delegation found itself unable to accept the last paragraph, in which the Assembly urged the Council to summon a conference for the conclusion of a convention after taking cognisance of the results of the second consultation. She recalled that the procedure relating to general conventions concluded under the auspices of the League of Nations had been determined by an Assembly resolution of September 25th, 1931.⁴ That resolution laid down that it would be for the Assembly itself, after taking cognisance of the results of the second consultation, to decide whether a convention should be concluded, and, if so, whether the Council should be requested to fix a date for an inter-governmental conference for that purpose. The second consultation on the draft Convention for Assistance to Indigent Foreigners was still in progress, and its results were not known. It was therefore for the next Assembly to make a decision on the Convention and on whether the Council should summon a conference for the conclusion of the Convention. The logical course would seem to be to arrange, if required, for the summoning in due course of the Committee of Experts, who would draw up a report

¹ Document C.94.M.37.1936.IV (Ser. L.o.N. P. 1936.IV.2).

² See document A.6.1936 (Ser. L.o.N. P. General.1936.5), pages 175 and 176.

³ See *Official Journal*, June 1936, pages 536 and 537.

⁴ See *Official Journal*, Special Supplement No. 93, page 135.

based on the replies of Governments, and put forward useful suggestions arising out of the replies.

She therefore proposed the following amendment to take the place of the last paragraph of the draft resolution presented by the Rapporteur :

“ Requests the Council to take cognisance of these observations and to decide, in the light of these observations, whether it is desirable to summon the Committee of Experts for the purpose of studying the views expressed by Governments, of drawing up a report, and of taking any other steps which might appear opportune.”

M. KÜNzl-JIZERSKÝ (Czechoslovakia), Rapporteur, drew attention to the delay which would ensue if the Assembly itself was to summon a conference as it could not do so until its next session. He thought that it might be left to the Council to summon the conference if, in reply to the second consultation, a sufficient number of Governments expressed themselves in favour of the conclusion of a convention. He had ventured to emphasise the need for or a rapid solution of the problem of assistance to indigent foreigners, in order that some improvements might be made in their deplorable situation. He would, however, naturally accept the Fifth Committee's decision.

Miss GRAVES (United Kingdom) felt she must maintain her proposal. Indeed, the Fifth Committee had no choice in the matter, for the Assembly resolution of September 25th, 1931, made it clear that it was for the Assembly itself to decide whether the conference should be held. Only in the case of an affirmative decision would the Council be called upon to fix a date.

The Committee adopted the United Kingdom delegation's amendment.

14. Traffic in Women and Children : Draft Report by the Fifth Committee to the Assembly and Draft Resolution (Annexe 2) : Discussion and Adoption.

Mme. ČIURLIONIS (Lithuania) submitted her draft report.

The Committee adopted the report and draft resolution¹ with various amendments.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed Mme. ČIURLIONIS (Lithuania) Rapporteur to the Assembly.

15. Traffic in Opium and Other Dangerous Drugs: Draft Report² by the Fifth Committee to the Assembly and Draft Resolution : Discussion.

M. GORGÉ (Switzerland), Rapporteur, submitted his draft report. He explained that the general discussion, though ample and fruitful, had not yielded any specific conclusions, and that he had therefore been obliged to anticipate views which he hoped the Committee would now endorse.

M. DE VASCONCELLOS (Portugal) congratulated the Rapporteur on his draft report. He felt, however, that more adequate mention should have been made of the work of the Central Opium Board and of the Supervisory Body, the control exercised by those two organs being largely responsible for the success of the League's policy. He also felt that sufficient stress had not been laid on the problem of illicit manufacture, which was the chief scourge of the present day. The Committee should not be afraid of pointing to the defects and the dangers involved in the problem.

M. GORGÉ (Switzerland), Rapporteur, replied that he had felt bound to be guided by the general discussion and that those two points, the importance of which he fully recognised, had, in fact, hardly been touched upon by any speaker.

Countess APPONYI (Hungary) stated, with reference to countries in which the poppy was grown for agricultural and industrial purposes, that poppy cultivation had been in existence for a very long period in Hungary, where poppy-seed was used as a food. It had only been in the last few years that, through the Kabag process, morphine had been extracted for medical purposes from the dried straw of the plant. It involved no dangers of any kind, but the Hungarian Government was prepared to give careful consideration to any proposals for the limitation of production.

She quoted the following passage from a memorandum by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs in support of her contention :

“ From the administrative point of view, the control of poppy straw as such must be regarded as superfluous ; it is not dangerous in itself and is unlikely to pass into the illicit traffic. Moreover, its control as raw material actually utilised for manufacture is greatly facilitated for the reasons mentioned above — namely, the impossibility of concealing the raw material or of clandestine manufacture ”.³

¹ The resolution was adopted by the Assembly on October 8th, 1936.

² The final text of the report is contained in Annex 1.

³ Document O.C.1546(1), page 4.

M. ENTEZAM (Iran) stated, with reference to the passage in the report relating to the agricultural and industrial uses of the poppy, that there were, in fact, other countries besides Poland and Hungary in which the poppy was grown for such purposes; but that did not constitute a sufficient reason for excluding such countries from the scope of any proposed regulations.

M. GORGÉ (Switzerland), Rapporteur, thought that the point raised by the delegate of Iran might be met by the following wording:

“The question might be raised whether there is any reason for applying a system of limitation . . .”

The Committee adopted the Rapporteur's amendment by thirteen votes to one.

M. GAJARDO (Chile), referring to the chewing of coca leaves, said that, in Chile, that practice was limited to a small district in the north, and almost wholly to immigrant Bolivian workers.

The Committee agreed that the relevant passage should read:

“ . . . a practice which has existed for centuries in Bolivia, Peru and in certain districts in the north of the Argentine and of Chile. . . ”

EIGHTH MEETING.

Held on Tuesday, October 6th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

16. Traffic in Opium and Other Dangerous Drugs: Draft Report¹ by the Fifth Committee to the Assembly: Discussion and Adoption.

M. GORGÉ (Switzerland), Rapporteur, stated, with reference to the Hungarian delegate's observations at the previous meeting on countries in which the poppy was cultivated for agricultural or industrial purposes, that, in agreement with the Hungarian delegation, he proposed to add in the text of the report, after the words “ . . . in certain countries like Poland, the poppy is cultivated, not with a view to the extraction of opium, but for agricultural or industrial purposes, with a view to the production of seeds or oils,” the sentence: “The Hungarian delegate made an observation of the same character.”

Sir V. T. Krishnama CHARI (India) pointed out that the Committee's intention was to include any other countries in which the same situation obtained. The Indian delegation wished all such countries to be mentioned; in India and in Iran, for instance, the situation was the same as in Poland.

M. ENTEZAM (Iran) supported that view.

M. GORGÉ (Switzerland), Rapporteur, pointed out that the words “in certain countries” covered India and Iran.

M. KÜNZL-JIZERSKÝ (Czechoslovakia) said that, in his country also, the poppy was cultivated for the production of seeds and oil. He would not press for mention of the fact to be made in the text, but asked that it be noted.

Miss GRAVES (United Kingdom) commented on the following paragraphs of the draft resolution on the preparatory work for a conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the cultivation and harvesting of the coca leaf:

“Notes the decision, embodied by the Advisory Committee in its report to the Council, to examine at its next session the question of the creation of a preparatory committee for the purpose of establishing the principles which might serve as a basis for a convention;

“Expresses the hope that the Advisory Committee will consider the possibility of holding preliminary conferences during 1938: one conference to be attended by representatives of the countries producing raw opium, which export this product to drug manufacturing countries, and by representatives of these manufacturing countries; the other to be attended by representatives of the countries producing raw opium which export this product to countries which have established a monopoly in respect of opium for smoking, together with the representatives of these countries;

“Recommends that a general conference should meet within two years at latest after these preliminary conferences.

¹ The final report is contained in Annex 1.

She felt that the first of those paragraphs did not give an exact account of the Advisory Committee's decision as reproduced in that Committee's last report. The decision had been "to continue the studies and the collection of documentary material relating to control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the limitation and control of this raw material".¹ She considered that the Advisory Committee's decision should be respected; it had been taken with full knowledge of the facts, and it postponed further action until such time as the Committee was in possession of the replies of the Governments, due by January 31st, 1937, at the latest. Until the Advisory Committee had given its verdict on the basis of the Government's replies, she felt that it would be unwise to consider the summoning of a conference, or even of a preparatory commission.

M. DE VASCONCELLOS (Portugal) thought that the idea of preparatory conferences was of fundamental importance if the problem was to be solved. Caution was required, for the question was not yet ripe. It was practically certain that the Advisory Committee would agree to the idea of preparatory conferences; he would himself support the proposal before that Committee. He noted that the Rapporteur, in his draft report, had endeavoured to give an account of the proceedings in the Fifth Committee, and congratulated him on the report. He thought, however, the report should go further and give an account of the part taken by the League of Nations in the struggle against drug addiction. There were three countries important in connection with the opium problem: India, China and Japan. A tribute should be paid to the magnificent effort of India, and of China in so far as the provinces under control of Marshal Chang-Kai-Chek were concerned. India in particular, at a heavy financial sacrifice, had succeeded in suppressing the exportation of opium entirely. Japan had not shown herself so active. No doubt the Japanese Government had other problems to face; but he hoped that Japan would in due course take part in the League of Nations' efforts, like India and China, and that, when that participation was secured, the opium traffic would really be mastered.

M. CHEN Ting (China) thanked the delegate of Portugal for the tribute he had paid to the Chinese Government.

The Committee adopted the first sentence of the sixth paragraph of the draft resolutions in the following form:

"Expresses the hope that the Advisory Committee will consider the possibility of holding preliminary conferences as soon as practicable."

The Committee adopted the report and draft resolutions² with the various amendments agreed upon during the discussion.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed M. GORGÉ (Switzerland) Rapporteur to the Assembly.

17. Penal and Penitentiary Questions : General Discussion.

M. PELLA (Roumania), Rapporteur, said that a survey of the League's work in the social and humanitarian field could not but bring keen satisfaction at the results of the action it had taken in penal and penitentiary questions. Having closely followed the evolution of those problems, he could affirm that the expansion of economic activity in penal and penitentiary matters was largely due to the help and support that the League had given.

As evidence of the complexity and the difficulties of the matter, the Rapporteur observed that in no field was the dynamic force of law so strongly felt as in that of criminal law. The problem was a complex one, as there was a clash between the interests of the community which might lead to the adoption of an authoritarian criminal law and the interests of the individual which claimed respect for a minimum of rights — in other words, a certain respect for human dignity. The effectiveness of measures of social protection was thus to some extent limited by humanitarian considerations. The problem was complex, too, because an attempt had to be made to unify certain fundamental principles of criminal law in response to the requirements of the science of criminology, while at the same time the specific national character of criminal law had to be respected. For it was impossible to flout each country's traditions and customs; the law was deep-rooted in them and drew its strength from them.

The resolutions adopted by the Fifth Committee since 1931 showed what the League had done in that field. The League's efforts had been directed primarily towards improving the lot of prisoners. Those efforts had been greatly helped by the technical and moral collaboration of the International Penal and Penitentiary Commission, which had drawn up Standard Minimum Rules for the Treatment of Prisoners³ that were based on scientific and moral principles and would be of truly fundamental importance for the future. The rules had been recommended to the notice of Governments by the 1934 Assembly in a resolution stating that they constituted a minimum below which no State's penitentiary system should fall, requesting Governments to consider the possibility of adapting their penitentiary system

¹ See document C.278.M.168.1936.XI (Ser. L.o.N. P. 1936.XI.10), page 17.

² The resolution was adopted by the Assembly on October 8th, 1936.

³ See *Official Journal*, Special Supplement No. 129, pages 71 *et seq.*

to the Standard Minimum Rules if that system were below the minimum laid down in the said rules, and inviting Governments to communicate to the Secretary-General the experience obtained and any other observations relating either to the application of the Standard Minimum Rules or to reforms brought about in penitentiary matters.¹ A number of Governments had sent in satisfactory replies in 1935.

At its 1935 session, the Assembly had adopted a resolution enumerating various reprehensible practices which were inconsistent with the Standard Minimum Rules and expressed the hope that they would be abandoned.² Those practices were : the deprivation of the opportunity of prisoners to worship according to their religion and to converse in private with a priest or minister of their faith ; the use of violence and other forms of physical constraint either in police cells or in prisons or other places of detention with a view to extorting confession or evidence ; the employment of prisoners in gangs under conditions akin to slavery ; protracted underfeeding to an extent likely to be injurious to the health and lives of prisoners ; the detention of women in prisons without the direct supervision of women officers. As a result of that resolution, a large number of replies had been received by the Secretary-General in 1936, and the following countries had sent reports : Afghanistan, the United Kingdom, Canada, Chile, Denmark, France, India, Iraq, Latvia, Sweden, Switzerland, the Union of Soviet Socialist Republics and Yugoslavia.³

Referring to the salient features in those reports, M. Pella drew attention to the reply from Chile, which stated that work done by prisoners was paid for and that the safeguards of which free workers had the benefit under current social legislation were accorded to prisoners, so far as they were applicable ; further, that, from the money earned by prisoners, a certain amount was taken to form a fund which was handed over to them on their release from prison. Denmark had referred to the very great progress made in the penal and penitentiary field, mainly through the introduction of the new Danish Penal Code of April 15th, 1930. France, in her reply, made special reference to the system of individual treatment in the penalties imposed, the measures taken to make punishments more humane, and the assistance given to liberated prisoners. India's reply also merited special notice. The report sent in by the Union of Soviet Socialist Republics called for particular attention. It contained certain suggestions that might later be studied by the Fifth Committee. The Soviet Union thought, for example, that penalties of perpetual deprivation of liberty should ultimately be abolished. It considered that to fix a maximum duration of ten years for penalties involving deprivation of liberty would constitute a great advance. Further, the Government of the Union gave an account of the measures taken to individualise penalties. It stated that, in the opinion of the competent authorities of the Union, all purely mechanical or absolutely uninteresting work, such as making up packets by hand, oakum-picking, etc., should be abolished, nor should prisoners be hired out to contractors. Purely mechanical work, or work totally devoid of interest, was not allowed for prisoners in the Union.

The Rapporteur felt bound to refer to a problem of topical interest relating to the general system of measures of social defence. It would be interesting to study the part played by measures involving deprivation of liberty in the measures of social defence as a whole. Undoubtedly, deprivation of liberty was a matter of exceptional importance in any penal system ; but there was to-day a tendency to resort to it, even when it was not necessary and when other penal measures could be applied. The problem was of great importance from several points of view. In the first place, from the moral point of view ; for every system had its advantages and drawbacks, and when a system need not be applied its drawbacks were avoided. Thus it was well known that prisons, through the contacts they afforded, were often turned into schools of crime. It was therefore desirable to reduce the number of persons exposed to that danger. The problem was also of importance in the interests of the family, because prisoners could not provide for the upkeep of their dependants. It was of importance to the State, too, as an appreciable saving could be made by reducing the number of prisoners. Lastly, from the social point of view, there was a risk that the work of prisoners might compete with that of free workers.

The Rapporteur emphasised that aspect of the problem of crime, because there was a growing tendency to resort to penalties involving deprivation of liberty. He would suggest the example of Denmark as one worthy to be followed. Denmark, in the reply already referred to, pointed out that, in the new Danish Penal Code, an attempt had been made to limit the number of penalties involving deprivation of liberty and as far as possible such penalties were imposed only when absolutely necessary. Further, M. Pella pointed out that, in the case of first offenders, the principle of the Bérenger Law could be applied ; in other words, the execution of the penalty could be suspended, or, as was done in some cases in England, judgment could be reserved. Moreover, the period of penalties involving deprivation of liberty could be shortened by release on certain conditions.

The Howard League, which was doing admirable work in the field of penal reform, had drawn attention to the distressing aspect of the problem and its particular importance at the present time. The aim of that organisation was to find how the number of prisoners could be reduced without endangering public safety. For the study of that question, international penitentiary statistics were indispensable. It had been suggested that the International Penal and Penitentiary Commission should carry out an enquiry among prisoners over the age of 18 and should then ascertain how those prisoners were divided into persons detained in custody on remand or pending trial, those serving a sentence of a court, and those in

¹ See *Official Journal*, Special Supplement No. 125, page 94.

² See *Official Journal*, Special Supplement No. 138, page 129.

³ See document A.25.1936.IV (Ser. L.o.N. P. 1936.IV.4), *passim*.

custody as the result of administrative action. It was hoped that Governments would send in their replies by March 1st, 1937, and that the Penal and Penitentiary Commission would submit its report to the Secretary-General not later than July 1st, 1937.

The Rapporteur called the Fifth Committee's attention to the following questions, with a view to their discussion at future sessions : the improvement of the lot of prisoners, the scientific psychological examination of persons under detention, the vocational training of prison staff, international exchanges of prison staff and the repatriation of foreign prisoners upon their release.

Turning to the results of the collaboration between the League of Nations and the international technical organisations dealing with penal and penitentiary questions, the Rapporteur pointed out that the International Penal Law Association had carried on its enquiry on the protection of public savings and had published a French translation of the Danish Penal Code of April 15th, 1930, thus helping to make more widely known a legal document of great scientific value. The International Bureau for the Unification of Penal Law had organised several meetings of its technical committees for the purpose of studying the prevention and punishment of terrorism, drawing up an international convention for the punishment of *souteneurs* and studying the international suppression of the use of violence by parents on their children. The Bureau had also been represented at a session of the Committee of Experts of the League of Nations for the purpose of drawing up a convention for suppressing the exploitation of prostitution and on the Traffic in Women and Children Committee. As regards the work of the International Penal and Penitentiary Commission, there was nothing to add to the account given in the Secretary-General's report.¹ The International Criminal Police Commission had submitted a preliminary draft International Convention for the Repression of Terrorism on the occasion of the first meeting of the Committee for International Repression set up by the Council of the League of Nations.²

The question raised by the delegation of Venezuela at the fifteenth Assembly regarding the repatriation of foreigners convicted of offences against the ordinary law had been studied by the International Bureau for the Unification of Penal Law, in collaboration with the International Penal and Penitentiary Commission. Those two organisations had sent the Secretary-General a joint reply³ to the question. The Rapporteur suggested that the Fifth Committee should take note of that reply and instruct the Secretary-General to communicate it to the delegate of Venezuela.

The Rapporteur submitted the following draft resolution as a basis for discussion :

“ The Assembly,

“ Having taken note of the Secretary-General's report on penal and penitentiary questions (document A.25.1936.IV) ;

“ Thanks the Governments for the replies that they have sent to the League this year (see document A.25.1936.IV), and requests them to continue to inform the League annually of any reforms that have been effected in their penal and prison systems ;

“ Thanks the international technical organisations for their annual information on their work, and for their valuable co-operation in promoting the study of penal and penitentiary questions on international lines ;

“ Instructs the Secretary-General :

“ To have recourse to the good offices of the International Penal and Penitentiary Commission, asking them to institute, if necessary with the assistance of the League Secretariat, an enquiry :

“ (a) Into the number of prisoners of 18 years of age or over (separate figures being given for men and women) in the different countries at the nearest possible date to December 31st, 1936 ; by prisoners is meant persons deprived of their liberty whether,

“ (1) On remand, or awaiting trial,

“ (2) Under judicial sentence, or

“ (3) Under administrative measures ;

where possible, the figures should show the numbers of prisoners of each of these three categories ;

(b) Into the measures taken in different countries during recent years with the object of reducing the number of prisoners.”

In conclusion, M. Pella stated that he felt sure that the League could initiate in 1936 a fresh effort to improve penal administrations, with due allowance for the legitimate reactions of the different communities and the motives which impelled the individual to commit crime, so that punishment should not be transformed into an act of vengeance, but should be applied on a rational basis.

M. PARRA-PÉREZ (Venezuela) was grateful to the Rapporteur for having mentioned the work accomplished by the International Bureau for the Unification of Penal Law and by

¹ See document A.25.1936.IV (Ser. L.o.N. P. 1936.IV.4), pages 14 and 15.

² See document C.184.M.102.1935.V, page 2.

³ Annex 7.

the International Penal and Penitentiary Commission. The Venezuelan Government was grateful to both those organisations for the work they had undertaken as a result of the initiative taken by the delegate of Venezuela at the 1934 Assembly.

M. PLANCHE (France) expressed agreement with the main lines of the draft resolution submitted by the Rapporteur. He thought the Committee would be interested to learn that the French Government had recently decided to abolish the French penal settlements, which had acquired such notoriety, and that a draft law would soon be laid before the Chambers for the gradual abolition of those settlements.

Mme. ADAMOWICZ (Poland) stated that, in connection with the proposed enquiry into the numbers of persons deprived of their liberty, she thought that use should be made of existing statistics. In Poland, for example, all the data which, in the resolution, it was proposed to collect was already published in the official statistical year-books.

COUNT CARTON DE WIART (Belgium) stated that the International Bureau for the Unification of Penal Law and the International Penal and Penitentiary Commission had already done valuable work. The one had helped to co-ordinate and unify penal legislation and the other to imbue the penitentiary system with a humanitarian spirit. Count Carton de Wiart heartily welcomed the announcement that the French delegation had just made. On a more modest scale Belgium, too, was continuing to evince a desire for progress in penitentiary matters. As regards children's courts and release on probation and also suspended sentences, Belgium was proud to have shown the way to the rest of the Continent. Count Carton de Wiart drew attention to the method followed in Belgium of sending prisoners to establishments of a character corresponding to their respective cases and nature; youthful offenders were sent to prisons at which they received schooling (*risons-écoles*), mental cases to criminal lunatic asylums, and prisoners susceptible to special diseases, such as tuberculosis, to establishments equipped to prevent such diseases or providing treatment for them, and so on.

Referring to the draft resolution, Count Carton de Wiart expressed the hope that the International Penal and Penitentiary Commission would provide commentaries on the documentary material collected and would not merely compile data. It was not enough to know that a country had only so and so many prisoners, if it was also prone to apply the death penalty or if it sent persons to concentration camps. He fully approved the resolution.

MISS GRAVES (United Kingdom) stated, in regard to the draft resolution, that the United Kingdom Government could only be wholly sympathetic to any survey the ultimate purpose of which was to reduce the numbers of persons deprived of their liberty. Legislation passed in the United Kingdom in 1914 and 1925 had resulted in a striking diminution in the numbers of persons condemned to imprisonment. Time was now allowed for the payment of fines, the courts had power to place young offenders under suitable supervision until their fines were paid, and wage-earners in particular were now enabled to pay fines by instalments, instead of having to find a lump sum. She was therefore wholly in agreement with the objects of the resolution.

In connection with the second paragraph of the draft resolution, she felt bound to draw attention to the fact that, in answer to the request of the 1934 Assembly, the United Kingdom Government had indicated that they would prefer to continue their practice of sending the relevant data to the International Penal and Penitentiary Commission, in order to avoid duplication. As that body worked in close contact with the Secretariat, she hoped that that decision, which would be maintained, would not prove an obstacle to the objects in view.

With regard to the categories enumerated elsewhere in the resolution, she explained that, in the United Kingdom, the only persons falling under category (a) (3) ("Persons deprived of their liberty under administrative measures") were mental or physical defectives who were held to be not responsible for their actions. She suggested that such persons should be specifically excluded from the scope of the enquiry. She asked, on the other hand, that persons detained under emergency laws or provisions, and persons detained without any criminal charge being made against them should be specifically included.

She emphasised the very great interest of the Government's replies appearing in the Secretary-General's report to the Assembly on penal and penitentiary questions.¹ Even if all the ideas put forward could not be adopted forthwith in other countries, every delegate would derive benefit from having become acquainted with them.

M. SOUBBOTITCH (Yugoslavia) emphasised the close interest with which the Yugoslav Government followed the work of the International Penal and Penitentiary Commission, and its warm admiration for the work of the League of Nations on penal and penitentiary questions.

M. RUTGERS (Netherlands) expressed agreement with the draft resolution. He assumed that persons deprived of their liberty by the decision of a military court would be included in category (a) (2). The Netherlands Government would gladly supply the information

¹ Document A.25.1936.IV (Ser. L.o.N. P. 1936.IV.4).

required. He thought, however, that the enquiry proposed was only fragmentary, because deprivation of liberty was only one of the penalties imposed upon criminals. In countries where the death penalty had been abolished, the number of those deprived of their liberty was correspondingly increased; conversely, where the death penalty was widely employed, the numbers of those detained were reduced. Ultimately, therefore, it would be necessary to complete the enquiry by collecting statistics of penalties other than deprivation of liberty.

M. GAJARDO (Chile) thanked the Rapporteur for his reference to Chile. The Government had been glad to give effect to the recommendation of the fifteenth Assembly, and to give wide publicity to the Standard Minimum Rules for the Treatment of Prisoners.

Professor SIMON VAN DER AA, Secretary-General of the International Penal and Penitentiary Commission, stated that he ventured to think that, if the draft resolution were adopted by the Fifth Committee and approved by the Assembly, the International Penal and Penitentiary Commission would be ready to accept the invitation addressed to it in the resolution. Its bureau would then set to work at once, with the assistance of the League Secretariat if necessary. There were two reasons why the International Penal and Penitentiary Commission would be very glad for the enquiry to be undertaken. In the first place, it was most anxious to strengthen and continue its collaboration with the League, which had been so happily and successfully established and carried on. In that connection, he pointed out that the Penal and Penitentiary Commission, after having framed its Standard Minimum Rules for the Treatment of Prisoners, had revised them in the light of observations collected by the League, and that the League had then recommended the application of the rules to States Members which were not as yet represented on the Commission. Secondly, the tenor of the resolution was of great importance for the systematic organisation of the punishment of crime. Even if the Standard Rules were applied in full by every country — which was far from being the case — so that every prisoner was as far as possible assured of humane as well as rational treatment, deprivation of liberty in the form of incarceration in a prison or similar institution would still constitute a serious problem both for the person undergoing the imprisonment and for his dependants and also for the community, which was put to a very considerable expense. But, though there seemed no question that the protection of society required the internment of persons in some cases and for certain criminals, it seemed also beyond question that the application of internment should be confined to such cases and to such criminals, and that suitable means should be sought to avoid it. The last paragraph of the draft resolution stated that that was the ultimate object of the resolution. The International Penal and Penitentiary Commission, moreover, had already taken the first step to draw attention indirectly to that point when, in 1935, it published a series of surveys of penitentiary systems in force in various countries belonging to the Commission. Those surveys included a chapter on "Alternatives to Punishment" and contained data on the procedures followed in cases where fines were not paid.

His Commission would therefore be very happy to place itself at the League's disposal for the purpose of carrying out the enquiry proposed by the resolution, which would directly enable information to be collected and collated on the points indicated.

18. International Relief Union : General Discussion.

M. PARRA-PÉREZ (Venezuela), Rapporteur, drew the Committee's attention to the very valuable work done by the International Relief Union in protecting human life in natural calamities, and paid a tribute to Senator Ciraolo, who was still the moving spirit behind the Union. He thought that the Union, though young, had justified its existence and had amply proved the usefulness of its work on the occasion of the calamity which had befallen India in June 1935. The aim of the Union was not to displace existing organisations which collected funds, but to act as a centre for advice and co-ordination. In that connection a valuable arrangement had been arrived at between the Sovereign Order of Malta and the Governing Body of the Union, while close contact was maintained with the International Red Cross Committee and the various Red Cross societies. Contact with the League of Nations would undoubtedly help the Union to achieve greater universality. He drew attention to the very modest character of the Union's finances, as shown in the accounts annexed to the report on the activities of the Executive Committee from January 1st to December 31st, 1935,¹ and expressed warm gratitude for the gifts received from the Italian and Bulgarian Governments and from the Sovereign Order of Malta. The Union's reserves having been held in the form of gold, the recent financial events had resulted in creating a surplus, which he thought might be used to amortise the debt contracted in 1935.

Sir V. T. Krishnama CHARI (India) again expressed the Indian Government's gratitude for the valuable help given by the Union at the time of the disaster in Baluchistan.

¹ Document A.26.1936.XII (Ser. L.o.N. P. 1936.XII.B.9).

19. **Assistance to Indigent Foreigners : Draft Report by the Fifth Committee to the Assembly and Draft Resolution (Annex 5) : Adoption.**

M. KÜNzl-JIZERSKÝ (Czechoslovakia), Rapporteur, submitted his draft report.

The Committee adopted the report and draft resolution.¹

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed M. KÜNzl-JIZERSKÝ (Czechoslovakia) Rapporteur to the Assembly.

NINTH MEETING.

Held on Wednesday, October 7th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

20. **Child Welfare : Draft Report by the Fifth Committee to the Assembly and Draft Resolutions (Annex 3) : Discussion.**

M. GAJARDO (Chile), Rapporteur, submitted the draft report to the Assembly and the draft resolutions.

The Committee discussed part of these texts, and adjourned the discussion to the next meeting.

TENTH MEETING.

Held on Thursday, October 8th, 1936, at 3.30 p.m.

Chairman: M. SCHMIDT (Estonia).

21. **Child Welfare : Draft Report by the Fifth Committee to the Assembly and Draft Resolutions (Annex 3) : Adoption.**

The Committee adopted the report and draft resolutions² with a number of amendments.

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed M. GAJARDO (Chile), Rapporteur to the Assembly.

22. **International Relief Union : Draft Report by the Fifth Committee to the Assembly and Draft Resolution (Annex 4) : Adoption.**

M. PARRA-PÉREZ (Venezuela), Rapporteur, submitted the draft report by the Fifth Committee on the work of the International Relief Union.

The Committee adopted, with certain drafting amendments, its report and the draft resolution¹ contained in the report.

The Committee declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed M. PARRA-PÉREZ (Venezuela) to be Rapporteur to the Assembly.

23. **Penal and Penitentiary Questions : Draft Report by the Fifth Committee to the Assembly and Draft Resolution (Annex 6) : Discussion and Adoption.**

M. PELLA (Roumania), Rapporteur, submitted his draft report.

Referring to the draft resolution, Professor SIMON VAN DER AA, Secretary-General of the International Penal and Penitentiary Commission, said, with reference to the parenthesis under (a) relating to persons detained on account of mental or physical unfitness, that the

¹ The resolution was adopted by the Assembly on October 10th, 1936.

² The resolutions were adopted by the Assembly on October 10th, 1936.

paragraph dealt with prisoners, and that the object of the whole passage was to define the term "prisoner". Persons detained on account of mental or physical unfitness, however, were not prisoners, and were never considered such. The parenthesis seemed to introduce an unnecessary complication and had better be deleted; it was a well-known fact that, if an enquiry was to produce good results, it must be as brief as possible. If for any reason it were wished to keep the parenthesis, he thought it would be better to place it under No. 3 of the paragraph.

Miss GRAVES (United Kingdom) stated that her delegation desired the retention of the parenthesis, for reasons of domestic administration in the United Kingdom. She explained that, in using the term "detained" in the United Kingdom, it was necessary to exclude specifically persons detained on account of mental or physical unfitness, as they would otherwise be included among persons deprived of their liberty.

After an exchange of views, *the Committee decided to retain the parenthesis in section (a).*

The Committee adopted the report and draft resolution.¹

The Committee unanimously declared that it did not consider a discussion of the report to be necessary in plenary session of the Assembly.

The Committee appointed M. PELLA (Roumania) Rapporteur to the Assembly.

24. Close of the Committee's Proceedings.

After the customary tributes had been paid, the CHAIRMAN declared the proceedings of the Fifth Committee of the seventeenth ordinary session of the Assembly closed.

¹ The resolution was adopted by the Assembly on October 10th, 1936.

ANNEXES

ANNEX 1.

Official No. : A.63.1936.XI.

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. GORGÉ (Switzerland).

The Fifth Committee noted with interest the documents issued by the Advisory Committee on Traffic in Opium, by the Permanent Central Board and by the Supervisory Body, relating to the work done during the year in the campaign against the traffic in narcotic drugs. It did not discuss in detail the various aspects of this activity but, after hearing a statement from the Rapporteur on the general situation, concentrated its attention on a certain number of important points and particularly on the problem of the production of raw materials. The discussion was encouraging, owing to its wide range and—a fact which deserves to be noted in regard to problems which formerly aroused strong feeling and gave rise to criticisms—no fundamental divergencies of view were apparent. There was unanimous agreement as to the progress achieved and as to the direction taken by the competent bodies of the League of Nations in the accomplishment of their task. The Fifth Committee was happy to encourage these bodies in their efforts. The time does not seem to be far distant when the work undertaken with a view to combating the scourge of narcotic drugs will enter upon the final stages of its achievement.

1. PREPARATORY WORK FOR A CONFERENCE TO CONSIDER THE POSSIBILITY OF LIMITING AND CONTROLLING THE CULTIVATION OF THE OPIUM POPPY AND THE CULTIVATION AND HARVESTING OF THE COCA LEAF.

The Committee was unanimous in thinking that the League of Nations, in its difficult and complicated campaign against narcotic drugs, had reached a decisive point which constituted the third stage of its activity. Following the establishment of the control of international trade under the Convention of 1925 and the direct limitation of the manufacture of drugs under the Convention of 1931, an attack must now be made upon the real source of the evil—namely, the excess in the production of raw materials. The alarming development of clandestine manufacture, to which the traffickers resort now that they have been driven towards regions of the world where raw materials are easily accessible and where control is exercised with difficulty, renders the limitation of production itself increasingly necessary. The Committee unanimously endorses as an indisputable truth the statement made by several delegates to the effect that it is useless and dangerous to produce more raw materials than the legitimate market can absorb ; if there is a surplus of production, such surplus must necessarily find an outlet in the illicit market.

The Fifth Committee, anxious to support the Advisory Committee in its task and to seek out practical measures of achieving its aims in as short a time as possible, has considered the *difficulties*, the *possibilities* and the *means of action* at the disposal of the League of Nations.

The Committee, supporting generally the resolution adopted by the Advisory Committee to the effect that there should be a dissociation of the study of the two problems of the opium poppy and the coca leaf, paid special attention to the preparatory work for the limitation of the cultivation of the opium poppy. Figures taken from the documents at the disposal of the Secretariat of the League of Nations enable some idea to be formed of the full extent of the problem. There were used for the legitimate manufacture of drugs in 1931, 260 tons of raw opium ; in 1932, 219 tons ; in 1933, 224 tons ; and in 1934, 240 tons. These figures show a yearly average of 240 tons. Further, if reference is made to statistics for the countries which furnish statements concerning the quantities of raw opium used for the manufacture of prepared opium, it will be noted that there were used for this purpose during the years 1931 to 1934 an average of 300 tons of raw opium. The world accordingly needs a total of about 540 tons of raw opium to satisfy its legitimate requirements. The production of the entire world, however, with the exception of China, was approximately 1,530 tons in 1933 and 1,080 tons in 1934. The production in 1933 and 1934 thus exceeded by about 1,000 tons and 540 tons respectively the needs of the world for the manufacture of drugs and of prepared opium. Account must also be taken of the raw opium in China, which, it is true, is consumed for the most part on the spot. It is difficult to give an exact figure, but in any case it exceeds the production of all the other countries put together. There must also be added certain quantities consumed in India, Iran and other countries. Such statistics show beyond dispute that enormous quantities must every year be available to swell existing stocks or to find an outlet in the illicit traffic.

The Fifth Committee is clearly aware of the difficulties which have hitherto stood in the way of abolishing such a state of affairs. It considers, however, that it is necessary to take stock of these difficulties and that they should be examined thoroughly and in a practical frame of mind with a view to finding methods of dealing with them successfully. They were emphasised by various delegates, in particular by the delegate of Portugal, and they may be briefly summarised as follows :

The limitation of the manufacture of narcotic drugs affected only about sixty factories situated in fifteen manufacturing countries, whereas the limitation of the production of the opium poppy concerns hundreds of thousands of farmers who cultivate the opium poppy, over a surface of some 100,000 hectares, not including China, in the following countries ; Afghanistan, Bulgaria, Greece, India, Iran, Japan proper, Korea, Turkey, the Union of Soviet Socialist Republics and Yugoslavia. The limitation of the production of an agricultural product is much more difficult than the limitation of the manufacture of an industrial commodity, since the amount produced, which does not depend on the will of man, cannot be foreseen, the annual harvests, for the same area often varying by more than 100 %. Whereas the rate of industrial production can be regulated according to the needs of the market, it is impossible to increase or to restrict with the same degree of elasticity the areas cultivated so as to adapt, from one year to another, agricultural production to world needs. Further, as the delegate of Poland pointed out, account must be taken of the fact that in certain countries like Poland, the poppy is cultivated, not with a view to the extraction of opium, but for agricultural or industrial purposes with a view to the production of seeds or oils. The Hungarian delegate made an observation of the same character. The question might be raised whether there is any reason for applying a system of limitation to raw materials intended for such purposes. The social environment of the producer must also be considered, that of a European peasant being quite different from that of a peasant in the East. The system of land tenure must also be taken into account according as limitation is to be applied to a large or small property or to a collective farm where production is annually regulated in advance by a State authority.

Although these difficulties exist, there are also certain aspects of the problem which hold out hopes of its solution. Whereas the consumers of manufactured drugs are represented by millions of sick persons who are isolated individuals, the consumers of raw materials constitute a much more limited group—namely, the drug factories and the countries which have established monopolies in respect of opium for smoking. Agreement between this limited group of producers and consumers should not be difficult. Further, as the delegate of the Argentine pointed out, the very conditions of the market and existing economic necessities work in favour of a limitation of the production of raw opium. Among these factors are the decreasing demand for raw materials, both of the countries which manufacture drugs and of the countries with prepared opium monopolies ; the resulting accumulation of considerable stocks in the countries producing raw materials and in the monopoly countries ; a large decrease in the price of the raw material and the difficulty experienced by producing countries in finding new markets for their products ; finally, the tendency which has been observed in certain of these countries, as in Turkey and Yugoslavia, to establish agreements among themselves under the pressure of prevailing economic conditions. To these factors, which favour a solution, must be added the fact that India, which has continuously reduced its cultivation, has ceased to export opium since the end of 1935, while the progressive execution of the programme of the limitation of production in China also opens up still further possibilities. Though the solution of the problem involves fairly heavy sacrifices on the part of the producing countries, these sacrifices are the logical equivalent of those which the manufacturing countries have been asked to make. The countries which are not directly affected by a limitation of raw materials should, however, do their utmost to attenuate the effects on producing countries of the economic and social transformation which limitation must entail.

Turning to the methods whereby the League of Nations can undertake this task, there can be no doubt, as was indicated by the delegate of Portugal, that the first condition to be fulfilled is a thorough preparation on the basis of information as precise and complete as possible concerning all the technical aspects of the problem. For that reason it is desirable that, in the first place, the Governments of the countries producing raw opium should furnish before January 31st, 1937, the information for which the Advisory Committee has asked in its questionnaire. Attention was also directed to a suggestion that preliminary conferences should be convened, similar to the Conference which met in London in November 1930 in preparation for the Limitation Conference of 1931. One of these conferences might be devoted to the discussion of problems relating to the raw opium which is required for the manufacture of drugs ; it would consist of representatives of the producing countries which export raw materials to the manufacturing countries and the representatives of the manufacturing countries themselves. Another conference might deal with the problems concerning the raw opium required by the monopolies established in respect of opium for smoking ; it would consist of the representatives of the producing countries which export raw opium to the monopoly countries and the representatives of the monopoly countries.

The delegate of Portugal has suggested that the preliminary conferences should meet during the year 1938 and the conference itself within two years, at latest, after the preliminary conferences.

It will be for the Advisory Committee, which has decided at its next session to lay down the principles which might serve as a basis for a convention for the limitation of the cultivation of the opium poppy, to give precision to these suggestions, following a thorough examination by a Preparatory Committee within the Advisory Committee. The Fifth

Committee heard with interest a statement of the delegate of France to the effect that the French representative on the Advisory Committee, who had already presented, at the last session of the Advisory Committee, a memorandum on the principle of the limitation of the cultivation of the opium poppy, proposed to complete that memorandum by a detailed statement of the method to be followed in the application of the principle.

During the discussion, the delegate of the Union of Soviet Socialist Republics described the combined system of limitation of the cultivation of the opium poppy and of a monopoly in respect of all the opium produced which is in force within the territory of the Union. By a Decree of August 27th, 1926, the monopoly in respect of all opium produced within the territory is held by a single company belonging to the State; by a Decree of October 27th, 1934, a system was established for limiting the cultivation of the opium poppy and the production of raw opium. The latter system involves a single system of control covering all operations from the cultivation of the poppy up to the delivery of the product obtained—namely, raw opium—to the company which holds the monopoly for internal and external trade and to the factory which transforms this opium into narcotic drugs.

The delegate of the Union of Soviet Socialist Republics concluded that this system appeared to be effective, since the area under sowings, which in 1932 was about 28,000 hectares, had fallen to 10,300 hectares in 1934 and had not since exceeded that figure. The opium poppy is cultivated in the two autonomous Republics of Kirghiz and Kazakstan. In the opinion of the delegate of the Union of Soviet Socialist Republics, a limitation of production, in order to succeed, should be accompanied by a State monopoly for the production of the raw materials and for the manufacture and distribution of all narcotic drugs.

The Fifth Committee finally heard a statement by the delegate of Turkey, who considered that countries which were not at present producing countries should not undertake experiments in the cultivation and production of the opium poppy at a time when the quantity of opium produced in the world was in excess of requirements and when the producing countries were about to be asked to make sacrifices.

The delegate of Switzerland, after quoting interesting figures showing the decrease of manufacture in Switzerland, a country which now only manufactured a very small proportion of the total quantities of manufactured drugs, emphasised that, generally speaking, the results obtained by the limitation of the manufacture of drugs, a system which had once been considered so difficult to establish, constituted a valuable encouragement for the completion of the task by a limitation of the production of raw materials.

Studies relating to the limitation of the production of the coca leaf will, it is understood, be continued on parallel lines with a view to an ultimate solution of the problem. The Fifth Committee, in this connection, noted with great interest a statement of the delegate of the Argentine, in whose opinion it would be of no use to endeavour merely to suppress the chewing of coca leaves, a practice which has existed for centuries in Bolivia, Peru, and in certain districts in the north of the Argentine and of Chile, unless an attempt were made to replace the coca leaf by some substitute which would have a similar stimulating effect on the physical system. The delegate of the Argentine referred to the possibility of using as a substitute "maté", which has the same properties as the coca leaf and which has been produced and used for hundreds of years in Brazil, Paraguay and the Argentine.

The Fifth Committee, as a conclusion to its discussions on the question of the limitation of raw materials, recommends that the Assembly adopts the following resolution:

"The Assembly,

"Noting the decision, adopted by the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs at its twenty-first session (May 18th-June 5th, 1936), and approved by the Council on September 19th, 1936, to continue the studies and the collection of documentary material relating to the control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the purpose of drawing up a convention for the limitation of this raw material;

"Considering that the limitation of raw materials constitutes a decisive step in the campaign of the League of Nations against the abuse of narcotic drugs and a logical and necessary crowning of its efforts:

"Recommends that all Governments shall furnish the Advisory Committee with every possible assistance in its preparatory work and particularly in the collection of the necessary information;

"Invites the Governments of the producing countries to communicate, before January 31st, 1937, the information requested in the questionnaire addressed to them by the Advisory Committee;

"Notes the decision of the Advisory Committee, as recorded in its report to the Council, to examine at its next session the question of the creation of a Preparatory Committee for the purpose of establishing the principles which might serve as a basis for a convention;

"Expresses the hope that the Advisory Committee will consider the possibility of holding preliminary conferences as soon as practicable: one conference to be attended by representatives of the countries producing raw opium, which export this product to drug manufacturing countries, and by representatives of these manufacturing countries; the other to be attended by representatives of the countries producing raw opium, which export this product to countries which have established a monopoly in respect of opium for smoking, together with the representatives of the monopoly countries;

“ Recommends that a general conference should meet as soon as practicable after these preliminary conferences ;

“ Recommends that the preparatory work of the Advisory Committee and of the Secretariat shall be proceeded with as quickly as possible and should not be hampered by budgetary considerations.”

2. ILLICIT TRAFFIC : CONVENTION OF 1936 FOR THE SUPPRESSION OF ILLICIT TRAFFIC IN DANGEROUS DRUGS.

The Fifth Committee, pending the limitation of the production of raw materials, which should strike at the source of the illicit traffic, noted with keen satisfaction the conclusion of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs. Several delegates, including those of Canada, the United Kingdom and, in particular, the delegate of Austria, emphasised the importance of the Convention, which was intended to strengthen the repression of illicit acts and to render still more strict the application of the previous opium Conventions.

It seems desirable that the attention of Governments should effectively be drawn to the importance of this Convention at a time when the clandestine manufacture is assuming alarming proportions. Since the Convention should complete the work achieved by the three previous Conventions of 1912, 1925 and 1931, which have all received more than fifty ratifications, it is urgently necessary that it should be universally applied in order to be effective.

The Fifth Committee, in regard to this matter, recommends the following resolution to the Assembly :

“ The Assembly,

“ Noting with keen satisfaction the conclusion of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs ;

“ Considering that the universal application of the Convention is a necessary condition of its efficacy :

“ Recommends all Governments to take as soon as possible all such steps as may be necessary for the ratification of this Convention in order that it may promptly have its full effect.”

3. SITUATION IN CHINA.

The Fifth Committee, without discussing in detail the situation in China, which was the subject of long debates in the Advisory Committee during its last session, was concerned at the gravity of the position in that country. It wishes all possible success to the efforts which the Chinese Government is making in the application of its plan for suppressing the cultivation of the poppy and the use of opium within a fixed period and in its campaign against illicit traffic and the clandestine manufacture of drugs.

The Fifth Committee, having noted in the report of the Advisory Committee to the Council the resolution adopted by that Committee on the situation in China, the importance of which was emphasised by the Council at its meeting on September 19th, 1936, associates itself with the appeal addressed by these two bodies to all Governments with a view to facilitating the campaign of the Chinese Government against the evil of narcotic drugs.

4. CAMPAIGN AGAINST ADDICTION AND PROPAGANDA AGAINST THE ABUSE OF NARCOTIC DRUGS.

The delegate of Poland rightly drew the attention of the Fifth Committee to the fact that police repression and the limitation of the manufacture of drugs and of the production of raw materials would not be sufficient remedies against the abuse of narcotic drugs, so long as there existed a demand due to the prevalence of addiction.

The campaign against addiction is evidently an equally important task of the League of Nations, and the Fifth Committee notes with satisfaction that the Advisory Committee has undertaken the study of this fundamental problem. It invites the Advisory Committee to keep this question on its agenda and urgently appeals to the Governments to do their utmost to furnish the information requested in the questionnaire which is being sent to them as a result of a recent decision of the Advisory Committee.

The Fifth Committee would finally draw the attention of Governments to the danger of direct propaganda among young people in countries not yet contaminated by the abuse of narcotic drugs. Young people in such countries are usually unaware of the effects of the drugs and might be led into vices of whose existence they have no suspicion.

* * *

In conclusion, the Fifth Committee would emphasise that the results achieved by the League of Nations in the campaign against narcotic drugs are undisputed and beyond

dispute. It is fully aware of the extent of the task which remains to be accomplished. The results so far achieved, however, bear witness to the efficacy of the methods of the League of Nations and of Governments. The task accomplished in this field furnishes an encouraging example for other activities of the League and at the same time contributes to the development of an increasingly effective system of international co-operation.

* * *

The Fifth Committee proposes that the Assembly should adopt the following resolution :

“ The Assembly notes the report submitted by the Fifth Committee and adopts its conclusions.”

ANNEX 2.

Official No. : A.62.1936.IV.

TRAFFIC IN WOMEN AND CHILDREN.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Mme. ČIURLIONIS (Lithuania).

I. REORGANISATION OF THE ADVISORY COMMISSION FOR THE PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE.

The Fifth Committee considered that the amalgamation of the Child Welfare Committee and the Traffic in Women and Children Committee into an Advisory Committee on Social Questions which has now been effected would facilitate the accomplishment of the tasks entrusted to it. The Fifth Committee took note of the repeated statements to the effect that the change of title does not imply any change in the terms of reference of the new Committee. The new Committee must therefore place permanently on its agenda questions relating to the problem of the traffic in women and children, expressly mentioned in Article 23(c) of the Covenant.

With regard to the assessors, who had hitherto been attached to the Advisory Commission for the Protection and Welfare of Children and Young People as representatives of international organisations, the Committee concurred in the wish expressed by one delegate that the change in their status in consequence of the reorganisation might not diminish the importance of their collaboration, which had always been of great service to the Commission.

II. PROGRESS OF INTERNATIONAL LEGISLATION ON TRAFFIC IN WOMEN AND CHILDREN.

The Fifth Committee recorded with satisfaction that international legislation in this field is continuing unhampered by the political, social and economic difficulties with which the world is faced. It noted that the 1921 International Convention for the Suppression of the Traffic in Women and Children has now been ratified or definitely acceded to by forty-eight countries and the 1923 International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications by forty-four countries, in addition to a large number of colonies, protectorates, mandated territories, etc., which are parties to these Conventions.

The representative of the Argentine Republic informed the Fifth Committee that his Government had decided to adhere to the 1921 International Convention for the Suppression of the Traffic in Women and Children, and to the 1923 International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications.

The Committee expressed the wish that the countries Members of the League not yet parties to the above international instruments might ratify them as soon as possible.

It seemed to the Fifth Committee gratifying that the Convention for the Suppression of the Traffic in Women of Full Age concluded at Geneva on October 11th, 1933, has now been ratified or definitely acceded to by seventeen countries, of whom seven have become parties since the last Assembly.

It appears generally from replies received by the Secretary-General from Governments that delay in ratifying the last-named Convention is due, not to lack of sympathy with its objects, but to the necessity for bringing existing national legislation into formal agreement with the terms of the Convention. The Fifth Committee desires to record the wish that further ratifications and accessions will soon be effected, as the full value of a Convention of this type depends largely on its universal application.

III. SUPPRESSION OF EXPLOITATION OF PROSTITUTION.

The Fifth Committee was very glad to note that the Traffic in Women and Children Committee had approved the text of a draft Convention submitted to it by its Subcommittee. A resolution, which was unanimously adopted by the Traffic in Women and Children Committee, regarding this draft Convention requested the Council to recommend to Governments the conclusion of an international convention for the punishment of persons who exploit the prostitution of others.

It stated that this convention "should be based on the principles of the legislations in force in the abolitionist countries", and that, in order to secure the largest number of accessions to the convention, the Committee contemplated the possibility for States to make certain reservations, particularly with regard to Article 2¹ of the draft recommended by the Committee. The resolution finally requested the Council to refer the draft Convention to the Governments as a basis of study.

In carrying out this instruction, the Secretary-General had asked the Governments to submit their observations by November 1st, 1936. This time-limit not having lapsed, the Fifth Committee took note of the present position and, in a general discussion of the problems involved, attention was drawn to the fact that the Traffic in Women and Children Committee had shown, by its resolutions and reports, that the existence of the system of licensed houses was one of the chief contributing factors to this traffic, and that one of the immediate aims to which the work of the future Advisory Committee on Social Questions should be directed was the abolition of these houses.

IV. ANNUAL REPORTS.

The Fifth Committee considered once more the difficulties encountered by the Secretariat in fulfilling one of the League's main duties in this field — namely, the "general supervision over the execution of agreements with regard to traffic in women and children", as stated in Article 23(c) of the Covenant. The annual reports on traffic in women and children and obscene publications submitted by the Governments, and summarised each year by the Secretariat, form the chief duty in this connection.

In spite of an appeal issued by the Assembly in 1935, thirty-four Member States had failed to send in a report during the last year. The Committee observed, however, that the summary of the report for 1934/35 contained information on no less than sixty-two colonies, possessions, protectorates and mandated territories, of the United Kingdom, France, the Netherlands and the Union of South Africa. It considered that, whilst the present position showed a slight improvement on previous years, it could not be regarded as satisfactory.

The Committee noted that the question of rearranging the questionnaire, which forms the basis of the annual reports, had been raised in the Traffic in Women and Children Committee, and that the Government members of that Committee had been asked to send suggestions to the Secretariat by November 1st, 1936. It hopes that, by means of a revised questionnaire, better results may be obtained as regards annual reports from Governments.

V. ENQUIRY INTO MEASURES OF REHABILITATION.

The Fifth Committee expressed its appreciation of the progress made in the study on measures of rehabilitation, and noted that a preliminary report, constituting the second stage of the enquiry, had been discussed by the Traffic in Women and Children Committee. No less than forty-one countries had sent in replies to the questionnaire, and the majority of these were very full.

The Committee noted that the report dealt with all the important questions connected with rehabilitation of adult prostitutes, such as social services to enable women to give up a life of prostitution, institutions for their rehabilitation, the chief difficulties experienced, the type of training most suitable, etc. It was also concerned with the use of social services in connection with the treatment of venereal disease, the importance of which was stressed by several delegates, and, moreover, aimed at throwing light on the antecedents of prostitutes.

General agreement was expressed with regard to the importance of this enquiry, which, it was hoped, would go far towards enlightening the authorities and social workers on all the ramifications of the problem of rehabilitation and the best methods to adopt, and would have a considerable influence on the work carried out in this field in the various countries.

It was understood that the study would have to be extended to preventive action and, the cognate problem of minors who were prostitutes or in danger of becoming prostitutes, as there could be no doubt that any efforts were incomparably more effective if made in the early stages.

¹ Article 2 reads: "The High Contracting Parties agree to punish any person who exploits immorality either by aiding, abetting or facilitating the prostitution of third parties, or by deriving any material profit therefrom."

VI. POSITION OF WOMEN OF RUSSIAN ORIGIN IN THE FAR EAST.

The Fifth Committee observed that, unfortunately, it had not been possible to make much progress with regard to the question of women of Russian origin in the Far East.

It will be recalled that the Assembly in 1935 adopted a resolution authorising the Secretary-General, *inter alia*, to endeavour to secure the services of a competent person, preferably a woman, who could act as an agent of the League of Nations, under the condition, however, that this appointment should not "involve, in the present circumstances, any financial charge upon the League".

The Committee noted that various efforts had been made in different countries during the year to raise the necessary funds, but it was understood that the sums hitherto collected were still insufficient to allow the appointment of such an agent. The Secretariat had, however, established a dossier containing suggestions with regard to persons who might be considered suitable for this post when the necessary funds should be forthcoming.

The Fifth Committee expressed the hope that a new impulse might be given to this question by the initiative taken by the Managing Committee of the Nansen International Office for Refugees, which had decided at its last meeting in July 1936 to ask the League for a mission, consisting of two persons, to be sent to the Far East to examine the whole problem and suggest possible reforms. The Committee felt that most of the relevant data had already been made known, mainly through the report of the Commission of Enquiry into Traffic in Women and Children in the East and other documents issued by the League. It expressed the hope that one of the two persons who might be sent in accordance with the suggestion of the Nansen Office should be a woman, and should be invested with the functions of an agent within the meaning of the Assembly resolution of 1935.

Attention was drawn to the fact that the problem of women of Russian origin had been specially included in the agenda of the Conference of Central Authorities in the East.

VII. CONFERENCE OF CENTRAL AUTHORITIES IN THE EAST.

The Fifth Committee noted, with great satisfaction, that the preparation of the Conference of Central Authorities in the East, which it considered to be the most important feature on the programme, had proceeded as far as was possible before the voting of the budget by the Assembly and the convocation of the Conference by the Council.

It took note especially of the points on the agenda, in what might be regarded as their final form, and considered them to be practical and corresponding to the matters raised by the report of the Commission of Enquiry into Traffic in Women and Children in the East.

The Committee also observed that the Secretary-General had been in communication with the Governments interested in the Conference, with regard to the participation of international organisations and missions, and of national, regional or local organisations, it being understood that this participation would be of an advisory or consultative character. With one exception, all the Governments which had replied hitherto approved, in principle, the participation of voluntary organisations and also the list of such international bodies submitted by the Secretary-General.

Of the twelve Governments originally approached, nine had decided to participate in the Conference; eight of these — viz., the United Kingdom (Governments of Hong-Kong and Malaya), China, France, India, Japan, the Netherlands, Portugal and Siam — would be represented by full delegates; and one, the United States of America, by an observer. Afghanistan, Iran and Iraq had stated that they were unable to take part in the Conference.

The Fifth Committee recorded that the Conference would open at the beginning of February 1937, and that, on the invitation of the Netherlands Government, it would take place at Bandoeng, Java.

Wishing to demonstrate its special interest in the work of the Conference, the Committee approved the following draft resolution, which I have the honour to submit to the Assembly for approval on behalf of the Fifth Committee:

" The Assembly,

" Having taken cognisance of the present position regarding the Conference of Central Authorities in the East to be convoked in conformity with previous decisions of the Council and the Assembly of the League of Nations;

" Noting that the Conference will be held in February 1937, and that, on the invitation of the Netherlands Government, which the Assembly records with appreciation, it will take place at Bandoeng, Java;

" Noting further that the following Governments have agreed to participate in the Conference: the United Kingdom (Governments of Hong-Kong and Malaya), China, France, India, Japan, the Netherlands, Portugal, Siam and the United States of America (the last-named being represented by an observer);

“ Considering the importance to be attached to the following questions, forming the agenda of the Conference: closer collaboration between the central authorities in the East; migration so far as it affects traffic in women and children; closer collaboration between the authorities and private organisations; the employment of women officials by authorities responsible for the welfare of women and children in the East; the abolition of licensed or tolerated brothels in the East; and the position of women refugees of Russian origin in that part of the world who have become, or are in danger of becoming, prostitutes:

“ Approves the proposed agenda, which it considers practical and in conformity with the matters raised in the report of the Commission of Enquiry into Traffic in Women and Children in the East;

“ Expresses the hope that the important task of the Conference will be brought to a successful issue and that practical measures for combating traffic in women and children may result from its discussions;

“ And sends to the Conference a message of greeting and of good wishes for a successful conclusion to its work.”

* * *

The Fifth Committee requests the Assembly to adopt the following resolution:

“ The Assembly takes note of the report submitted by the Fifth Committee, and adopts the conclusions of the report.”

ANNEX 3.

Official No. : A.67.1936.IV.

CHILD WELFARE.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. GAJARDO (Chile).

The Fifth Committee considers in the first place that the special Committee appointed to examine the constitution, procedure and practice of Committees of the League of Nations should be thanked for its valuable suggestions at the moment when the Traffic in Women and Children Committee and the Child Welfare Committee are being merged into the Advisory Committee on Social Questions.

In short, the Advisory Committee on Social Questions should be, in the sphere of activity of the suppression of traffic in women and children, and that of child welfare:

- (1) A centre of international documentation, in order to facilitate the exchange of experiences, methods and results between Governments and voluntary organisations;
- (2) A centre of study which would conduct, direct or simply provoke international or national enquiries on social questions;
- (3) A centre of action, to organise co-operation between Governments, prepare conventions, agreements, international conferences, etc., and establish co-operation between private organisations dealing with international social questions.

The Fifth Committee thinks that the Advisory Committee on Social Questions might profitably adopt this programme, without excluding the possibility of dealing with new problems while not going outside its province.

The Fifth Committee considers that if the work of the Advisory Committee on Social Questions is to be really effective and useful to the national Governments, it must take into account and follow the new tendencies of social work in the countries concerned.

Obviously the development of social work, like the evolution of social policy, is not identical in all countries. It presents different stages in different countries; nevertheless, the Fifth Committee is able to discern certain common tendencies. While recognising the utility of encouraging the work of the voluntary organisations, the Fifth Committee follows with interest the development of social consciousness and of the feeling of social responsibility. In social work, old methods are being replaced by new; the development of social action on a scientific basis is conferring a greater importance to the professional character of certain forms of social work. But the Fifth Committee

greatly appreciates the activities of the voluntary organisations which are devotedly pursuing their activities in social service. These organisations serve, in the most fortunate manner, as a complement to the official social service, and undertake experiments outside the sphere of activity of that service. The Fifth Committee also notes with satisfaction that preventive action is a factor which is everywhere added to the conception of social work carried out on scientific lines.

Last year, the Fifth Committee already drew the attention of the Advisory Committee on Social Questions to the importance of considering, in the first place, the normal child, and it suggested certain directions in which the Committee's work might be developed in order to attain this object:

- (1) A comparative study of the organisation and conduct of child welfare work, with reference to the competence both of the authorities and of voluntary organisations;
- (2) The extension of child welfare work to populations living in other than large urban communities.

The Fifth Committee notes that the Advisory Committee on Social Questions, owing to its reorganisation, has not dealt with the substance of this question. The Fifth Committee remains of the opinion that the protection of normal children will have to engage the particular attention of the Advisory Committee on Social Questions. Taking into account the salient points of the discussion, the Fifth Committee notes certain well-defined tendencies which reflect the considerations now chiefly prevailing among Governments—namely, that social conditions are closely related to economic factors and peace in the political sphere. At the same time, it notes the special attention which several Governments pay to child welfare in rural districts.

The Fifth Committee notes with satisfaction that the problem of housing which is of essential importance to the moral, social and physical development of children and young people has engaged the attention of numerous Governments.

In view of these facts, the Fifth Committee considers that the Advisory Committee on Social Questions, in making a choice among the new questions to be studied, should direct its attention to those problems which have roused such general interest.

In view of the great interest displayed by Governments, as reflected in the discussions on the subject, the Fifth Committee thinks that the extension of child welfare work among the population living in other than large urban communities might be one useful point of departure in guiding the Advisory Committee's activities towards the problems connected with normal children.

The aim of such a study would be to find out whether children living in other than large urban communities are at a disadvantage so far as child welfare measures are concerned.

It should also endeavour to ascertain how far in small and large communities the work of voluntary organisations makes good the shortcomings of the provisions of legislation or local regulations.

Attention was drawn to the fact that the multiplicity, complexity and interdependence of the problems relating to child welfare have led several Governments to a constantly increasing co-ordination of research, supervision and technical direction. Some fifteen countries have centralised their child welfare under a " Council ", and some have even set up a " Ministry of Child Welfare ".

A thorough study of the experience gained by certain countries, when brought to the knowledge of all, might facilitate further results.

It has therefore been suggested that one of the first subjects to be considered by the Advisory Committee should be " the study of the general organisation of child welfare "; a study to comprise a comparative examination of the results obtained in this sphere for the purpose of presenting the different solutions susceptible of being found for the problem of the organisation of child welfare.

This proposal was approved by the Fifth Committee, which is submitting to the Assembly the resolution at the end of the report.

Further, the Fifth Committee considers that, with a view to better co-operation between the Advisory Committee and other organisations dealing with different aspects of social questions, it will be necessary to establish liaison with other commissions and committees when questions likely to concern the Advisory Committee are being discussed.

* * *

When dealing with budgetary questions, the Fifth Committee thought it desirable to ask the Fourth Committee that the credits requested in the 1937 budget should be increased. It accordingly adopted the following resolution, which was transmitted by the Chairman of the Fifth Committee to the Chairman of the Fourth Committee:

* Referring to its resolution of 1932 adopted by the thirteenth Assembly of the League of Nations, in which the inadequacy of the credits then allocated in the League's budget to the Advisory Commission for the Protection and Welfare of Children and Young People was already deplored and attention was called to the importance of the work undertaken;

* Observing that the credits voted for this purpose, instead of being increased during the last few years have been progressively reduced until the appropriation for the two former Committees in the 1937 draft budget amounts to only 21,650 francs;

"Taking note of the Council's decision of September 26th, 1936, providing for the reorganisation of the former Advisory Commission, which in future is to be known as the Advisory Committee on Social Questions, and bearing in mind that twenty-five instead of fifteen Governments will henceforward be represented, and that this Committee will have recourse to the co-operation of assessors or experts whose expenses will be defrayed out of the League's budget;

"Bearing in mind also the expense of the sessions of Sub-Committees and of the extra cost of printing and of documentation, in establishing and maintaining co-operation with the correspondent members, and the 'miscellaneous' items, all of which will necessitate expenditure in excess of the appropriation in the draft budget for 1937, which was made before the reorganisation of the Advisory Commission was decided upon:

"The Fifth Committee strongly urges that the credit voted for the various items relating to the work of the new Advisory Committee on Social Questions, the actual heading of which will have to be amended, should be increased by 15,000 francs, to be divided among the various items, and asks the Fourth Committee to be good enough to take account of this request when it examines the 1937 budget."

* * *

As regards the work of the Advisory Committee at its twelfth session,¹ the Fifth Committee desires to draw attention to the following points:

1. *Boarding-out of Children in Families.*

The study of this question is further advanced than last year. The Fifth Committee wishes to emphasise the important part played by small communities in the placing of children in families. The documentation obtained by the Secretariat shows that the methods and practice of administering the laws and regulations in small communities present some special problems. The Fifth Committee, in suggesting for the future work of the new Advisory Committee on Social Questions a study of child welfare in small communities, was thinking of this type of problem.

2. *Recreational Aspects of the Cinematograph.*

The question of the cinematograph has engaged the Advisory Committee's attention since 1925. It has been approached from two different angles: the cinematograph as a recreation for young people, and co-operation between the Advisory Committee and the International Educational Cinematographic Institute in Rome through a liaison officer.

The Fifth Committee is of opinion that the recreational aspect of the cinema is certainly of the greatest importance from the point of view of the welfare of young people.

In view of the educational and social influence which films can exercise on children and adolescents, and of the fact that this influence makes itself felt particularly in the ordinary cinema, it is absolutely essential that steps should be taken to guide young people in their appreciation of the cinema as a form of art.

The Fifth Committee therefore appreciates the necessity of solving the problem of the production of films specially intended for children.

It notes with interest one aspect of this problem—namely, the utilisation of films in order to stimulate public interest in child welfare questions. As regards the enquiry into the recreational aspect of the cinematograph, the Fifth Committee considers that it would be desirable to publish the documents collected by the Advisory Committee and to offer such conclusions and observations as can be drawn from that information.

3. *General Study of the Problem of the Neglected and Delinquent Child.*

The Fifth Committee notes that the Advisory Committee has decided to undertake, in 1937, a general study of the principles underlying the treatment of the neglected and delinquent child, in order to take account of the facts ascertained and the conclusions arrived at by it on special points during previous sessions. This is an indication that it intends to bring the study of this particular subject to a conclusion. This general study will also include Child Welfare Councils and the boarding-out of children in families, so far as they are connected with the treatment of the neglected and delinquent child.

The Fifth Committee expresses its keen interest in this extremely important task which the Advisory Committee has undertaken, and warmly approves its decision.

4. *Information Centre.*

The Fifth Committee expresses its interest in the work of the Social Questions Section, acting as an information centre on child welfare. It has been engaged in collecting documentary material on the national and international organisations dealing with every aspect of child welfare; it has gone through the annual reports of the Governments and has informed the Advisory Committee of their contents; it has published a list of the official authorities with which it is corresponding in the different countries on all questions relating to children, as well as several informatory notes. It has replied to the requests for information which it has received.

¹ Documents A.6.1936 and C.204.M.127.1936.IV.

5. *Problem of Nutrition.*

The Fifth Committee desires to thank the Advisory Committee for the interest it has taken in the problem of nutrition. It is not to be denied that this problem is one of those which have a great bearing on public health and the economic, agricultural and social development of all nations. It therefore sees with great satisfaction that the Council has approved the Advisory Committee's suggestion to have a representative on the Mixed Committee on Nutrition. The Fifth Committee thinks that the Advisory Committee would be particularly interested in the problem of the distribution of foodstuffs according to both quality and quantity, among the whole population, as far as mothers and children are affected.

As regards the tendency observed in measures taken by certain Governments and authorities to give preference to the organisation of canteens, it seems a matter for consideration whether these measures, which tend to diminish the family's responsibility without giving it the benefit of education, are as good as measures taken to carry the new principles of nutrition into the home. It thinks that the Advisory Committee on Social Questions, in co-operation with the Mixed Committee on Nutrition, while avoiding duplication, might do useful work in studying the relative value of canteens, milk-kitchens, etc., in promoting improved family standards of nutrition, as compared with the results obtained by individualised education of families in their own homes.

The Fifth Committee thinks that the methods of educating the general public in order to bring the newer knowledge of nutrition within their reach is one of the questions which are of practical interest to the Advisory Committee on Social Questions, draws particular attention to the importance of maternal efficiency in the health and well-being of the family, and advocates the education of all girls in the principles of nutrition and care of children, since this knowledge on the part of the general public and mothers is of such eminent importance for the development and welfare of children and young people.

It also observes that the study of the nutrition problem is in many ways connected with the problems of child welfare in urban communities and in rural districts, so that these studies would naturally complete each other.

6. *Family Desertion.*

The Fifth Committee notes that the Advisory Committee is not in a position to place this question on its agenda for the moment. This study is being carried out in co-operation with the International Bureau for the Unification of Penal Law, which is sending supplementary documentation to the Secretariat.

7. *Ill-treatment of Children.*

The Fifth Committee shares the Advisory Committee's opinion that this question can be considered from different points of view—social assistance, civil law, penal measures—and a careful examination must be made to decide what aspects deserve special study before the question is placed on its agenda.

* * *

In conclusion, the Fifth Committee proposes the following draft resolutions to the Assembly:

I.

" The Assembly,

" Thanks the Advisory Commission on the Protection and Welfare of Children and Young People for the efforts it has made to improve the lot of children and young people;

" Suggests that, in view to better co-operation between the Advisory Committee on Social Questions and other organisations dealing with different aspects of social questions, liaison should be established with other Commissions and Committees when questions likely to concern the Advisory Committee are being discussed."

II.

" The Assembly,

" Attaches particular importance to the decision of the Advisory Committee on Social Questions to draw up at its next session a 'scheme of study'—that is to say, a programme of work;

" And is of opinion that one of the first points in its work should be a study of the more important solutions that have been found for the problem of the general organisation of child welfare in various countries."

III.

" The Assembly,

" Approves the interest displayed and the efforts made by the Advisory Committee on Social Questions in regard to the social aspect of the problem of nutrition and,

“ Considering that the study of the welfare of children living in urban communities and in rural districts is in many respects connected with the problem of nutrition:

“ Is of opinion that the Advisory Committee should deal in greater detail with the social aspects of this question in co-operation with the Mixed Committee on the Problem of Nutrition, particularly from the point of view of child welfare;

“ Recommends the Advisory Committee to consider the utility of pursuing the study of these two questions, which supplement one another.”

ANNEX 4.

Official No. : A.71.1936.XII,

INTERNATIONAL RELIEF UNION.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. PARRA-PÉREZ (Venezuela).

The Fifth Committee of the Assembly notes with satisfaction that during the past year the International Relief Union has continued to improve its methods of co-ordination for the administration of relief and the encouragement of research and preventive measures against disasters. To this work it has devoted the same attention as in the previous year.

The Fifth Committee is unanimous in recognising the importance of the Union's efforts to enlarge its field of activity by endeavouring to secure the co-operation of certain private organisations working on similar lines.

Being convinced that such efforts are deserving of the material and moral support of Governments, the Fifth Committee has learnt with pleasure of the contributions granted by certain Governments to make good the inadequacy of the Union's resources.

Accordingly, the Fifth Committee proposes that the Assembly adopts the following resolution :

“ The Assembly,

“ Having taken note of the report on the activities of the Executive Committee of the International Relief Union from January 1st to December 31st, 1935 :

“ Expresses its gratification at the useful work done by that organisation with a view to improving its means of action ;

“ Emphasises the value of the agreements concluded or contemplated with private organisations, as a method of increasing the efficacy of those means ;

“ Expresses the hope that the Executive Committee of the Union may, thanks to the authority that the Union has acquired, continue to exert its beneficent influence;

“ And trusts that Governments will consider the possibility of intensifying the action of the International Relief Union by securing the appropriate co-operation.”

ANNEX 5.

Official No. : A.68.1936.IV.

ASSISTANCE TO INDIGENT FOREIGNERS.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : M. KÜNZL-JIZERSKÝ (Czechoslovakia).

The Fifth Committee noted with satisfaction that the study of the question of assistance to indigent foreigners has considerably advanced since the last session of the Assembly.

It will be remembered that the question of assistance to indigent foreigners was first brought up in the Child Welfare Committee in the limited form of assistance to indigent

foreign minors. After a careful study of the question over several years, the Committee came to the conclusion that assistance to foreign minors could not be satisfactorily dealt with without taking into account the position of the families to which the minors belonged.

Recognising the importance of this question, the Council set up a temporary Committee of Experts in 1931, inviting a limited number of countries interested, and entrusted it with the task of preparing a preliminary draft international convention after making the necessary enquiries.

The Council's invitation to appoint one or more representatives on this Committee was accepted by the Governments of the Argentine Republic, the United Kingdom, Denmark, France, Hungary, Italy, Japan, Mexico, the Netherlands, Poland, Switzerland and the United States of America.

The Committee of Experts also thought it desirable to invite two private organisations to attend its discussions in an advisory capacity — viz., the Permanent International Conference for the Protection of Migrants and the International Migration Service.

This Committee of Experts has so far met twice. In 1933, it prepared a draft Convention stipulating, in general, that each of the contracting parties should grant indigent nationals of the other contracting parties, residing in its territory and needing material or moral assistance, the same treatment as it grants its own nationals. Furthermore, the assistance granted to indigent foreign minors would include, apart from the assistance granted to persons of full age, all the measures of protection applying to indigent national minors. The Committee of Experts realised that the preparation of an international convention always took a considerable time. Hence, being anxious to remedy, as soon as possible, the precarious position in which a large number of indigent foreigners are now placed, it drew up fourteen recommendations, of which it proposed the immediate application. The main principle underlying these recommendations was that States should aim at placing foreigners, as far as possible, on the same footing as nationals in the sphere of assistance to indigent persons, and should safeguard the unity of the family, which should serve as a basis in applying measures of assistance.

The draft Convention and the fourteen recommendations were submitted to Governments in virtue of a decision taken by the Council of the League on January 17th, 1934.

In January 1936, the Committee of Experts met for the second time, to study the observations of Governments on the draft Convention drawn up by the Committee at its first session.

The Committee studied the replies of thirty-five Governments and four international organisations. The majority of these were favourable, in principle, to the drawing-up of a multilateral convention, but a large number of amendments to the articles of the draft were suggested.

The report shows that, during the session of the Committee of Experts, three different tendencies were displayed.

Five Governments had put forward a suggestion in favour of the conclusion of bilateral treaties to improve the system of relief to indigent foreigners. Furthermore, certain experts were of opinion that it would be advisable to communicate the text of a model bilateral treaty to Governments as a means of facilitating the conclusion of the agreements in question. The Committee, after discussing these suggestions, concluded that it would be desirable that Governments which could not become parties to the multilateral convention should see their way to conclude bilateral treaties on the basis of the provisions of the multilateral convention.

The United States experts proposed to the Committee that it should collect more detailed information as to the methods at present applied in the various countries in the matter of assistance to indigent foreigners. The enquiry was to cover a number of points. The Committee accepted this proposal.

The Committee also studied the execution of maintenance obligations abroad. Having learnt from a communication from the International Institute for the Unification of Private Law at Rome that the latter had already gone very thoroughly into this question, the Committee instructed the Secretariat to get into touch with the Rome Institute.

The Fifth Committee took note with great interest of a communication by which the Institute informs the Committee that the study of this question is already in a fairly advanced stage.

The Polish experts urged on the Committee the desirability, from the standpoint of social progress, of the ratification, as soon as possible, and by as many countries as possible, of the Conventions adopted by the International Labour Conference ensuring benefit or allowances to the involuntarily unemployed, and concerning the establishment of an international scheme for the maintenance of rights under invalidity, old age, and life insurance.

After studying the replies of the Governments, and hearing the views of the different experts, the Committee framed a second draft multilateral Convention, which represents a compromise among various tendencies. The Committee accepted this second draft Convention, apart from certain reservations made by the Swedish Government and the Swiss and Danish experts. This second multilateral Convention has been sent to Governments by decision of the Council dated May 11th, 1936. So far, only five Governments have sent in their replies. Two of these replies — those of the Egyptian and Venezuelan Governments — are mere acknowledgments of receipt, while the other three Governments — those of Liechtenstein, Turkey, and the United States of America — state in their replies that they are unable to accede to the Convention.

The Fifth Committee considers that, at the present time, it would be premature to think of summoning a diplomatic conference to conclude a multilateral convention for assistance to indigent foreigners. Since, however, the position of indigent foreigners is becoming more and more difficult, it would be desirable to expedite the procedure by asking Governments to send in their views on the provisions of the second draft Convention, which was submitted to them in Circular Letter 118.1936.IV, dated July 13th, 1936.

Therefore, in conclusion, the Fifth Committee proposes to the Assembly the following draft resolution :

“ The Assembly,

“ Noting the work of the Committee of Experts on assistance to indigent foreigners and the execution of maintenance obligations abroad, at its second session in January 1936 :

“ Thanks the Committee for its efforts to improve the position of indigent foreigners by framing a second draft multilateral Convention on the basis of the observations of Governments ;

“ Asks the Governments to send the Secretary-General, in conformity with his Circular Letter 118.1936.IV, dated July 13th, 1936, their observations on this second draft Convention by January 1st, 1937 ;

“ Requests the Council to take cognisance of these observations, and in the light thereof to decide whether or not it will be desirable to convene the Committee of Experts to study and report on the observations communicated by Governments and to take any other or further action which may seem appropriate.”

ANNEX 6.

Official No. : A.70.1936.IV.

PENAL AND PENITENTIARY QUESTIONS.

REPORT SUBMITTED BY THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency Professor V. V. PELLA (Roumania).

I.

The Fifth Committee undertook an examination of the Secretary-General's report on penal and penitentiary questions (document A.25.1936.IV).

In order to ensure an improvement in the penitentiary system, the Assembly requested Governments in 1934 to communicate to the League of Nations, if possible annually and if necessary with the collaboration of qualified associations, the experience obtained and any other observations relating either to the application of the Standard Minimum Rules for the treatment of prisoners or the reforms in general brought about in penitentiary matters.

In 1935, the Assembly drew the attention of Governments to information regarding the existence in certain parts of the world of various reprehensible practices which were not only inconsistent with the Standard Minimum Rules but were also contrary to the principles of rational treatment of prisoners. It conveyed to the Governments an expression of its hope that such practices where they existed would be abandoned (document A.63.1935.IV, page 3).

Following upon the Assembly resolutions of 1934 and 1935, the Secretary-General received this year, too, communications from the following Governments: Afghanistan, the United Kingdom of Great Britain and Northern Ireland, Canada, Chile, Denmark, France, Honduras, India, Iraq, Latvia, Liechtenstein, Monaco, New Zealand, Norway, Sweden, Switzerland, the Union of Soviet Socialist Republics and Yugoslavia (document A.25.1936.IV).

Several delegates gave the Fifth Committee in the course of the discussion further information on the progress made in their countries in penal and penitentiary matters.

The French delegate made a statement of great importance—namely, that the French Government had decided to abolish convict settlements and that a Bill to this effect would be submitted to the Chambers in 1936. The Fifth Committee wishes to congratulate the French Government on this important decision.

The delegate of the United Kingdom first explained that her Government was continuing its practice of reporting to the International Prison Commission upon developments in prison administration, and she then gave the Committee examples of types of recent legislation in her country, which had tended to reduce the numbers of persons committed to prison.

Certain Governments, in their replies, not only gave information on the penitentiary systems in force in their respective countries but submitted interesting suggestions regarding the improvement of the lot of prisoners. In this connection mention should be made of the replies of Chile, Denmark, France and the Union of Soviet Socialist Republics. The Fifth Committee this year attached particular attention to the proposals aiming at reducing the number of prisoners by the introduction of measures like the suspension of penalties, conditional release, the right to pay fines in instalments, the reduction of the maximum terms of imprisonment, etc. The Howard League for Penal Reform, in a memorandum which it addressed personally to the delegates of the Fifth Committee, stressed the importance of an enquiry into the number of persons deprived of their liberty in the various countries of the world, in order to assure, under the best conditions, a study of the means of reducing the number of prisoners.

The Fifth Committee thought that recourse might be had to the good offices of the International Penal and Penitentiary Commission with a view to an enquiry into the number of prisoners over eighteen years of age in the different countries existing at the nearest possible date to December 31st, 1936. It is hoped that Governments will be able to supply information to the International Penal and Penitentiary Commission by March 1st, 1937, and that that Commission will submit a report to the Secretary-General of the League of Nations before July 1st, 1937.

The Fifth Committee also noted with satisfaction the conclusions of the Secretary-General of the International Penal and Penitentiary Commission regarding the proposed enquiry and his statement that the said Commission was in a position to undertake such an enquiry.

II.

The report submitted to the Assembly by the Secretary-General this year on penal and penitentiary questions reproduces, as in the past, information supplied by the international technical organisations interested in penal and penitentiary questions. The following organisations sent in a report on their activities:

- (a) International Penal Association;
- (b) International Bureau for the Unification of Penal Law;
- (c) International Penal and Penitentiary Commission;
- (d) International Criminal Police Commission;
- (e) The Howard League for Penal Reform.

The Fifth Committee desired to thank these technical organisations for their information and their valuable co-operation in promoting the study of penal and penitentiary questions on international lines. The Committee expressed its satisfaction with regard to the close contacts that have been established between these technical organisations and the organs of the League of Nations, which have frequently sent representatives to the meetings of the said Organisations. Members of these organisations have also co-operated with certain Committees of the League of Nations. Moreover, the International Bureau for the Unification of Penal Law and the International Penal and Penitentiary Commission have sent in their joint reply to the question raised by the Venezuelan delegate at the fifteenth Assembly of the League of Nations, which was worded as follows:

" Under what conditions would it be possible, in the absence of an extradition treaty, or if expulsion cannot take place, to repatriate persons convicted of an offence against the ordinary law who have taken refuge in a country other than that where they had been convicted ? "

The Fifth Committee noted that the Secretary-General would communicate the joint reply of the two organisations consulted (document A.V/I.1936) to the Venezuelan Government.

* * *

The Fifth Committee has the honour to propose to the Assembly the adoption of the present report and the following resolution:

" The Assembly,

" Having taken note of the Secretary-General's report on penal and penitentiary questions (document A.25.1936.IV):

" Thanks the Governments for the reports that they have sent to the League this year (see document A.25.1936.IV), and requests them to continue to inform the League annually of any reforms that have been effected in their penal and prison systems;

" Thanks the international technical organisations for their annual information on their work, and for their valuable co-operation in promoting the study of penal and penitentiary questions on international lines;

“ Instructs the Secretary-General to have recourse to the good offices of the International Penal and Penitentiary Commission asking it to institute, if necessary with the assistance of the League Secretariat, an enquiry

“ (a) Into the number of prisoners over eighteen years of age (separate figures being given for men and women) in the different countries at the nearest possible date to December 31st, 1936. By prisoners is meant persons deprived of their liberty (excluding those detained on account of mental or physical unfitness), whether

“ (1) On remand, or awaiting trial,

“ (2) Under judicial sentence, or

“ (3) Detained and not included in the above categories;

“ Where possible the figures should show the numbers of prisoners of each of these three categories;

“ (b) Into the measures taken in different countries during recent years with the object of reducing the number of prisoners.

ANNEX 7.

LETTER AND MEMORANDUM TO THE SECRETARY-GENERAL
OF THE LEAGUE OF NATIONS FROM THE INTERNATIONAL PENAL
AND PENITENTIARY COMMISSION AND THE INTERNATIONAL
BUREAU FOR THE UNIFICATION OF PENAL LAW REGARDING
THE REPATRIATION OF FOREIGNERS CONVICTED OF AN OFFENCE
AGAINST THE ORDINARY LAW.

The Hague. Berne.
September 10th, 1936.

[Translation.]

To the Secretary-General of the
League of Nations, Geneva.

Sir,

We have the honour to convey to you herewith a statement containing the conclusions reached by the International Bureau for the Unification of Penal Law and the International Penal and Penitentiary Commission concerning the question raised by the delegation of Venezuela in the Fifth Committee of the fifteenth Assembly of the League, which was referred by the latter to our two institutions for investigation.

For the International Penal and
Penitentiary Commission :

(Signed) SIMON VAN DER AA,
Secretary-General.

For the International Bureau
for the Unification of Penal
Law :

(Signed) V. V. PELLA,
Secretary-General.

I Appendix.

Appendix.

MEMORANDUM.

The delegation of Venezuela to the fifteenth Assembly of the League of Nations asked that a question should be investigated by the International Bureau for the Unification of Penal Law and the International Penal and Penitentiary Commission. This question was worded as follows :

“ Under what conditions would it be possible, in the absence of an extradition treaty or if expulsion cannot take place, to repatriate persons convicted of an offence against the ordinary law who have taken refuge in a country other than that where they have been convicted ? ”¹

From information reaching the above-named organisations, it appears that, in submitting this question, the delegation of Venezuela had in view a definite problem of particular interest to that country. In effect, Venezuela wishes to be in a position to get rid of numerous convicts who have escaped from the penal settlement in French Guiana and who seek refuge in Venezuelan territory, where they take advantage of certain circumstances which make it impossible or extremely difficult to expel them once they have

¹ See *Official Journal*, Special Supplement No. 129, page 71.

crossed the land or sea frontiers of the country. Whether the Venezuelan Government leaves such men at liberty or maintains them illegally at its expense in the State prisons, the prejudice caused to the country is undeniable. There is no extradition treaty between France and Venezuela, the two countries having been unable to reach an agreement in conformity with Venezuelan penal law, which does not allow capital punishment or imprisonment for life. Venezuela, moreover, declares herself unable merely to expel fugitive offenders, as it is impracticable to convey them to the neighbouring West India islands or elsewhere.

The difficulty with which the legal experts have to deal arises, therefore, from the fact that, under the terms of its legislation, the State in whose territory the criminal has taken refuge cannot extradite or repatriate him (repatriation being here a disguised extradition) and that it is also unable to expel him because no third State would be willing to receive him and would, if necessary, refuse him admittance at the frontier.

In our search for a solution to this question, we were led to examine, in the first place, certain general principles bearing on the matter, which might possibly lend themselves to this particular case. These principles are the following :

I. *Every State has the right to rid its territory of foreigners who disturb public order.* The conception of public order embraces what may be called the moral interests of the State, which might suffer through the mere presence of a criminal in its territory. The right of expulsion may not in general be exercised arbitrarily, but, in the case of a criminal, the exercise of this right is undoubtedly justified.

II. *The State of which the expelled person is a national is bound to receive him, and has not the right to refuse him admittance or to turn him out by a police order.* We do not suggest that the obligatory repatriation of fugitives is always to be recommended. Political offenders and stateless persons or *Heimatlose* are classes of refugees whose repatriation is inconceivable. Apart from such cases, however, the State of which the fugitive is a national is morally responsible for his conduct, and may not object to his repatriation.

III. *A State may not expel from its territory by a police order any person, even a foreigner, whom its courts have convicted and who has not served the whole or part of his sentence.* A State which refused a prisoner that had been handed over to its courts and failed to uphold the decisions of its own judicial organs would be acting contrary to its own interests and would thus be compromising its sovereignty.

The application of these indisputable principles would be easy if it were merely a question of asking the French authorities to receive escaped convicts from Venezuela as repatriated individuals. We have, indeed, been informed that the police of both countries have endeavoured to arrive at a *modus operandi* by means of which fugitives would be surrendered without the intervention of the legal authorities, and after mere identification. This procedure, however, besides being of a provisional character and beset with practical difficulties, is both illegal and arbitrary, and we cannot recommend it. Various reasons, especially geographical and other circumstances, also make it impossible for fugitives to be conveyed back to the frontier by the Venezuelan police, on the ground of their not having identification papers or of their being undesirable persons. Moreover, we are not here concerned with the reasons for the existence of the penal settlement in Guiana or with its working conditions which are responsible for the present situation.

In connection with this problem, the question has been asked whether it would not be possible to lay down certain principles acceptable to all Governments, which might reconcile their respective laws in such a way as to permit of the framing of a general extradition convention. While we do not deny the possible value of this suggestion, from a general point of view, we would observe, for the present, that the difficulties created by the divergence between various national legal systems on this matter are such that the jurists at present engaged on the codification of international law have refrained from including the question in their programme of work under this form.

It is clear, on the other hand, that we would do wrong to exclude the study of certain methods of repatriation — falling outside the scope of extradition treaties and coming into play in their absence — which would not conflict with the laws of the countries concerned and would allow them, without legal or moral injury, to surrender refugee or escaped criminals to each other. This would be almost as vast a task as that of drawing up a general extradition convention, and we shall confine ourselves here to pointing out its importance.

Our rôle is limited to proposing a solution, based on the situation as we see it, for the particular case which interests Venezuela, and to endeavouring to discover a remedy by legal means, in accordance with the wishes of the Venezuelan Government.

Seeing that the conclusion of an agreement between France and Venezuela on the basis of the first of the principles indicated above would seem to be almost impossible owing to the well-founded scruples of the Venezuelan Government, we are obliged to consider as the only possible solution the insertion in an extradition treaty between the two countries of a clause by which France would undertake to modify the sentences passed on prisoners returned to her by Venezuela. Several Governments have made concessions of this kind at the request of another Government in the same situation as that of Venezuela. In her Extradition Convention with Italy of September 28th, 1896, signed at a time when Italian law did not recognise the death penalty, France herself agreed that :

“ . . . if an Italian subject or a person extradited by the Italian Government has been sentenced to death in Tunis, the attention of the President of the French Republic

shall be most carefully drawn to the present provisions of Italian law relating to the death penalty, with a view to securing commutation of the said penalty”.

Italy, for her part, went much further in the Extradition Treaty which she signed with Venezuela on August 23rd, 1930. Article 16 of this Treaty offers a formula which we do not hesitate to recommend as a remedy for the present situation. There could hardly be any disadvantage if the Governments concerned agreed to follow the Italo-Venezuelan precedent. We append a literal translation of the article in question.

“ Any person surrendered by the Government of Venezuela to the Government of Italy, charged with an offence punishable by death or imprisonment for life, may not be sentenced, as a result of his trial, to the above penalties, which shall be replaced by imprisonment for thirty years and twenty-five years respectively.

“ In the case of a criminal who has been finally convicted and surrendered by the Venezuelan Government to the Italian Government, the sentence of death or of imprisonment for life which has been passed on him shall be legally commuted to a sentence of imprisonment with hard labour for a period of thirty years and twenty-five years respectively.

“ An authentic copy of the final sentence shall be transmitted to the Government of Venezuela for inclusion in the appropriate file kept by the Federal and Cassation Court of the Republic, which is the competent court in matters relating to extradition.”

It would seem advisable, however, for the Franco-Venezuelan Extradition Treaty to lay down simplified rules of procedure for the return to Guiana of prisoners who have escaped into Venezuelan territory, since their number and other circumstances would render the ordinary procedure too long and complicated. In this connection, we would point out the possibility of following the course indicated in the Treaty concluded between France and the Netherlands on December 24th, 1895. In Article 17 it is stated that any convict who has escaped from the penal settlements in French Guiana to Dutch Guiana

“ . . . shall be extradited by the Surinam Government upon production of a description of the individual and an extract from the prison register indicating the facts led to his conviction and the court which sentenced him. This extract shall be certified, in the name of the French Government, by the head of the settlement from which the prisoner escaped, and shall bear an official stamp of the settlement.”

INDEX

ABBREVIATIONS

Ass. = Assembly
 Comm. = Commission
 Conf. = Conference
 Conv. = Convention
 Cttee. = Committee
 Del. = Delegation
 Govt. = Government

Int. = International
 Memo. = Memorandum
 Org. = Organisation
 Perm. = Permanent
 Resol. = Resolution
 U.S.S.R. = Union of Soviet Socialist Republics

	Page
Abnormal Children	
<i>see under</i> Child Welfare	
Addiction	
<i>see under</i> Opium etc.	
Baluchistan	
Disaster in and aid afforded by Int. Relief Union	47
Boy Scout Movement	18
Britain, Great, and Northern Ireland, United Kingdom of	
Prisons and penal reforms	46, 63
Child Welfare	
Abnormal child	27, 30, 33, 34
Advisory Comm. for the Protection and Welfare of Children, etc., <i>see</i> Social Questions, Advisory Cttee. on	
Age of marriage and consent in India	37
Boarding-out in families 24, 25, 27, 29, 32, 34, 38, 59 (<i>report</i>)	
Boy scout movement	18
Child Welfare Committee	
Amalgamation with Traffic in Women and Children Cttee. to form new Cttee., <i>see</i> Social Questions, Advisory Cttee. on	
Cinematograph, recreational aspects, <i>see under</i> Cinematograph	
Delinquent child and juvenile courts 25, 27, 28, 29, 30, 33, 34, 37, 46, 59 (<i>report</i>)	
Desertion, family, 25, 27, 28, 29, 33, 34, 37, 38, 60 (<i>report</i>)	
Discussion	23-30, 32-7, 37-9
Health and medical treatment	27, 33, 35
<i>see also</i> Nutrition	
Housing and child welfare	35-6, 58
Illegitimate child	21, 27, 30, 38
Ill-treated and neglected child 25, 26, 28, 28-9, 29, 30, 33, 34, 35, 37, 38, 39, 59 (<i>report</i>), 60 (<i>report</i>)	
Information Centre (Social Questions Section) 25, 36, 38, 59 (<i>report</i>)	
Inter-Scandinavian Child Welfare Congress (1936)	29
Labour, Child, and effect of economic depression	27, 33, 35
National services, future studies by Social Questions Cttee. 23, 24, 25, 36-7, 38, 57, 58	
Neglected child, <i>see below</i> Ill-treated and neglected child	
Normal child 23-4, 26, 30, 34, 35, 58 (<i>report</i>)	
Nutrition, problem of, <i>see</i> Nutrition	
Organisation, general, of child welfare: study of question proposed by French del. 23, 36-7, 37 (<i>draft resol.</i>), 39, 58 (<i>report</i>), 60 (<i>resol.</i>)	

	Page
Child Welfare (continued)	
Private organisations 24, 25, 26, 28, 32, 33, 35, 36, 38, 57, 58	
Prostitution among minors	20, 21, 22
Rapporteur	
Appointments	7, 48
Statement by	23-6
Report and resols. of 5th Cttee.	
Discussion and adoption with amendments	48
Procedure <i>re</i> adoption by Ass.	48
Text	57-61
Rural areas and smaller urban centres, child welfare in 23-4, 25, 26, 28, 30, 32, 33, 34, 38, 39, 58 (<i>report</i>), 60 (<i>report</i>), 61 (<i>resol.</i>)	
Social Questions Section as Information Centre, <i>see above</i> Information Centre	
Traffic in, <i>see</i> Traffic in women and children	
Chile	
Penal legislation	44
China	
Drug situation in, <i>see under</i> Opium, etc.	
Cinematograph	
Recreational aspects and co-operation between Social Questions Cttee. and Rome Institute 24, 28, 29, 29-30, 32, 34, 38, 59 (<i>report</i>)	
Coca Leaf and Cocaine	
<i>See under</i> Opium, etc.	
Codeine	9, 12
Conventions concluded under the Auspices of the League	
Procedure	40
Criminal Law	
<i>See under</i> Penal and penitentiary questions	
Denmark	
Penal legislation	44
Desertion	
<i>See under</i> Child Welfare	
Diacetylmorphine	
<i>See under</i> Opium, etc.	
Drugs, Dangerous	
<i>See</i> Opium, etc.	
Fifth Committee	
Agenda	
Addition of new item	17
Text and adoption	7
Annexes: list	4

	Page		Page
Fifth Committee (continued)		Obscene Publications	
Chairman	5	Annual reports of Govts. and ratification of 1923 Conv.	18, 19, 28, 54, 55
Close of session	49	Opium and Other Dangerous Drugs	
Members, list of	5-6	Addiction and propaganda against abuse of drugs	15, 43, 53 (report)
Rapporteurs, appointment 7, 41, 43, 48, 49		Advisory Committee: work	8-9, 15, 50
Vice-Chairman and election	5, 7	Central Opium Board, Perm.: work ...	41, 50
France		China, situation in ...	9, 11, 13, 16, 17, 43, 50, 53 (report)
Penal organisation	44, 46, 63	Coca leaf, cultivation	
Health		Chewing of leaves in certain countries and use of substitutes 13-14, 14, 17, 52	
of Children, <i>see under</i> Child Welfare		Study of question and dissociation from work on opium poppy 9, 13, 14, 16, 17, 42, 50	
Housing		Cocaine	8, 9
Child welfare in relation to	35-6, 58	Codeine	9, 12
Illicit Drug Traffic		Consumption of drugs	8, 9, 10, 13
<i>See under</i> Opium, etc.		Conventions, International	
India		1912 Convention (Hague)	8, 11, 15, 53
Disaster in Baluchistan	47	1925 Convention (Geneva) 8, 11, 15, 50, 53	
Drug situation in, <i>see under</i> Opium, etc.		1931 Agreement (Bangkok)	8, 10, 11
Penal legislation	44	1931 Convention (Geneva) 8, 9, 11, 13, 14, 15, 50, 53	
Indigent Foreigners and Maintenance Orders abroad		1936 Convention, <i>see below under</i> Illicit traffic	
Collaboration with Rome Institute on Private law	40, 62	Cultivation of opium poppy and coca leaf, <i>see above</i> Coca leaf and below Opium poppy	
Cttee. of experts		Diacetylmorphine	8, 9, 12
Appointment and activities	61-2	Discussion	7-9, 10-17, 41-2, 42-3
Resolution on work of	63	Dried poppy straw, extraction of mor- phine from	41
Conf. on, proposal and resolution ...	40-41, 63	Illicit traffic	
Conventions, draft, and replies of Govts. .	40, 62	Campaign against and countries con- cerned in	8, 9, 10, 11, 13, 15, 16, 17
Discussion	39-41	Conference and Conv. on suppression of Traffic (1936); question of rati- fication 9, 10, 11, 13, 15, 16, 17, 53 (report and resol.)	
History of question	61-2	Penalties for offences	15, 16
Report		Imports and exports	8, 9, 10, 11, 12, 51
Adoption	48	India, situation in ..	10, 12, 13, 42, 43, 50, 51
Text	61-3	Indian hemp	14
Rapporteur		Iran, situation in	11, 42, 50, 51
Appointment	7	Japan, traffic with other countries	10, 43
Statement by	39-40	Legitimate requirements, world 10, 11, 13, 14, 17, 50	
Infant Welfare and Mortality 29, 32, 35, 36, 38, 39		Manchuria and Jehol	9
Information Centre		Manufacture	
<i>See under</i> Child Welfare		Clandestine manufacture 9, 13, 15, 41, 50, 53	
Iran		Convention, 1931: ratification and application 8, 9, 11, 13, 14, 15, 50, 53	
Drug situation in, <i>see under</i> Opium, etc.		Legitimate manufacture 8, 9, 10, 11, 12, 14, 15, 16, 50, 52	
Japan		Maté as substitute for coca leaves	14, 52
Drug situation	10, 43	Monopolies	12, 14, 42, 51, 52 (resol.)
Labour Questions		Morphine	8, 9, 11, 12
Child, <i>see under</i> Child Welfare		Opium poppy, cultivation of	
Confs. on assistance to unemployed and maintenance of rights under invali- dity, old age, etc.	62	Conference and preliminary Confs. on limitation and control; preparatory work and Preparatory Cttee. 9, 10-13, 13, 14, 15, 16, 17, 42, 43, 50-2 (report), 52-3 (resol.)	
Prostitution in relation to employment and vocational education	19, 21, 22	Countries engaged in 10, 11, 13, 14, 16, 17, 41, 42, 51, 52, 53	
Licensed Houses		Land tenure systems as related to question	12, 51
<i>See under</i> Prostitution		for Seed or oil production ..	16, 41, 42, 51
Maintenance Orders abroad		Opium-smoking	
<i>See</i> Indigent Foreigners, etc.		Bangkok Agreement (1931)	8, 10, 11
Manchuria and Jehol		Prepared opium, <i>see below</i>	
Drug situation	9	Poppy, opium, <i>see above</i> Opium poppy	
Russian women in: situation	18	Prepared opium	11, 50, 51
Manufacture of Dangerous Drugs		Propaganda against abuse of drugs, <i>see</i> <i>above</i> Addiction	
<i>See under</i> Opium, etc.		Rapporteur, appointments	7, 43
Maternal Welfare and Nutrition 26, 27, 30, 35, 36, 37, 38, 39, 60		Raw materials, control of production, <i>see</i> <i>above</i> Coca leaf and Opium poppy	
Morphine		Raw opium: world requirements	11, 50
<i>See under</i> Opium, etc.			
Nutrition			
of Children, infants and mothers 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 38, 39, 60 (report), 60-1 (resol.)			

	Page		Page
Opium and Other Dangerous Drugs (continued)		Poland	
Report and resol. of 5th Cttee.		Prison statistics	46
Discussion and adoption with amend-		Police	
ments	41-2, 42-3	Criminal Police Comm., Int.	45, 64
Procedure <i>re</i> adoption by Ass.	43	Women	18, 20-1, 22
Text	50-4	Prepared Opium	
Seizures		<i>See under</i> Opium, etc.	
Countries referred to	10, 14	Private Law, Unification of	
Sub-Committee: work	9, 16	Institute and Bureau, Int.	38, 40, 62
Statistics	11, 50	Prostitution	
Stocks	9, 11, 50, 51	Exploitation, suppression of: draft Conv.	
Supervisory Body: work	41, 50	20, 21, 22, 55 (<i>report</i>)	
U.S.S.R., situation in	14, 52	Illegitimate child as cause of	21
Opium Poppy, Cultivation		Licensed houses, abolition of 18, 19, 20, 21, 22	
<i>See under</i> Opium, etc.		Minors, <i>see under</i> Traffic	
Pan-American Conference	17	Rehabilitation of adult prostitutes 18, 19, 20, 21,	
Penal and Penitentiary Questions		22, 55 (<i>report</i>)	
Béranger law, application	44	of Russian women in the Far East, <i>see</i>	
Bureau Int. for unification of Penal law		<i>under</i> Traffic in women, etc.	
Activities	45, 60, 64	Venereal diseases	19, 20, 21, 22, 55
Memo. on repatriation of foreigners		Refugees	
convicted of an offence against the		Russian women in the Far East: situa-	
ordinary law	65-7	tion	18, 19, 20, 22, 56 (<i>report</i>)
Children's courts, <i>see</i> Child Welfare:		Relief Union, International	
Delinquent Children		Discussion	47
Conference for Unification of Penal Law		Executive Cttee.: activities ...	47, 61 (<i>resol.</i>)
(1933): question on agenda	29	Finances: accounts; subsidies ..	47, 61 (<i>resol.</i>)
Criminal law	43	Inclusion of question in agenda (proposal	
Criminal Police Commission, Int.	45, 64	of Venezuelan del.)	17
Deprivation of liberty, consequences of		Private organisations, Agreements with 61	(<i>resol.</i>)
Discussion	43-47	Rapporteur, appointments,	7, 48
Extradition treaties	66-7	Report and resol. of 5th Cttee.	
Howard League for Penal Reform, work of	44, 64	Adoption with amendments	48
Ill-treatment of prisoners	44	Procedure <i>re</i> adoption by Ass.	48
Military courts, judgments by	46	Text	61
Organisation, int. technical		Social Questions, Advisory Committee on	
<i>See also various organisations above</i>		Constitution, composition and representa-	
Reports on activities, and collabora-		tion of Govts. and Orgs. 19, 22, 26, 32, 54	
tion with the League	64	Co-operation with other bodies 28, 39, 58 (<i>report</i>),	
Penal Law Association, Int., activities	45, 64	60 (<i>resol.</i>), 61 (<i>resol.</i>)	
Penal and Penitentiary Commission, Int.,		Credits (1937) and request for increase	
Activities	43, 46, 47, 64	Discussion	26-7, 36, 38
Enquiry into numbers of prisoners in		Draft resol. of Belgian del.	31 (<i>text</i>)
various countries to be undertaken		Draft resol. and Annex of Sub-Cttee.:	
by	44, 45, 46, 64, 65	text and adoption	31-2, 58-9
Memo. on repatriation of foreigners		Report by 5th Cttee.	58-9
convicted of an offence against		Sub-Committee of 5th Cttee.	
the ordinary law	65-7	Appointment	31
Persons detained for physical or mental		Draft resol., <i>see above</i>	
unfitness	49	Programme of work 19, 23, 24, 25, 36, 37,	
Prison staff, training	45	54 (<i>report</i>), 57 (<i>report</i>), 60 (<i>resol.</i>)	
Prisoners		Social Questions Section of Secretariat 25, 36, 38, 50	
Definition of term	49	Statistics	
Standard minimum rules, <i>see that</i>		of Dangerous drugs	11, 50
<i>title below</i>		of Prisoners, enquiry to be undertaken	
Statistics of, <i>see above</i> Penal and		by Int. Penal and Penitentiary Comm.	
Penitentiary Comm.: Enquiry, etc.		44, 45, 46, 64, 65	
Psychological examination of prisoners...	45	Traffic in Women and Children	
Rapporteur		Annual Reports of Govts. 18, 22, 55 (<i>report</i>)	
Appointments	7, 49	Committee on Traffic in Women and	
Statement by	43-5	Children	
Reforms in various countries, <i>see below</i>		Amalgamation with Child Welfare	
Standard Rules		Cttee., <i>see</i> Social Questions, Advi-	
Religious freedom for prisoners	44	sory Cttee. on	
Repatriation in absence of an extradition		Conference of Central Authorities in the	
treaty, enquiry made by Venezuelan		Far East (Java, 1937)	
Govt., and reply	45, 64, 65-7	Agenda, date, Govts. and Orgs. par-	
Report and resol. of 5th Cttee.		ticipating in 18, 20, 21-2, 22, 56-7 (<i>report</i>	
Discussion and adoption	48-9	and <i>resol.</i>)	
Procedure <i>re</i> adoption by Ass.	49	Convention, draft, on Exploitation of	
Text	63-5	Prostitutes, <i>see under</i> Prostitution	
<i>Souteneurs</i> , conv. for punishment	45	Conventions, Int. (1904, 1910, 1921, 1933):	
Standard minimum rules for treatment of		ratification, etc. 18, 19-20, 21, 28, 54 (<i>report</i>)	
prisoners		Discussion	18-22
Information from Govts. concerning			
their application and Assembly			
<i>resol.</i> 43-4, 45 (<i>resol.</i>), 63, 64			
Terrorism, prevention and punishment...	45		
Women, detention in prisons	44		

	Page		Page
Traffic in Women and Children (continued)		Unemployment	
Legislation, int., <i>see above</i> Convs., int.: ratification		Prostitution as related to	19, 22
Minors, protection	20, 21, 22	Union of Soviet Socialist Republics	
Prostitution, <i>see that title</i>		Drug situation	14, 52
Rapporteur, appointment	7, 41	Prisoners, treatment of	44
Report and resols. of 5th Cttee.		Veneral Diseases	
Adoption with amendments	41	Prostitution in relation to ...	19, 20, 21, 22, 55
Procedure <i>re</i> adoption by Ass.	41	Venezuela	
Text	54-7	Enquiry concerning repatriation in absence of an extradition treaty, and reply	64, 65-7
Russian women refugees in the Far East and Iran, situation; question of appointment League agent and mis- sion	18, 19, 20, 22, 56 (<i>report</i>)	Women and Children, Traffic in	
Social workers and welfare services	18, 19, 20, 21, 55	<i>See</i> Traffic, etc.	
Women police	18, 20-1, 22		

LEAGUE OF NATIONS

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RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

SIXTH COMMITTEE

(Political Questions)

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	5
AGENDA	8
FIRST MEETING, September 23rd, 1936, at 10 a.m. :	
1. Election of the Vice-Chairman	9
2. Publicity of the Meetings	9
3. Adoption of the Agenda	9
4. Participation of Experts in the Work of the Committee	9
5. Simplification of the Procedure of the Assembly : Presentation of the Reports of the Committee	9
6. International Assistance to Refugees : Appointment of a Sub-Committee	10
7. Intellectual Co-operation : Appointment of a Rapporteur	10
SECOND MEETING, September 26th, 1936, at 3.30 p.m. :	
8. International Assistance to Refugees : Addition of Portugal to the Sub-Committee	10
9. Mandates : Addition of this Item to the Agenda	10
10. Intellectual Co-operation : General Discussion	10
THIRD MEETING, October 1st, 1936, at 3.15 p.m. :	
11. Intellectual Co-operation : General Discussion (<i>continuation</i>)	14
12. Intellectual Co-operation : Reference to the Fourth Committee of Certain Proposals calling for Additional Expenditure	19
FOURTH MEETING, October 5th, 1936, at 10.15 a.m. :	
13. Intellectual Co-operation : General Discussion (<i>continuation</i>)	19
FIFTH MEETING, October 6th, 1936, at 10.15 a.m. :	
14. Mandates : General Discussion	29
15. Mandates : Appointment of a Rapporteur	38
SIXTH MEETING, October 7th, 1936, at 10.30 a.m. :	
16. Intellectual Co-operation : Examination and Adoption of the Draft Report and Resolutions	38
17. Intellectual Co-operation : Appointment of a Rapporteur to the Assembly	40
18. Intellectual Co-operation : Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	40
19. International Assistance to Refugees : Report of the Sub-Committee : General Discussion	40
20. International Assistance to Refugees : Examination of the Report of the Sub-Committee	43
21. International Assistance to Refugees : Appointment of a Rapporteur to the Assembly	45
SEVENTH MEETING, October 8th, 1936, at 10.15 a.m. :	
22. International Assistance to Refugees : Examination and Adoption of the Report of the Sub-Committee (<i>continuation</i>)	46
23. Intellectual Co-operation : The League of Nations and Modern Means of spreading Information utilised in the Cause of Peace : Draft Resolution submitted by the Danish Delegation	47
24. Mandates : General Discussion (<i>continuation</i>)	49
25. Mandates : Examination and Adoption of the Draft Report and Resolution	50
26. Mandates : Appointment of a Rapporteur to the Assembly	52
27. Application to the Following Reports of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly : (a) International Assistance to Refugees ; (b) Mandates	52

EIGHTH MEETING, October 9th, 1936, at 8.15 p.m. :		Page
28.	International Assistance to Refugees : Amendment of the Report to the Assembly in view of Decisions of the Fourth Committee	52
29.	'Close of the Session	53

LIST OF ANNEXES.

1.	Work of the Intellectual Co-operation Organisation :	
	Report of the Sixth Committee to the Assembly	55
2.	Establishment of an Identity Certificate for Refugees coming from Germany :	
	Extract from the <i>Official Journal</i> of the French Republic of September 23rd, 1936	61
3.	Mandates :	
	Report of the Sixth Committee to the Assembly	62
4.	International Assistance to Refugees :	
	Report of the Sixth Committee to the Assembly	63
5.	Explanatory Statement by the United Kingdom Delegation	70

LIST OF MEMBERS OF THE SIXTH COMMITTEE.

Chairman : His Excellency M. Giuseppe MOTTA (Switzerland).

Vice-Chairman : His Excellency Dr. Gabriel TURBAY (Colombia).

Members :

- Afghanistan* : His Excellency FAIZ Mohammed Khan.
His Excellency Mohammed HAIDAR Khan (Substitute).
- Albania* : His Excellency Dr. Fuad ASLANI.
M. Thomas LUARASSI (Substitute).
- Argentine Republic* : His Excellency M. José Maria CANTILO.
His Excellency M. Robert LEVILLIER.
His Excellency Dr. Enrique RUIZ GUÍÑAZÚ.
M. Carlos Alberto PARDO (Substitute).
- Australia* : The Right Honourable S. M. BRUCE, C.H., M.C.
Mr. Raymond G. WATT (Substitute).
Mr. F. K. OFFICER, O.B.E., M.C.
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Dr. Markus LEITMAIER (Substitute).
- Belgium* : His Excellency M. Paul Henri SPAAK.
M. Maurice BOURQUIN (Substitute).
M. J. COUCKE (Substitute).
- Bolivia* : His Excellency M. Adolfo COSTA DU RELS.
M. Alfonso QUEREJAZU (Substitute).
- United Kingdom of Great
Britain and Northern
Ireland* : Viscount CRANBORNE, M.P.
Sir William MALKIN, K.C.M.G., C.B., K.C. (Substitute).
- Bulgaria* : His Excellency M. Georges KIOSSÉIVANOFF.
His Excellency M. Constantin BATOLOFF (Substitute).
- Canada* : The Honourable Raoul DANDURAND, K.C.
The Honourable Norman McLeod ROGERS, M.P. (Substitute).
- Chile* : His Excellency M. Manuel RIVAS VICUÑA.
His Excellency M. Fernando GARCÍA-OLDINI (Substitute).
- China* : His Excellency M. QUO Tai-Chi.
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- Cuba* : His Excellency M. Guillermo DE BLANCK.
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M. Erik DE SCAVENIUS (Substitute).
M. Hartvig FRISCH (Substitute).
M. Ole Björn KRAFT (Substitute).
Mlle. Henni FORCHHAMMER (Substitute).
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M. August SCHMIDT (Substitute).
- Ethiopia* : Mr. Everett A. COLSON.
Ato Lawrence TAEZAZ (Substitute).

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M. Uno HANNULA (Substitute).
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M. Paul R. M. BASTID.
M. VIÉNOT.
M. Henry BÉRENGER (Substitute).
M. Jean MISTLER (Substitute).
M. GRUMBACH (Substitute).
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His Excellency M. Raoul BIBICA-ROSETTI (Substitute).
M. Michel MELAS (Substitute).
- Guatemala :* —
- Haiti :* His Excellency M. Constantin MAYARD.
His Excellency M. A. F. FRANGULIS.
M. Alfred ADDOR (Substitute).
- Honduras :* —
- Hungary :* His Excellency General Gabriel TÁNCZOS.
His Excellency M. László DE VELICS.
Baron Georges BAKACH-BESSENYEY.
M. Tibor DE PATAKY (Substitute).
M. Béla DE SZENT-ISTVÁNY (Substitute).
M. Paul SEBESTYÉN (Substitute).
M. Zoltán BARANYAI (Substitute).
M. Francis DE MAROSY (Substitute).
M. László BARTÓK (Substitute).
- India :* Sir Denys BRAY, K.C.S.I., K.C.I.E., C.B.E.
Sir V. T. Krishnama CHARI, K.C.I.E.
- Iran :* His Excellency Anochiravan SEPAHBODI.
His Excellency Mohsen RAÏS.
Mme. Fatmah SAYAH (Substitute).
M. Ziaedine GHARIB (Substitute).
- Iraq :* His Excellency General NOURY-AL-SAÏD.
Mr. Sabih NAJIB.
- Irish Free State :* Mr. Francis T. CREMINS.
Dr. Michael RYNNE (Substitute).
- Italy :* —
- Latvia :* His Excellency M. Wilhelms MUNTERS.
His Excellency M. Jules FELDMANS (Substitute).
- Liberia :* His Excellency Baron Othon DE BOGAERDE.
M. Fenton MORAN (Substitute).
- Lithuania :* His Excellency M. Stásys LOZORAITIS.
His Excellency M. Petras KLIMAS (Substitute).
- Luxemburg :* His Excellency M. Joseph BECH.
- United States of Mexico :* His Excellency M. Narciso BASSOLS.
M. Manuel TELLO (Substitute).
- Netherlands :* His Excellency Chevalier C. VAN RAPPARD.
M. J. P. A. FRANÇOIS (Substitute).
- New Zealand :* Mr. William Joseph JORDAN.
Mr. C. A. BERENDSEN, C.M.G., LL.M. (Substitute).
- Norway :* Dr. Halvdan KOHT.
M. Carl J. HAMBRO.
Dr. Christian L. LANGE.
M. Einar MASENG (Substitute).
M. R. I. B. SKYLSTAD (Substitute).
- Panama :* His Excellency M. Galileo SOLÍS.
- Paraguay :* —
- Peru :* His Excellency M. Francisco TUDELA.
M. José-Maria BARRETO (Substitute).
- Poland :* His Excellency M. Józef BECK.
His Excellency M. Tytus KOMARNICKI.
M. Tadeusz GWIAZDOSKI.
M. Jan FRYLING (Substitute).
M. Miecysław SEDZIELOWSKI (Substitute).

- Portugal :* His Excellency Dr. Jorge SANTOS.
His Excellency Dr. José Capelo DE FRANCO FRAZÃO, Count DE PENHA GARCIA.
- Roumania :* His Excellency M. Victor ANTONESCO.
His Excellency M. Constantin ANTONIADE.
His Excellency M. V. V. PELLA.
Mlle. Hélène VACARESCO (Substitute).
- Salvador :*
- Siam :* His Excellency Phya RAJAWANGSAN.
Luang BHADRAVADI (Substitute).
- Union of South Africa :* Mr. Charles Theodore TE WATER.
Mr. H. NEETHLING (Substitute).
- Spain :* His Excellency M. Antonio FABRA RIBAS.
M. Victor HURTADO (Substitute).
M. Pascual TOMÁS TAENGUA (Substitute).
- Sweden :* His Excellency M. Karl Gustav WESTMAN.
M. R. J. SANDLER (Substitute).
M. B. Östen UNDÉN (Substitute).
M. S. J. SÖDERBLOM (Substitute).
- Switzerland :* His Excellency M. Giuseppe MOTTA.
M. Ludwig SCHNELLER.
M. William RAPPARD (Substitute).
M. Henri VOIRIER (Substitute).
- Turkey :* His Excellency Dr. Tevfik RÜSTÜ ARAS.
His Excellency M. Sükrü KAYA.
His Excellency M. Necmeddin SADAK (Substitute).
- Union of Soviet Socialist Republics :* M. Maxime LITVINOFF.
M. Boris STEIN (Substitute).
M. Vladimir EGORIEW (Substitute).
- Uruguay :* His Excellency Dr. Alberto GUANI.
His Excellency M. Victor BENAVIDES.
- Venezuela :* His Excellency M. C. PARRA-PÉREZ.
M. Luis LORETO (Substitute).
- Yugoslavia :* His Excellency Dr. Bojidar POURITCH.
Dr. Ivan SOUBBOTITCH (Substitute).
Dr. Ivo ANDRITCH (Substitute).

The following persons attended certain meetings of the Sixth Committee.

- M. Michael HANSSON, Acting President of the Governing Body of the Nansen International Office for Refugees.
- General Sir Neill MALCOLM, High Commissioner of the League of Nations for Refugees coming from Germany.
- M. Henri BONNET, Director of the International Institute of Intellectual Co-operation.
-

**SIXTH COMMITTEE OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY.**

(POLITICAL QUESTIONS.)

AGENDA.

1. REFUGEES :

- (a) Report of the Nansen International Office for Refugees.**
- (b) Results of the Work of the Committee on International Assistance to Refugees.**
 - (i) Report of the Committee on International Assistance to Refugees.**
 - (ii) Report of the Acting President of the Governing Body of the Nansen International Office for Refugees.**
 - (iii) Report of the High Commissioner of the League of Nations for Refugees (Jewish and Other) coming from Germany.**

2. INTELLECTUAL CO-OPERATION.

3. MANDATES.

**SIXTH COMMITTEE OF THE SEVENTEENTH ORDINARY SESSION
OF THE ASSEMBLY.**

(POLITICAL QUESTIONS.)

FIRST MEETING.

Held on Wednesday, September 23rd, 1936, at 10 a.m.

Chairman : M. MOTTA (Switzerland).

1. Election of the Vice-Chairman.

On the proposal of Lord CRANBORNE (United Kingdom), M. TURBAY (Colombia) *was elected Vice-Chairman.*

2. Publicity of the Meetings.

The Committee decided that, save in exceptional cases, its meetings would be public.

3. Adoption of the Agenda.

The CHAIRMAN read the agenda, which, for the time being, comprised the following items :

International Assistance to Refugees :

- (a) Report of the Nansen International Office for Refugees (document A.23.1936.XII ; Ser. L.o.N. P. 1936.XII.B.8).
- (b) Results of the Work of the Committee on International Assistance to Refugees :
 - (i) Report of the Committee on International Assistance to Refugees (document C.2.M.2.1936.XII ; Ser. L.o.N. P. 1936.XII.B.1) ;
 - (ii) Report by the Acting President of the Governing Body of the Nansen International Office for Refugees (document A.27.1936.XII ; Ser. L.o.N. P. 1936.XII.B.7) ;
 - (iii) Report by the League High Commissioner for Jewish and Other Refugees coming from Germany (document A.19.1936.XII ; Ser. L.o.N. P. 1936.XII.B.6).

Intellectual Co-operation.

He added that the Assembly would probably refer other questions to the Committee.

4. Participation of Experts in the Work of the Committee.

The CHAIRMAN recalled that it was the Sixth Committee's practice to invite certain experts to participate in the discussion of various questions on the agenda. Subject to the approval of the Committee, he would invite the following to take part in its work :

M. Michael Hansson, Acting President of the Governing Body of the Nansen International Office for Refugees,
General Sir Neill Malcolm, High Commissioner for Refugees coming from Germany,
A representative of the International Committee on Intellectual Co-operation,
M. Bonnet, Director of the International Institute of Intellectual Co-operation,
Major Johnson, Secretary-General of the Nansen International Office for Refugees.

The Chairman added that he would invite other experts to attend, should need arise.

The Chairman's proposals were adopted.

5. Simplification of the Procedure of the Assembly : Presentation of the Reports of the Committee.

The Committee decided to adhere, whenever possible, to the procedure for the presentation of reports to the Assembly provided for in Rule 14(a) of the Rules of Procedure of the Assembly.

6. International Assistance to Refugees : Appointment of a Sub-Committee.

The CHAIRMAN recalled that the Committee would have to consider, in addition to the usual reports on refugee questions, two special reports—one from M. Hansson, acting President of the Governing Body of the Nansen International Office for Refugees,¹ and the other from General Sir Neill Malcolm, League High Commissioner for Refugees coming from Germany.² These two reports raised a number of delicate questions.

In the previous year,³ the Sixth Committee had appointed a Sub-Committee consisting of fifteen members to study the question of international assistance to refugees. This year, seeing that there were proposals from the two High Commissioners as to the action to be taken in regard to this question, the problem would have to be studied from various points of view. Its financial aspects would probably have to be examined by the Fourth Committee. The Sixth Committee would no doubt save time and expedite its work if, before undertaking a general discussion, it invited the same Sub-Committee as last year to study the documents communicated to it and to submit its observations and, if need be, a draft report for discussion by the Sixth Committee.

He proposed as members of the Sub-Committee the States which had constituted it in the previous year—namely : United Kingdom, Chile, China, France, Greece, Italy, Latvia, Norway, Netherlands, Poland, Roumania, Switzerland, Czechoslovakia, Union of Soviet Socialist Republics, Yugoslavia.

He himself had presided over the Sub-Committee in the previous year, and was prepared to do so again this year.

The Chairman's proposals were adopted.

7. Intellectual Co-operation : Appointment of a Rapporteur.

On the proposal of the CHAIRMAN, M. PARRA-PÉREZ (Venezuela) was appointed Rapporteur for the question of intellectual co-operation.

SECOND MEETING.

Held on Saturday, September 26th, 1936, at 3.30 p.m.

In the Chair : M. TURBAY (Colombia), Vice-Chairman.

8. International Assistance to Refugees : Addition of Portugal to the Sub-Committee.

The CHAIRMAN informed the Committee that the Portuguese delegation had expressed a wish to join the Sub-Committee on International Assistance to Refugees appointed at the first meeting.

The Committee agreed to add Portugal to the list of States on this Sub-Committee.

9. Mandates : Addition of this Item to the Agenda.

The CHAIRMAN announced that the President of the Assembly had informed him of the Assembly's decision taken at its meeting of September 25th⁴ to refer to the Sixth Committee the question of mandates. This question was therefore added to the Committee's agenda.

10. Intellectual Co-operation : General Discussion.

M. PARRA-PÉREZ (Venezuela), Rapporteur, submitted his draft report.⁵

Mlle. VACARESCO (Roumania) felt that the League was perhaps most deserving of honour and glory for the work of its Fifth Committee, which dealt with Social Questions, and that of its Sixth Committee, which dealt with Intellectual Co-operation—so necessary to relieve mankind in its present plight and to throw light upon a welter of conflicting ideas and ideologies.

The point that had particularly struck her in the draft report just submitted to the Committee was the appeal to the Council, the Assembly, and all nations, in the matter of the protection of monuments and works of art. The present threat to these rendered the question particularly urgent and Mlle. Vacaresco would ask States to devote special attention to the matter raised by the Committee on Intellectual Co-operation.

¹ Document A.27.1936.XII ; Ser. L.o.N. P. 1936.XII.B.7.

² Document A.19.1936.XII ; Ser. L.o.N. P. 1936.XII.B.6.

³ See *Official Journal*, Special Supplement No. 143, page 14.

⁴ See *Official Journal*, Special Supplement No. 155, pages 42 and 44.

⁵ For the final text of the report, see Annex 1, page 54.

The Permanent Committee on Arts and Letters had that year held a session at Budapest, where it had been warmly welcomed by the Hungarian Government and the general public. Dealing with questions affecting the future of the human race, the Committee had devoted attention to the future which, despite the present situation, awaited humanism—that bulwark of universal thought—Hellenism, Latinity and the advancement of letters. She recalled in that connection that Greece, in the days of her greatest men, had been torn by political rivalries, and that it was during the era in which great difficulties had arisen in Rome between Republic and Empire that the spread of Latin culture had taken place.

The Committee on Arts and Letters had decided that the universality conceived by the Latin world must increasingly be sought, and it was in the interests of such universality that it had asked the Council and Assembly to increase the number of its members from fourteen to eighteen. It was anxious that all, or almost all, countries of high culture and civilisation should be concerned in its work.

She hoped that the Fourth Committee would, by granting the necessary credits, support the work upon which the Paris Institute was engaged under the directorship of M. Bonnet.

She knew that M. Levillier was going to advocate the project of forming at the Institute libraries representative, in translation form, of the literatures of the different countries, and in particular of those which, though almost unknown in Western Europe, were actually in full flower. National Committees were always ready to support an undertaking of that kind, and she thought that the Social Institute at Bucharest, which attached great importance to foreign literatures, and the Roumanian Government, would be ready to make a direct contribution towards establishing at the Institute libraries containing the masterpieces of Roumanian literature.

M. FRYLING (Poland) endorsed the appreciation already expressed of the work of the Intellectual Co-operation Organisation, which had been described in a masterly way, both in the report on its activities¹ and in M. Parra-Pérez's statement.

In present world conditions, when the political horizon was so clouded, when pessimistic forecasts as to the future of international co-operation resounded on every side, and when international trade was hampered by Customs barriers, it was most encouraging to see such valuable results emanating from the efforts for closer relations between the nations in the intellectual field.

He would not dwell upon the various aspects of the Organisation's activity, which covered all branches of science, art and literature throughout the world, but he must express his gratification at the harmonious co-operation between the Intellectual Co-operation Organisation and its Committees in the different countries—a co-operation in which the Sixth Committee played an active part.

An examination of the report on the work of the Polish Committee would show that all the schemes initiated by the International Organisation had not been long in finding their reflection in Poland. He drew attention to the positive results achieved by the Polish Committee in the matter of international school correspondence and the revision of school textbooks; other achievements were the success of the holiday courses organised that year at Cracow and Warsaw for foreign students, some of whom had benefited by the scholarships founded by the Committee, and the work of the Central Committee of Polish Institutions of Political Science.

The Polish Committee had been particularly interested in the work of the Permanent Committee on Arts and Letters. It would be glad to strengthen its connection with that Committee, and so to popularise its work in Poland. He felt that closer ties with Polish literary and artistic circles would undoubtedly offer considerable advantages where the work of the Permanent Committee was concerned.

The Polish delegation was glad to learn that the Committee on Intellectual Co-operation was alive to the need for ensuring the greatest possible continuity in the work of the Committee on Arts and Letters, and that it had taken a favourable view of the proposal of the Polish member, M. Białobrzewski, that "conversations" should be organised between scientists on the consequences, in the domain of thought, of new theories and recent discoveries in physics.²

The Polish delegation was also interested to learn that the International Institute had collected a quantity of material relating to bilateral intellectual agreements, and that that material was shortly to be published.

The Polish Government attached great importance to that form of intellectual co-operation. He would recall the statement made on the subject by the Polish delegate to the Sixth Committee of the 1935 Assembly.³ Faced with the view expressed in the report then submitted to the Sixth Committee (according to which bilateral and regional agreements in the matter of intellectual co-operation were regarded as presenting dangers to international collaboration), the then Polish delegate, M. Komarnicki, had pointed out that the advantage of such agreements was that they brought national administrations together in an effort for a *rapprochement* between two particular civilisations. It was thus a better form of agreement than multi-lateral agreements, in which the advantages accorded by the contracting countries could not be so far-reaching. He congratulated the International Organisation on Intellectual

¹ Document C.328.M.205.1936.XII; Ser. L.o.N. P. 1936.XII.A.2.

² Document C.328.M.205.1936.XII; Ser. L.o.N. P. 1936.XII.A.2, page 15.

³ See *Official Journal*, Special Supplement No. 143, page 43.

Co-operation no longer being apprehensive as to the effects of such agreements. In his view, they constituted a valuable complement to the multilateral agreements, and could, indeed, in many cases, pave the way for them.

M. BOURQUIN (Belgium) thought that the reports distributed gave a true and faithful picture of the work carried out during the year in the field of intellectual co-operation. They made comforting reading; the Committee and the Institute of Intellectual Co-operation had not allowed themselves to be demoralised by contemporary difficulties, and had successfully continued the development of their work.

A certain scepticism had at times been expressed in some quarters as to the value of intellectual co-operation; politicians liked to see quick returns and prompt solutions of their difficulties, and they therefore tended to view intellectual intercourse as a recreation rather than as a work of public utility. But, as Mlle. Vacaresco had so eloquently observed, did not all great reforms in fact spring from a current of ideas? How was it possible to build a League of Nations, or even to transform international relations, without creating the spiritual atmosphere necessary for the full realisation of such changes?

Intellectual co-operation was therefore not an ornament which the League of Nations could, if necessary, forgo; it formed the very kernel of the undertaking, and the Committee should therefore rejoice to realise that, in the midst of the failures, or at least of the compromises, of the present time, intellectual co-operation could, on the whole, show a prosperous balance-sheet. That prosperity was obviously in no way material, because, as far as finances were concerned, it was legitimate to suppose that M. Bonnet had now and then to resort to expedients to make ends meet. M. Bourquin would here emphasise how necessary it was to avoid any curtailment of the already reduced funds at the disposal of the Institute and the Intellectual Co-operation Organisation. The present time of crisis was hardly the best moment to appeal for generous budgeting, but economy should not be allowed to stultify the inspiration stimulating work such as that under discussion.

M. Bourquin drew attention to the work of the Permanent International Studies Conference. He had been Rapporteur on the subject of collective security, which had been studied by the Conference in the last two years; he was now Rapporteur for the new question on its agenda. The Conference consisted of national groups and international institutions, which over a given period studied a single current political or economic problem. Their work was then co-ordinated, compared and discussed, and culminated in a meeting, during which the more interesting or controversial points were thrashed out.

The Conference adopted no resolution. Its object was to leave its members the widest freedom of opinion, so preserving a purely scientific character; hence it did not adopt a profession of faith by a given majority. It merely sought to advance the study of a question with the maximum of objectivity, stripping it of the prejudices and passions that might obscure the point at issue. It also sought to associate in its studies men of all types, as different as possible in nationality, development and way of thought. All were afforded an opportunity of clarifying their ideas, perhaps by some adjustment of their views, and, above all, of acquiring a better understanding of the ideas of others.

The subject at present under study by the Conference was closely connected with the earlier study on collective security, the discussion of which had brought to light some valuable ideas. Foremost among these was the conception that, if war were to be combated successfully, it was not enough to condemn it, nor even to punish those who let it loose; it must be attacked at the root by the pacific settlement of the difficulties that might provoke it. That had raised the problem of peaceful change, for it was obvious that many such difficulties could be traced back to needs and claims that could not be satisfied in the existing order of things.

Despite the difficulties inherent in that study, the Conference had placed it on its agenda; no aspect of it had been *a priori* excluded, but, as it was extremely wide in scope, certain main lines had been indicated, and the attention of members of the Conference had been drawn, in particular, to the questions of colonies, raw materials and markets, and over-population. These questions covered a wide field, but the work was thus guided in some degree.

A preliminary conference had been held in Madrid, where a more detailed agenda and a scheme of co-ordination had been agreed upon; a plenary conference, at which the general discussion would take place, was to be held in Paris in June 1937. What stage of the study would have been reached by that date? The field being vast, it was impossible to say, but a judgment could by then be formed as to which points in the preliminary work could most usefully provide material for the Paris Conference. If the hoped-for results were achieved, it would then be possible to judge of the best means of continuing the study.

M. Bourquin could envisage no more useful object for the work, not only of the Conference, but of the League itself. League reform was on the agenda. Whatever conception one might have of that problem, there was agreement on the point that revision of the Covenant, if undertaken, would, in any event, not be enough in itself to revive the Geneva organisation and make it a major political factor. Whether or no texts were amended or interpretative resolutions issued, two things seemed indispensable: a change of method and a change of programme. The League, apart from its technical activities, had so far principally—he

might almost say exclusively—devoted itself to what might be termed the problem of insurance against the risk of aggression. After sixteen years of discussion and several months of practical experience, it was possible to assess the possibilities and discern the impassable limits in that field.

It was not by hypnotised concentration on the problem of sanctions that the League would restore its self-confidence or achieve universality; though it must not abandon that part of its work, it seemed that it must turn to fresh fields, and must devote itself to forms of practical work capable of alleviating the difficulties that beset the nations; only thus could it achieve that relaxation of tension which was indispensable to the consolidation of peace.

That was the conception which had inspired the Permanent Conference to adopt the programme he had just outlined; it was to be hoped that, within its limits, it would contribute to the solution of the problem by presenting responsible Governments with a methodical and conscientious piece of preparatory work.

M. DE VELICS (Hungary) thanked the Rapporteur and Mlle. Vacaresco for the kind references they had made to the Budapest "Conversations". The Secretary-General had said that these had been among the most successful of all the meetings organised by the Permanent Committee on Arts and Letters. That was due to those who had participated in the meetings, to their level of culture and their worldwide fame; it was also due to all those who, in the intellectual co-operation organisations, had prepared for the meetings, and to the co-operation of the intellectuals who had made valuable contributions to the subjects discussed, and to those in Hungary who had undertaken the administrative organisation.

He hoped that these discussions organised in his country, where the traditions of humanism had never ceased to flourish, even in the hardest times, would bring comfort to humanity in the present moral crisis.

M. de Velics was glad that this first meeting of a League organisation in Hungarian territory had confirmed the Committee on Intellectual Co-operation in its view that such meetings promoted mutual understanding between nations, and had led it to propose a new series. The Paris meeting, over which, as at Budapest, M. Paul Valéry would preside, promised to be a great event in the world of letters and of thought. Hungary hoped that it, like the other meetings planned, would prove a great success.

He warmly endorsed the hope expressed by M. Bourquin with regard to the study undertaken by the Permanent International Studies Conference. Intellectual circles in Hungary were prepared to follow the work of the Conference very closely, and to co-operate in its furtherance.

M. ANDRITCH (Yugoslavia) endorsed the tributes paid to M. Bonnet and his collaborators for the successful and manifold work of the Institute during the past year. It was highly satisfactory that such work should each year gain in depth and scope. The report in which that work was summarised could be submitted to the Fourth Committee with a request for a repetition of the understanding and generosity displayed in the previous year.

Yugoslavia was fully appreciative of the Institute's work. She would continue in the future—as in the past—to afford such moral and material help as was possible, together with her sincere and active sympathy.

M. MISTLER (France), after referring to the high ideals to which expression was given in M. Parra-Pérez's report, said how glad he was to note that there survived no shadow of certain criticisms that had at one time been levelled at the Institute of Intellectual Co-operation. He was also glad to see that the Institute had resolutely turned to work in the direction of practical questions capable of immediate application.

In his view, the Institute's task was the progressive elimination of factors which tended to create disorder and foment hatred—factors at present prevalent both in domestic affairs and in international relations. In this connection, the study the Institute was undertaking as to the means of remedying unemployment among intellectuals was one from which excellent results could be anticipated.

Though, from a material standpoint, intellectual unemployment might not constitute so grave a social malady as unemployment among the workers, and though it affected a considerably smaller number of individuals, it was none the less true that intelligence, once it was no longer a constructive element, and if deprived of its essential stimulus, could easily—as Balzac had pointed out in the preface to the "Comédie Humaine"—become a destructive influence. Ceasing to co-operate with the other elements of the community, it became an agent of unrest and discontent.

Turning to the Permanent International Studies Conference, a vivid account of which had just been given by M. Bourquin, M. Mistler said that the method advocated to combat the prevalent causes of disorder in the world—the method of clearing up ideas—could not be bettered as a means of countering the dangerous and credulous myths by which the masses were allowing themselves to be carried away.

The study, undertaken by the Conference, of international relations and of the adjustments that their natural evolution might require, was of the greatest value, at a time when many people regarded a cataclysm as inevitable and felt that, after the catastrophe, improvement could be hoped for. History proved in fact that no good ever came out of catastrophes; their only result was to pile ruin higher.

Turning to the question of "Conversations", M. Mistler hoped that the Institute of Intellectual Co-operation would add to the programme of its work in the near future the study of practical means of communicating to the different peoples the results reached by philosophers, scientists and sages in the course of those "Conversations". It was not sufficient to wait until the results of those meditations filtered of their own accord through the strata of society. He welcomed the initiative taken in this respect by the International Conference on Broadcasting, the result of which should be to make use of broadcasting in the cause of peace. As far as the Press was concerned, the mischief was already done, that source was poisoned, but, in the field of broadcasting, it was still possible to combat the dissemination of false reports and systematic propaganda campaigns against neighbouring States.

Moreover, broadcasting seemed to M. Mistler to offer the best means of bringing the interchange of intellectual ideas within reach of the people. Intellectuals had sought to reach the élite by wireless; but why not extend that effort with a view to informing larger audiences on the subject of the organisation of peace? Why not create a popular version of the interchanges already being organised on a higher plane? Why not broadcast talks giving the substance of "Conversations" between the chief intellectuals in the different countries?

M. Mistler next drew attention to the question of translations, which were at present often undertaken sporadically by publishers who were often only inspired by commercial considerations. The Institute of Intellectual Co-operation could carry out a most useful work of co-ordination in that connection by ensuring the translation of outstanding works in the different literatures of the world.

M. Mistler was glad that light had been thrown, during the Budapest meeting on intellectual co-operation, on the permanent nature of humanism. Only by contrasting the origins of human thought and by research into factors of culture tending to unite mankind, could the present difficulties be surmounted and the permanent reasons for mutual appreciation and friendship be unearthed.

Lord CRANBORNE (United Kingdom) said that His Majesty's Government viewed with sympathy the work of the Institute of Intellectual Co-operation as a potent factor in the cause of mental disarmament—one of the most essential needs of the world if civilisation was to survive. His Majesty's Government had worked to further one aspect of the Institute's work—the negotiation of the Convention for the Use of Broadcasting in the Cause of Peace; he hoped that this might prove of real value.

But the Committee must be guided by regard for the economical and wise expenditure of funds. In view of the inevitable limitations of its budget, it should confine itself to projects whose value was not apparent but real. Subject to that reservation, His Majesty's Government felt that all States should bend their best endeavours towards intellectual co-operation; if this contributed to the peace of the world, they would have accomplished a work of very real value.

M. SÖDERBLOM (Sweden) drew the Committee's attention to the resolution adopted by the Advisory Committee on League of Nations Teaching at its meeting held in Geneva in July (reproduced on page 27 of the report on the work of the eighteenth session of the International Committee on Intellectual Co-operation¹).

The Swedish delegation had been glad to learn that the appropriate sections of the Secretariat were taking steps, so far as was within their power, to meet the wishes expressed by the Swedish Broadcasting Corporation as regards providing study-circles in the Nordic countries with suitable material for the study of international relations by means of publications and broadcasts. The Swedish delegation hoped that the collaboration thus established would continue. It asked the Sixth Committee to take note of the resolution of the Advisory Committee, and the Rapporteur to mention it in his report.

The continuation of the discussion was adjourned to the next meeting.

THIRD MEETING.

Held on Thursday, October 1st, 1936, at 3.15 p.m.

Chairman : M. MOTTA (Switzerland).

II. Intellectual Co-operation: General Discussion (continuation).

M. FRISCH (Denmark) suggested that it behoved the League to begin active propaganda in favour of its ideals in a new way and on a more extensive scale than hitherto. Valuable work on moral disarmament had undoubtedly been done by the Intellectual Co-operation organs both in Geneva and Paris; but their reports and publications, however well conceived,

¹ See document C.328.M.205.1936.XII; Ser. L.o.N. P. 1936.XII.A.2.

had been left far behind by the hurricane of war propaganda which had swept over the world. The Danish Government urged a new departure in this field, either by the creation of a new organ or by furnishing the Information Section of the Secretariat with means both of competing with this war propaganda, whether open or hidden, and by co-operating with existing private organisations to spread the right ideals. Some excellent results had already been achieved in the fields of broadcasting, the Press and the sciences, and he felt that further work to the end he had outlined was the right field for the Intellectual Co-operation Organisation.

In this connection, M. Frisch would draw the Committee's attention to the value of films and particularly of news-reels. These were often the only form of direct international experience enjoyed by the general public. Why should not the League take up the task of furnishing the world with illustrations of the peaceful achievements of mankind rather than of aeroplanes, battleships and military parades? It might be argued that martial scenes were more dramatic; but this merely proved that ingenuity and skill were necessary to combat their influence.

Schools were another important field of action. The most effective form of propaganda was that given at an age when the mind was "wax to receive but marble to retain". For instance, the League would be doing a great work if, for purposes of the teaching of history, it could co-operate with men of letters to bring into existence a short popular world history, true to fact, which could be placed in the hands of children of all nations.

In the revision of school textbooks already undertaken in the Scandinavian countries—a work in which the Norwegian Foreign Minister, Dr. Koht, had taken a prominent part—it had become evident that, even among the Scandinavian peoples who were not prone to dislike of one another, most of the books contained many misconceptions and blunders. A work of revision on similar lines would doubtless be useful in other countries.

Sport was another factor of importance in international relations. But, in this field also, too much stress was sometimes laid upon national feelings, and he suggested that the League might be able to give the lead in the promotion of international comradeship in this matter. The task might be difficult; but it might be taken for granted that many private associations would be ready to co-operate.

The points he had made were merely some suggestions; in conclusion he would make a definite proposal:

"That the Information Section of the Secretariat of the League of Nations, in collaboration with the Committee on Intellectual Co-operation, be charged with the task of drawing up for the next Assembly a definite scheme for organising on new lines and on a larger scale the activity of the League for peace and collaboration between all nations."

M. LANGE (Norway) pointed out that the Intellectual Co-operation Organisation was, from the practical standpoint, specially placed in regard to the League; it could only hold its meetings in the month of July on account of the vacations of the university professors who took part in its work. This had two awkward consequences; it was not possible to decide in time upon requests for credits, which in its turn meant that these requests met with serious obstacles each year in the Supervisory Commission and Fourth Committee. All the League organs concerned, and in particular the Fourth Committee, must show a generous measure of understanding when considering the requests for credits from the Intellectual Co-operation Organisation.

The date of the Organisation's meetings also meant that the documents for the Sixth Committee could not be prepared until August. They were then sent to the different Ministries for Foreign Affairs but were not distributed to the members of the Committee. He personally, for instance, had only received them at the last meeting of the Committee. He asked that instructions should be given for their distribution even before they had been duly approved by the Council.

M. Lange had this year been particularly struck by the value of the work done by the Intellectual Co-operation Organisation. The work of the Paris Institute, in particular, seemed to him to be better understood and better directed than in the past. The next task for the League was to put this weapon to good use. Many means were open to it; he would merely mention one or two.

A point to which particular attention should be devoted was League of Nations teaching, which was closely bound up with the revision of history textbooks. M. Frisch had touched upon the steps being taken in this respect in the Scandinavian countries. By the terms of the agreement concluded, any history textbook had, before publication, to be submitted to representatives of the other Scandinavian countries. Should opinions differ on any given fact, the two views were set out in the textbooks. He had personally published a school history, and knew the difficulties of drafting a work of that kind. He was in full agreement with the Advisory Committee's statement that League of Nations teaching must be part and parcel of general history and that the League of Nations should be shown to be the culmination of historic evolution.¹ The interdependence of nations might simultaneously be pointed out;

¹ See document C.328.M.205.1936.XII; Ser. L.o.N. P. 1936.XII.A.2, page 24.

many existing textbooks already took this as their guiding line. The Advisory Committee had expressed the hope that the efforts made would become generally known. M. Lange suggested that it would perhaps be possible to publish model textbooks which, translated into the different languages, might facilitate the work of future authors.

He had listened with interest to M. Bourquin's remarks at the previous meeting¹ on the Permanent International Studies Conference. This was an interesting undertaking which might serve to dispel many illusions, notably those current as to access to raw materials and as to colonies. The Conference was in a position to do an eminently useful piece of work. Its object was obviously to produce scientific material, but the conclusions reached might have considerable political influence if they were made available to the general public. It had, in the previous year, been difficult to procure the documents on this Conference's work. An effort must be made to render the publications more easily accessible, and to arrange for the propagation of the results obtained.

M. Lange also endorsed M. Frisch's suggestions as to devising new methods of popularisation and propaganda. There prevailed in some countries a mentality directly opposite to that which should obtain among Members of the League of Nations. Broadcasting and films were used to spread ideas directly contrary to the League view. Indeed, some countries went so far as to glorify war by those means. If M. Frisch's idea of co-operation between the Information and Intellectual Co-operation Sections of the Secretariat and the Paris Institute were to be adopted in order to try out new methods, it seemed to him that valuable results might be obtained with only a very small added expenditure.

It was easy to see the close analogies between the present time and the years 1913 and 1914. Once again, nations throughout the world were witnessing an armaments race and a growing fear of war. Nevertheless, a ray of hope was discernible. In 1913 and 1914, everyone had felt that statesmen were too wise to allow war to break out; but the explosion of 1914 had proved that war depended neither on the wisdom nor on the resolve of men. Nowadays there was a greater, and, indeed, an eminently healthier, scepticism as to the powers of statesmen in this respect. Men were more alive to the danger. Countless international organisations were studying the problems involved. Here was a solid basis upon which the League should seek to build a valuable work in order to avert, if there was still time, the grave dangers threatening civilisation.

M. LEVILLIER (Argentine Republic) drew attention to the thanks proffered to the Argentine nation in M. Parra-Pérez's report for the welcome it had extended to the "Conversation" which had taken place at Buenos Aires at the beginning of September. In his view, it was the other way round; the thanks were due not so much to the Argentine nation as to the Paris Institute of Intellectual Co-operation which had enabled the Argentine to hear such eminent foreigners as M. B. Sanin Cano, M. Dominique Braga, M. Georges Duhamel, M. Pedro Henriquez Ureña, M. Emil Ludwig, M. Stefan Zweig, M. Carlos Reyles, M. Luis Piérard, M. Fedelino de Figueiredo, Mr. R. H. Mottram, M. Afranio Peixoto, M. Jacques Maritain, M. Jules Romains, M. José Ungaretti, Mr. James Entwistle, M. Alcides Arguedas and M. Enrique Diez Canedo.

The discussion had aroused lively interest. A large number of men of letters from the Argentine and from other American countries had taken part. The principal subject of discussion had been the formation of American culture and its influence on European culture and ideas. The various reports submitted had analysed the changes in the European mentality brought about by the discovery of America, the influence of the French and of the English mind, as second only to that of the Spanish, upon the formation and consolidation of American political institutions, not to mention their repercussions in the field of art and letters. The problem of humanism had given rise to a long discussion which had yielded the conclusion that according to M. Maritain, there existed side by side with classic humanism a new humanism which had its foundations in life itself. This went to prove that there existed a true unity of culture between the two continents and that any differences discernible were purely temporary or regional. The Buenos Aires "Conversation" had thus reached conclusions which would have a valuable influence upon the future development of American thought.

Turning to the proposed collection of American ethnographical and historical works on the origins of American civilisation—a proposal which he had submitted in 1934 to the Sixth Committee²—M. Levillier reminded the Committee that this scheme—which was of concern to Portugal, Spain, England, Italy, France and the Netherlands—had, after adoption by the Assembly, been referred to the Intellectual Co-operation Organisation; the Paris Institute had then convened a number of experts on America in order to draw up a plan for the collection. The original plan had provided for forty-five volumes on history and geography and fifteen volumes on archæology, ethnology and linguistics. The 1935 Assembly had reconsidered the scheme,³ in the light of the opinion expressed by the International Committee on Intellectual Co-operation and by various experts that the collection was too large. Indeed, in the interests of rapid achievement, considerable reduction had seemed essential. The scheme, revised with the co-operation of historians and experts of different countries, had been reduced to twenty-five historical and geographical works and fifteen on ethnology, linguistics and archæology, covering the whole of America from Canada to the Argentine.

¹ See page 12.

² See *Official Journal*, Special Supplement No. 130, page 28.

³ See *Official Journal*, Special Supplement No. 143, pages 33 and 76.

He was glad to be able to announce that the Argentine Government offered to contribute 25,000 pesos per year for the purpose of this collection. Further, the Faculty of Philosophy of the University of Buenos Aires had undertaken to bear the cost of the Spanish edition of the collection. In 1934, it had been hoped that it would be possible to publish an English edition also, but the scheme had proved too costly and had had to be abandoned for the time being. He hoped, however, that some universities or institutions, either in Great Britain or the United States of America, would undertake the edition of the collection in English.

In reply to certain points which had been raised in 1935, M. Levillier said that many delegations, when discussing the financial aspect of the question, had pointed out that, though the League might be undertaking, as it were, the patronage of the collection, it was for the countries concerned to bear the cost. He personally had always held this view, which should apply both to this collection, to Mlle. Vacaresco's excellent idea¹ of publishing a collection of translations of the Roumanian classics, and to all such collections published under the auspices of the League. It was quite normal that each group of nations should itself bear the cost of the works which it desired to publish under such high patronage.

The spiritual link between the League and the different continents was not the only point of interest in this scheme. There was another factor which was fitted to fulfil the League's aim—namely, the appeasement of feeling and the soothing of past bitterness born of historic interpretations which were often unjust as being founded upon ignorance or an incomplete knowledge of the facts. The proposed collection would supply the necessary rectifications in the matter of the early history of the Latin-American nations, and particularly of those which had sprung from the Spanish and Portuguese civilisations. It was well-known that many philosophers, writers and historians of the seventeenth and eighteenth centuries had been content merely to reproduce the intemperate statements made in the books of sixteenth century travellers and chroniclers who, when recounting contemporary events, were prone to the bias which was still the cause of many a serious error.

After twenty years of work on historical documents, archives and the chronicles of eye-witnesses, M. Levillier had come to the conclusion that no country of Latin America could yet boast an accurate and objective history of the sixteenth nor even of the seventeenth and eighteenth centuries. It was therefore necessary to begin at the beginning—that was to say, in the sixteenth century, material in regard to which had been extracted from the archives within the last thirty years—and, in particular, to study native cultures, the conquest of America and the process of civilisation there. That conquest, it must not be forgotten, was unprecedented in history. The Spaniards and Portuguese had transported to America their language, their religion, their judicial system, their political, economic and social organisation, their universities, their hospitals and so forth. But there was as yet no history written of this amazing creation of a new world. The whole field was waiting to be covered.

M. Levillier had confined his comments to the conquests and work of civilisation of the Spaniards and Portuguese because the French, the English and the Netherlanders had not established fixed settlements there until after the sixteenth century. Their discoveries, and their ventures in the way of conquests and trade in the sixteenth century, were nevertheless included in the draft plans as necessary for the collection.

A delegate had last year expressed the view that though this series was both remarkable and valuable, it would perhaps be better for some institution other than the League to undertake its publication. M. Levillier felt that a work of this type should be undertaken, if not directly by the League, at least under its auspices. He knew of no other institution enjoying a prestige comparable to the League's, or which could achieve the work with the objectivity desirable. Something more than the interests of the Latin-American countries was at stake; the League must also secure the intellectual link with the peoples of Latin America; this would increase its prestige, and would also constitute a sure guarantee of peace and concord. He hoped that the Committee would take all this into account.

Since he had consulted a number of scientific institutions and Governments, from whom he had received favourable replies, M. Levillier felt that the moment had come to submit to the Committee a definitive draft resolution on the subject. The following institutions had given their support to the proposed collection :

Argentine Republic :

University of Buenos Aires ; Junta de Historia y Numismática, of Buenos Aires ; Facultad de Filosofía y Letras, of Buenos Aires ; Academia Argentina de Letras, of Buenos Aires.

Belgium :

Comité d'Union franco-belge et coloniale, Brussels.

Brazil :

Academia Brasileira de Letras, Rio de Janeiro ; Sociedad brasileira de Derecho internacional, Rio de Janeiro ; University of Rio de Janeiro.

¹ See page 11.

Canada :

Library of Parliament, Ottawa.

Chile :

Instituto de Derecho público de la Universidad de Concepción.

Colombia :

Academia de la Historia, Cartagena.

Ecuador :

Universidad Central, Quito ; Academia Nacional de Historia, Quito.

Mexico :

Academia Nacional de Historia y Geografía, Mexico ; Sociedad Mexicana de Geografía y Estadística, Mexico ; Universidad Nacional de Mexico ; Academia Nacional de Ciencias " Antonia Alzate ", Mexico ; Academia de Jurisprudencia y Legislación, Mexico ; Ateneo Nacional de Ciencias y Artes ; Instituto Pan-Americano de Geografía e Historia.

Norway :

Bergens Museum, Bergen.

San Salvador :

University of Salvador.

Spain :

Centro de Estudios Históricos, Madrid ; Archivos Agustonianos, Madrid ; Centro de Estudios Históricos de America, Seville.

United States of America :

University of North Carolina ; Stanford University of California ; The Ohio State University ; Cleveland Public Library ; Public Library of Cincinnati.

He had discussed the financial aspect of the scheme with the Director of the International Institute of Intellectual Co-operation. They had together agreed that this collection should be published with the assistance of funds provided by the American countries. A certain number of American Governments had already promised financial assistance and he hoped that their delegations would see their way to confirming this promise in the Sixth Committee. In addition to the Argentine Government, the Governments of Mexico, Ecuador, Peru and Venezuela had announced their intention of giving material support to the scheme. As soon as the financial plan was fully worked out, it would be possible to determine the exact share to be borne by each country. In conclusion, M. Levillier read the following draft resolution which he submitted to the Committee :

" The Assembly,

" Approving the resolution adopted by the International Committee on Intellectual Co-operation at its eighteenth session, regarding the plan for an ethnographical and historical collection on the origins of American civilisation ;

" Having also taken cognisance of the revised plan submitted by Ambassador Levillier, which it approves subject to its acceptance by the International Committee on Intellectual Co-operation ;

" Having further been informed that the Governments of Ecuador, Mexico, Peru and Venezuela have offered to afford material support to the plan, that the Argentine Government offers to contribute a sum of 25,000 Argentine pesos per annum for the establishment of the collection, according to a plan and conditions of execution approved by it, and that the Faculty of Philosophy of Buenos Aires University has agreed to take charge of the Spanish edition :

" Warmly thanks them for these generous contributions, and asks the Intellectual Co-operation Organisation and its Executive Committee to examine, as soon as possible, the plan and the conditions in which it is to be executed. A special session of the Executive Committee, assisted by experts, should be held for this purpose, the costs to be defrayed out of the credits at the disposal of the Secretariat of the International Intellectual Co-operation Organisation for the current financial period.

" The works are to be published in French and Spanish, under the supervision of the International Institute of Intellectual Co-operation in the case of the French edition, and of the Faculty of Philosophy of Buenos Aires University in the case of the Spanish edition.

" The costs of the collection, which will serve as an intellectual link between America and the Old World, should be covered by the contributions already promised and by other contributions of Governments or institutions.

“ The Assembly urgently appeals to the Governments and institutions concerned to place the necessary funds at the disposal of the International Institute on Intellectual Co-operation.”

The continuation of the discussion was adjourned to the next meeting.

12. Intellectual Co-operation : Reference to the Fourth Committee of Certain Proposals calling for Additional Expenditure.

The CHAIRMAN reminded the Committee that it was important to give due notice to the Fourth Committee of any schemes calling for fresh expenditure. The draft resolutions submitted by the Rapporteur contained two proposals which involved certain expenditure—namely, under Head 2, the granting of a supplementary credit of 5,050 Swiss francs in order to increase the number of members of the Permanent Committee on Arts and Letters from fourteen to eighteen, and, under Head 3, the granting of a supplementary credit of 10,000 Swiss francs for the establishment of the Permanent Scientific Committee requested by the scientific experts.

Subject to the Committee's final decision, to be taken later, the Chairman proposed that these two requests for credits should be forwarded forthwith to the Fourth Committee as a contingency or a possibility in order to make sure of their being laid before it within the prescribed time-limit.

The Chairman's proposal was adopted.

FOURTH MEETING.

Held on Monday, October 5th, 1936, at 10.15 a.m.

Chairman : M. MOTTA (Switzerland).

13. Intellectual Co-operation : General Discussion (continuation).

M. VOIRIER (Switzerland) said that the Federal authorities were greatly interested in the work of the Intellectual Co-operation Organisation, and made every effort to associate intellectual circles in Switzerland as closely as possible with it. The Swiss Committee on Intellectual Co-operation gave the authorities most valuable assistance in that matter. Nevertheless, the latter at times encountered certain obstacles, owing to the constitutional organisation of the country ; each canton and half-canton retained, in principle, its unrestricted authority in intellectual matters. Thus, whenever there arose a question of co-operation in some international scheme adopted under the auspices of the Intellectual Co-operation Organisation, Switzerland had often, as a first step, to undertake a preliminary co-ordination of the work done either in the different cantons or in the three linguistic areas of the Confederation—action which involved much time and labour.

Interesting results had nevertheless lately been obtained in Switzerland. In particular, a co-ordinating committee of higher international studies had been founded during the year ; it had been represented at the Madrid Conference and would make every effort to afford a valuable contribution to the Paris Conference on the methods of peacefully settling international disputes. Moreover, in spite of the difficulties arising from the fact that, in Switzerland, education came within the competence of the cantons, an educational information centre had been set up, and also a committee for international school correspondence. Lastly, the Swiss universities were following with interest the work of the Conference of Directors of Higher Education, and the Swiss Committee on Intellectual Co-operation had set up a special sub-committee to co-operate with that Conference.

Certain features of the programme proposed for the near future deserved special attention. The Conference of National Committees, summoned to meet in Paris in 1937, might exercise a valuable influence on the development and direction of future work in connection with intellectual co-operation. The preparatory work for the Brussels Conference on the revision of the Berne Convention was also important. It was to be hoped that a universal statute of intellectual rights could be drawn up which would constitute a diplomatic instrument uniting the States parties to the Berne and Havana Conventions. M. Voirier also drew attention to the first results of the discussions of the Committee of Scientific Experts ; the new cooperation envisaged in the realm of science promised valuable practical results.

Lastly, the Swiss delegation was glad to note that co-operation between the Paris Institute and the International Educational Bureau at Geneva, which at present included thirteen States, was developing step by step. The Director of that Bureau, M. Piaget, had taken part in the Budapest “ Conversation ” and in the meetings on League of Nations teaching. The Intellectual Co-operation Organisation had, in its turn, been represented at the Conference

on education which had been held at Geneva in July, and in which representatives of nearly forty countries had taken part. The Swiss delegation felt that this co-operation was bound to grow closer, to the mutual advantage of the institutions concerned.

Mr. WATT (Australia) felt that there was every justification for the emphasis which many speakers in the Assembly had laid upon the significance of moral disarmament, which meant that, as time went on, the work of the Sixth Committee could not but become more and more important.

He congratulated the Rapporteur on his able summary of the reports of the Institute's work; it was difficult to pick out individual items for special comment, but he felt that it would be hard to exaggerate the importance of the sections dealing with League of Nations teaching and the scientific study of international problems.

He also congratulated the Latin-American countries, and, in particular, M. Levillier, upon the success of their efforts for the publication of works dealing with their history in the sixteenth century.

Turning to the furtherance of League of Nations teaching in Australia, Mr. Watt informed the Committee that, as the result of a recommendation it had made many years ago, a very representative Conference of Educational Authorities had been held in 1929 and had led to the establishment of a permanent Committee, which had done commendable work in many directions. History textbooks and syllabuses had been revised and a number of improvements effected—the work having the active sympathy of every Director of Education in Australia. It was safe to say that the aims and work of the League were in some way brought to the notice of almost every pupil passing through Australian schools.

The National Committee had also established liaison with the National Council for Educational Research, and had established correspondents at each university.

Partly as a result of the resolution which he had introduced during the twelfth Assembly,¹ the Australian broadcasting authorities had given careful attention to publicity regarding international affairs. He had listened with interest to the suggestions made by the Norwegian and Swedish delegates that the use of broadcasting to this end should be further explored. He wondered whether it would not be possible to secure for broadcasting purposes the recording on discs of statements by prominent intellectuals in the various countries; it was also desirable to secure direct broadcasts by such persons. Without presuming to submit a detailed proposal for activities along these lines, he recommended the general idea to the Committee.

M. COSTA DU RELS (Bolivia) wished to say a few words on a question which everyone was asking himself in silence, and to which only a brief reference had been made at an earlier meeting by Mlle. Vacaresco,² whose heart and mind were always on the alert. For himself, he would not like to evade what he looked upon as his duty, and he felt that the slightest hesitation would show a lack of courage. For that reason, putting the question to the Sixth Committee as a matter of intellectual co-operation, quite outside any political or ideological field, and with no other object than an expression of human and cultural solidarity, he would ask delegates, as well as all his Spanish brethren there and elsewhere, whether they thought that, in the existing circumstances, a commission composed of foreign technicians chosen for their experience, and exclusive of any elements that might arouse the faintest political susceptibility, could, while there was yet time, co-operate urgently, by taking suitable technical measures, in safeguarding Spain's artistic treasures where they were in particular danger.

His position as delegate of a Spanish-American country (and Spanish Americans looked upon the heritage of Spanish art as the heritage of a culture from which they were descended) would suffice to show that his intervention was, as he intended it to be, impartial, and dictated only by affection and loyalty. The reverence and love lavished upon the Spanish art treasures that had been piously preserved in America throughout the frequent and violent vicissitudes of national life had found a happy expression in a book on "The Spanish Colonial Culture in Upper Peru" (that was to say, in Bolivia), which had just been published by M. Finot, the Bolivian Minister for Foreign Affairs. It was that same reverence, that same care, that led him to speak in the Committee about the threatened treasures of Spanish art.

The chances of the struggle might unfortunately prove too much for the power of the opposing parties to protect such works of art. Neither side, therefore, could or should take umbrage at this proof of solidarity and sympathy. The League could co-operate, with the full consent of everyone, in preserving monuments and museums from any serious damage. That was not only within its powers; it was its duty.

At that very moment, the International Red Cross was carrying its work of mercy into the two camps. Dr. Junod and his assistants were endeavouring to relieve the pains of the wounded and to save life. The Red Cross was once more accomplishing its noble task.

Yet there was another emblem carried in the hearts of all those for whom beauty was the very essence of life—the most celestial of emblems, which assumed its own form in the mind of every man. It was in the name of that emblem that he made his appeal. Never should it be said that the League of Nations had remained deaf to the cries of alarm of all those who had visited Spain and preserved in the depths of their hearts the dazzling recollection of marvels of art which were the pride of the human race. Fears, which, alas, were sometimes justified,

¹ See *Official Journal*, Special Supplement No. 99, pages 37 and 54.

² See page 10.

were being expressed in every corner of the world. They had been expressed with emotion and authority by M. Henri Bordeaux, of the French Academy, M. Raymond Escholier, Director of the Museum of the Petit Palais of the City of Paris, and numerous other artists and writers of various nationalities.

° Here at Geneva, harassed by current political emergencies, one was accustomed to make history. But poetry and art were more important than history, since, being universal, they were the expression of the purest qualities of the human mind.

By co-operating in the preservation of the treasures of Spanish art, the League would not merely be helping to preserve a tangible proof of the nobility and dignity of the human race; it would be helping to prepare for a better future. It was in those monuments, the masterpieces of a virile race for whom action was sometimes linked with dreams, that the adversaries of to-day would to-morrow rediscover the secret of concord and forgetfulness of past sorrow.

Non-interference in political matters was the whole foundation of wisdom, but non-interference in humanitarian and artistic matters would be the expression of an indifference incompatible with the demands of contemporary sensibility and culture.

Before putting his suggestion into a practical form, he would like to hear what other members had to say; but, whatever might be the outcome of his intervention, he would say at once, in the words of the old poet Garcilaso de la Vega, who had handled the pen as ably as the sword: "No me podrán quitar el doloroso sentir".

Mlle. VACARESCO (Roumania) wished to dwell particularly upon a question that had already been treated in masterly fashion by the delegate of the Argentine Republic—that of the libraries of foreign literature which, as the result of the initiative of several South-American nations, were already represented at the Paris Institute.

It was necessary to follow the example of the South-American pioneers in that field, and ask the Governments of nations whose literature was still unknown beyond their own frontiers to contribute severally to the formation of such libraries. It should no longer be thought that mutual liking and appreciation between countries could be brought about simply by "aligning"—to use the catchword of the moment—their interests, their fears, their threats, or even their sympathies.

Mutual liking involved mutual understanding, admiration and esteem, not in commonplace everyday life, but in a domain that was accessible to few—the domain of the infinite. There had been too little and too ineffectual study of peoples by one another during the sixteen years in which the League had been urging such study upon them. On every side, thanks to the changes brought about by discoveries and events, new literatures full of vitality had developed, arousing in some the recollection of the past, and in others a spontaneous creative energy. Some peoples had freed themselves of their swaddling-clothes and others of their shrouds.

They had spoken imperiously, and the world must hear their voices. There were specifically national characteristics that were not generally known, customs and traditions that must be learnt before it was possible to decide how best to approach those to whom they were familiar. What was known of the contemporary intellectual movement—active though it was—in Finland, which, in the past, had engendered a magnificent epic? Nor must the splendid poets, the subtle prose-writers, of Portugal be forgotten. Did Sweden, Norway and the Netherlands, to whom the world was so greatly indebted, still speak to it through translations, necessary though those were to anyone who would be familiar with the contemporary evolution of ideas and feelings? Czechoslovakia, too, had novelists of the first rank. In Roumania, there was a remarkable outburst of vitality, accompanied by a literary renaissance; Greece was proving that terrestrial splendour did not prevent her from still thinking great thoughts; and lastly, there was Latin America, whose development, whose intellectual power, was surprising and delightful. All these things remained, as it were, in watertight compartments, fermenting in languages that were not universally known. Only through lyricism and through works of sensitive psychology was it possible, before entering into contact with any particular country, to grasp how that country should be approached—to prepossess oneself in its favour.

Nor must the more distant countries be forgotten. In Asia, the mother of mythology, the cradle of legend, there were Iran, Japan and India; in Africa, the Arab countries and Egypt; in North America, Canada. In the modern productions of those countries must be sought the secret of final appeasement—the knowledge of one another that men must possess.

For once there was no need to knock at the door of the Fourth Committee. Let it suffice to make a direct appeal to every State which desired to spread the literature most characteristic of the race, the aspirations and the sorrows of nations, made powerful by those productions of the mind whose meeting would decisively ensure the ultimate triumph of peace. That peace must be formulated by creative logic; it must be wrested from poetry, the mother of harmony—from the idea that ruled the world.

A Committee appointed by each Government might employ itself in selecting those contemporary works which would be best suited to the purpose in view, and those works would be translated by that Committee into French or English, as the case might be.

In conclusion, she wished to say on behalf of her Government, that such a Committee was shortly to be set up in Roumania, and would get into touch with the Institute of Intellectual Co-operation in Paris.

M. GRUMBACH (France) wished to add just a word to what M. Mistler had said at a previous meeting.¹ It had given him great satisfaction to hear M. Levillier once again justify

¹ See page 13.

the request of the Latin American States that the League should assume the patronage of the publication of an ethnographical and historical collection on the origins of American civilisation. This constituted a valuable precedent; the day might come when an objective history of Europe, published under League auspices, would enable the American nations better to understand the Europe of to-day. He agreed with M. Levillier that no other institution enjoyed a prestige equal to that of the League, or could ensure the realisation of such a task with greater objectivity.

Turning to the problem of the teaching of history, he said it was not only in Australia that great efforts had been made; other countries were also anxious that history should be taught without hatred. In France, in spite of the well-known divergencies between French and German ideas, six French historians and six German historians had met in Paris in December 1935 to study the history not of the past, but of the twentieth century—namely, of the most recent events. These men, though differing widely in their personal opinions, had succeeded in agreeing upon a series of analyses of the most controversial facts of the past thirty years, such as, for instance, the question of the origins of the war. Complete agreement had, unfortunately, not been reached; though the results of the work done had been ratified by the competent French authorities, the adherence of the German authorities was yet to come. Nevertheless, here was proof that, given goodwill, it was possible to write an objective history, not only of the past, but also of contemporary events.

M. Grumbach was therefore glad to see that the draft resolution submitted by the Rapporteur expressed the hope "that a growing number of States will accede to the Declaration on the Teaching of History adopted by the Assembly of the League of Nations at its sixteenth session, and since communicated to Governments by the Council of the League of Nations". He particularly welcomed this point in the resolution, because the French representative on the Council had, in his report dated September 10th, 1936,¹ emphasised the importance of the declaration. This revision of school textbooks was one of the essential tasks of the Intellectual Co-operation Organisation and its dependent bodies. The efforts of the Paris Institute and of its Director in this field had already produced good results.

France, too, intended to promote the teaching of the origins, history and aims of the League of Nations. He himself intended to propose, during the forthcoming discussion of the budget of the Ministry of Education in the Chamber of Deputies, the introduction into the primary, secondary and senior curricula of lessons which would enable the pupils to gain a better knowledge of the League. He hoped that the French delegation would be in a position at the next meeting of the Assembly to report practical results in this field.

Mme. SAYAH (Iran) said that a National Committee on Intellectual Co-operation was being formed in her country, and that Iran hoped soon to be able to make its contribution to the work already being done by other countries in this field. The National Committee of Iran would devote special attention to excavations, museums and the preservation of works of art and historic monuments, as well as to the many problems of education. It would collaborate with the special committee of the Ministry of Education which was responsible for recasting school syllabuses.

As regards translations, she endorsed the interesting suggestions made by M. Mistler and Mlle. Vacaresco. The former was right when he said that the choice of works to be translated was often haphazard and depended on commercial considerations.² An anniversary was apt to call forth a mass of publications on a single author, as had been the case with the Firdausi millenary in October 1934, while other authors just as remarkable remained unknown. The Intellectual Co-operation Organisation might collaborate more effectively in this work than it had done in the past through the medium of the *Index translationum* alone. It might enter into negotiations with some great publishing house and submit to it a list of masterpieces for translation. The Paris Institute was the appropriate body to take that step. There would thus be a co-ordination that had been lacking up to the present. Iran was deeply interested in this matter; its classic literature, which included names as renowned as those of Hafiz, Omar Khayyám and Saadi, also included a host of other remarkable authors who were unknown in Europe because of the absence of translations.

The Institute might even collaborate in the publication of such works, which might then bear the superscription "Published under the auspices and patronage of the International Institute of Intellectual Co-operation". This name would awaken public interest and ensure the success of the collection—a point which was far from negligible from an economic standpoint. With a view to this work, co-operation would have to be instituted with the national committees, which could draw up lists of suggestions and make themselves responsible for prefaces, commentaries, the collating of texts, etc. Soviet Russia furnished an example of what could be done in this field; the Académia publishing firm was issuing a series of great classics which was meeting with considerable success even financially, in spite of the fairly high price of the various volumes. These facts prompted her to propose that the International Committee on Intellectual Co-operation should place this question on the agenda of its next session.

Mme. Sayah added that there was no unemployment among intellectual workers in Iran; on the contrary, there was a shortage of qualified experts, particularly for all stages of education.

¹ See *Official Journal*, November 1936, page 1158.

² See page 14.

The reason was that the number of teachers was not increasing in proportion to the number of new schools that were being opened practically all over the country.

M. HENRIQUEZ UREÑA (Dominican Republic) said that his delegation supported and warmly approved M. Levillier's proposal to publish, under the auspices of the League, an ethnographical and historical collection of works dealing with the origins of American civilisation. It also associated itself with the draft resolution¹ that M. Levillier had submitted to the Sixth Committee for reference to the Assembly. The scheme was a vast and important one. On behalf of his delegation, he congratulated M. Levillier on his admirably systematic conception and development of the scheme, which revealed a profound knowledge of the origins of American civilisation.

At the same time, there was one small point he would like to raise about the summary of chapters. It concerned details of form rather than of substance; but, in matters of history, a point of form often became a point of substance. There was a whole period of Spanish colonisation in America, from 1492 to 1520, the history of which was mainly the history of the island of Hispaniola, now occupied by the Dominican Republic and Republic of Haiti. It was there that the first European foundations in the New World had been laid—the first cities, the first colonial government, the first "Audiencia", the first school, the first bishoprics. They would no doubt be mentioned in Volumes 3 to 6, which dealt with that period; but he would point out that, in the summary, special attention was devoted to the conquest of Cuba and Porto Rico, and further on to the conquest of Mexico, Peru, etc., while not a word was said of the conquest of Hispaniola. There were explicit references to the foundation of cities such as Pamplona, Ocaña, Barquisimeto, Buenos Aires, etc., but no allusion to the foundation of the cities of Hispaniola, the first to be established by the Spaniards in the New World, especially Isabela, which was the first of all. There was mention of the creation of the "Audiencias" of Santa Fé and Charcas, but none of the "Audiencia" of Hispaniola, established in 1510, which was the first in America and had provided a model for subsequent institutions of the same kind.

All those points, even if they had not been expressly mentioned, would doubtless be dealt with in Volumes 3 to 6; but, at the same time, it was a little strange that, since trouble had been taken to refer in the summary of chapters to the creation of several "Audiencias", there should be no such reference to the creation of the very first, which was of essential importance, because the others had been modelled upon it. The same argument could apply to the foundation of cities and "cabildos", and to the formation of colonial governments.

During that first period, Hispaniola had been the supreme administrative and judicial centre of colonisation. It was impossible to talk about the conquest of Cuba and Porto Rico without first explaining the conquest of Hispaniola, because it was thence that Juan Ponce de León had sailed in 1508, with Ovando's authority, to conquer Porto Rico, and it was thence that Diego Velásquez had sailed in 1511, with powers from the Viceroy Diego Colón, to conquer Cuba. Velásquez had been accompanied to Cuba by a young "escribano" from Hispaniola named Hernán Cortés. But Cortés was not the only falcon to take flight from that charnel-house, as Heredia put it: the same expression might be applied to Ojeda, Grijalva, Don Pedro de Heredia, and so many others, and even to Pizarro and Núñez de Balboa.

The campaign on behalf of the Indians had also begun in Hispaniola. It was started in 1511 by some monks, notably Fray Montesinos, and they were joined by a young licentiate who soon afterwards became a priest in the island—Bartolomé de Las Casas. From that campaign derived the laws for the protection of the native race, and, at a later date, the "Consejo de Indias".

With regard to the natives, there was one remarkable event that helped to destroy the slander to which M. Levillier had referred in connection with Spanish colonisation—the armed resistance led in 1520 by the Cacique Enriquillo, a baptised Indian who had received a good Spanish education, and was a very courageous and enlightened man. Enriquillo protested by force of arms against the "encomienda" system, and rallied to his side the remnant of his race. The King declared him to be in the right, and capitulations were signed, leaving Enriquillo the authority over a very fertile region, where he lived with his followers to the end of his life; for it was a remarkable fact that the treaty between him and the crown was respected. In a sense, it was an international treaty, the first signed in America.

Lastly, the enthusiasm of the colonists for education had found expression in Hispaniola, even at that early period. It was, no doubt, linked with the idea of spiritual conquest, for it was the religious orders who took the initiative. None the less, its importance was immense, and it had led to the establishment of the first university in the New World. That university was established in Hispaniola in 1538, under a bull of Pope Paul III, and was conducted for some time without the royal authority—"sin la real condescendencia para su uso", as it was expressed in a contemporary document; consequently, it had not at first the royal and pontifical character of the universities established some time later in Mexico and Peru, but, despite its somewhat irregular nature, it was unquestionably the first institution of the kind in America.

Even from the standpoint of colonial architecture, it was essential carefully to study that period in the history of Hispaniola. It was there that the first examples of that architecture were still to be found, with characteristic features that had not been reproduced in the succeeding period.

¹ See page 18.

If all those facts were scattered here and there, their importance would, to some extent, be overlooked. There must be a general survey of these beginnings of colonisation and culture in Hispaniola, which were the beginnings of colonisation and culture in the New World as a whole. Consequently, at some point, one or more chapters should be added dealing with the following matters: "The conquest of Hispaniola. The first cities. The first colonial government. The first 'Audiencia'. The native problem in Hispaniola. The first efforts to promote culture." The Dominican Academy of History would certainly take pleasure in collaborating in that work.

The few observations he had made were merely intended to demonstrate the keen interest with which he had studied M. Levillier's scheme, which, he repeated, was of exceptional value.

M. BENAVIDES (Uruguay) desired once more to emphasise the interest taken by his country in intellectual co-operation. The Uruguayan Government had always sent representatives to all conferences dealing with questions in that field. In the previous July, for example, it had taken part in the Conference on Education, which had dealt with a large number of interesting subjects.

Uruguay had long since undertaken the revision of history textbooks, with the object of eliminating anything that might wound the feelings of other American countries.

In conclusion, he said that his delegation warmly supported M. Levillier's proposal, since it would be of great interest, not merely to the American countries, but also to the whole world. He also associated himself with the statement made by the first delegate of Bolivia.

Sir Krishnama CHARI (India) said that India, having made a notable contribution to human knowledge in philosophy and religion, was deeply interested in the question of intellectual co-operation. He stressed the value of establishing cultural contact between East and West.

During the year, the Inter-university Board of India, which consisted of representatives of all the universities in India, and which was thus the body possessing supreme authority in matters relating to higher education, had agreed to act as the national centre on subjects relating to intellectual co-operation. It was hoped that the Board would render the work of the Organisation better known in India.

He paid a tribute to the valuable work done by the Organisation during the year, which had been so adequately summarised by the Rapporteur.

Mlle. FORCHHAMMER (Denmark) referring to the speech made by M. Munch, first delegate of Denmark, at the eighth plenary meeting of the Assembly,¹ and to the remarks of the Danish member of the Sixth Committee,² submitted the following draft resolution on behalf of her delegation:

"The Assembly,

"Convinced of the necessity of developing the spirit of international co-operation and mutual understanding, more especially by educating and informing public opinion:

"(A) Calls the attention of the International Committee on Intellectual Co-operation to the facilities afforded in that respect by modern means of spreading knowledge, and asks it to draw up for the next Assembly a scheme of League action in that field, with special reference to the question of news-films, scenarios and exchanges of broadcasting programmes;

"(B) Requests the Secretary-General, with a view to the preparation of the draft budget for 1938, to frame proposals for developing the League Secretariat's means of spreading information, with reference more particularly to information pamphlets and the *Monthly Summary*, films, photographs and lantern-slides, and wireless telephonic and telegraphic transmissions."

M. TELLO (Mexico) said that his Government had taken a keen interest in the work of the International Organisation for Intellectual Co-operation during the year 1935/36. It had been a source of satisfaction to the Mexican Government to be able to give the Institute some small token of the importance it attached to its work. On behalf of his delegation, he would like to congratulate all the people who were so enthusiastically seeking to unite mankind by the most noble of all ties—that of the intellect. Needless to say, Mexico sincerely hoped that the work of the Institute, under the brilliant direction of M. Bonnet, would be successfully pursued, to the advantage of universal culture.

He would give a few instances, chosen at random, of the interest taken by Mexico in the work of intellectual co-operation. His country had signed the declaration concerning the revision of school textbooks and had acceded to the draft Convention for the protection of national artistic and historical treasures, to which Mexico was proposing certain additions, calculated, in his view, to make it more effective. The Mexican Government had sent representatives to the Conference that had concluded the Convention on the Use of Broadcasting in the Cause of Peace, and the Convention would be signed by the Mexican plenipotentiaries that day or the next.

¹ See *Official Journal*, Special Supplement No. 155, page 64.

² See page 14.

Mexico City had had the privilege of receiving the seventh American Scientific Congress, at which nearly all the Governments of the American continent and a large number of scientific institutions had been represented. He would say no more on that subject, for a recital of the resolutions and recommendations passed by the Congress would exceed the scope of the Sixth Committee's work.

At the Committee's second meeting, the representative of France, M. Mistler,¹ had said that broadcasting offered "the best means of bringing the interchange of intellectual ideas within the reach of the people", and had suggested that it should be used in the organisation of peace. The delegations of Sweden, Norway and Denmark had taken up that proposal. The Mexican delegation agreed with it, especially since, nearly two years earlier, the Mexican Government had arranged for broadcasts in which distinguished foreigners who happened to be in Mexico took almost exclusive part. The Mexican public had thus had the pleasure, through the wireless station of the Ministry for Foreign Affairs, of listening to nearly all the diplomatic representatives accredited to the Mexican Government. M. Tello would not take up the Committee's time by enumerating, country by country, the subjects that had been dealt with.

It was, again, with the idea of bringing about as perfect an understanding as possible and establishing a firmer friendship between Mexicans and the people of other countries, that the Ministry of Education from time to time organised broadcasts in honour of some particular country, with the assistance of distinguished representatives of that country who might happen to be in Mexico at the time.

M. Tello then turned to a subject in which the American countries were specially interested—the collection of ethnological and historical works dealing with the origins of American civilisation, which was to be published in consequence of M. Levillier's proposal.

That publication deserved the full attention both of the Institute of Intellectual Co-operation and of all the Latin-American countries. It deserved the Institute's attention, because knowledge was the basis of co-operation, and it was desirable that the origins of the civilisation and culture of the American countries should be more widely known, so that the problems and aspirations of those countries might be grasped in all their complexity. There was ample knowledge of one of the roots of American civilisation—the European root—but the other, the native root, was not so well known. Modern American civilisation had grown from those two roots, and until a knowledge of the social life of the native elements in the population of the American countries was more widely spread, there would be some difficulty in appreciating the character of their history. Secondly, the publication of the collection was deserving of the attention of the Latin-American countries, because it was essential that it should be published, not for propaganda purposes—that would give quite a wrong impression—but simply in a spirit of co-operation, as a contribution to universal culture and, so to speak, as some return to Europe for all that she had given to America in the same sphere.

America, in her turn, must help to enrich the libraries of Europe with the treasures of her pre-Colombian monuments, which were being discovered in larger and larger numbers; the description of the wonders of archæology and the analysis of Mexican styles (for there was something peculiar about the styles found in Mexico)—plateresque, baroque, churrigueresque—must re-awaken the æsthetic emotions and the curiosity of students.

It was necessary to spread the knowledge of the origins of the artistic sense, the rich folk-lore, and the infinite variety of native dialects of Mexico, before it would be possible to understand a number of things, including "the Spanish spoken in Mexico".

The Mexican delegation had therefore asked him to say that his Government, interested as it had long been in an extensive publishing scheme which naturally could not omit so important a section as the origins of Mexican civilisation and culture, would be prepared to make a financial contribution to the publication of the collection, while reserving the right to see that the true, essential lines of Mexican historical and scientific thought were properly represented.

M. FABRA RIBAS (Spain) expressed his delegation's sympathy with, and enthusiasm for, the draft resolution presented by M. Levillier.² Indeed, the plan for an American ethnographical and historical collection deserved the support of all those who were interested in culture and valued justice and equity. M. Fabra Ribas associated himself with the statement made by M. Casares in that same Committee in 1934 when he said³ "that it was essential that, in the sphere of American history, the truth, whether pleasant or unpleasant, should be brought out for the enlightenment both of Spain and other peoples, and also for the advancement of scholarship". He also unreservedly supported all that had been said on that question by other Spanish delegates on previous occasions.

He was particularly happy to observe that one of the aims of the publication of the collection in question was "the appeasement of past bitterness born of historic interpretations which were often unjust, as being founded upon ignorance or an incomplete knowledge of the facts".⁴ M. Levillier had further said in his speech that the collection would supply the necessary rectifications in the matter of the early history of the Latin-American nations, and particularly of those which had sprung from the Spanish and Portuguese civilisations. Spaniards better than anyone could appreciate the full scope of M. Levillier's endeavour, for they could with justice complain, not only of some exaggerations and many gross errors,

¹ See page 14.

² See page 18.

³ See *Official Journal*, Special Supplement No. 130, page 34.

⁴ See page 17.

but particularly of the silence in which events of the first importance had been passed over; he therefore desired to express to the Argentine delegate his most heartfelt and sincere gratitude.

As for the interest aroused in Spain by this plan for a collection, it was enough to say that it was supported by the Centro de Estudios Históricos, by the Archivos Augustinianos and by the Centro de Estudios Históricos de America.

In conclusion, it was his duty and his pleasure to say a few words regarding the wishes expressed by the Bolivian delegate, whose inspired and fervent words, full of sympathy and feeling for Spain, had gone right to his heart.

As was easy to understand, he had not been able to consult his Government regarding the wishes expressed by M. Costa du Rels, but he considered that he was sufficiently acquainted with the sentiments and intentions of the Spanish Government to be safe in affirming that the greatest concern of the Government of the Spanish Republic was proudly and devotedly to ensure that Spain's historic, moral, artistic and spiritual heritage should suffer as little as possible from the tragedy at present being enacted in that country.

The wishes of M. Costa du Rels could not but awaken feelings of sympathy and friendship, since they coincided with those of the Government of the Spanish Republic itself—as was only natural, since they were those of a Spanish American.

Lord CRANBORNE (United Kingdom) was sure that the whole Committee shared the admiration which he felt for the scope of the Argentine proposal as so admirably described by M. Levillier; the conception was nothing short of monumental.

But the Committee was only concerned with the proposal in so far as it was connected with the question of international intellectual co-operation. There seemed to him to be two types of such activity: the first dealt directly with international relations; the second operated by the indirect method of telling countries more about each other's art, life and history.

In the first category, he felt that it was desirable that the League should act, as it were, as a father, subscribing within the limits of its income to the maintenance of its child. In the second category, the rôle to be played was rather that of a godfather keeping a kindly eye on the activities involved and endowing them with the prestige of its authority.

The Argentine proposal came into this second category. Happily, no difficulties arose in this case, for, owing to the great generosity of the Argentine and other Latin-American Governments, and of the University of Buenos Aires, he understood that the costs of the project, including publication costs, were already covered. The League was merely being asked for approval and a blessing, which it was very proper that it should give. He hoped that the Committee would support the proposal and would join with him in congratulations to those to whom the work was due.

M. COUCKE (Belgium) associated his delegation warmly with M. Levillier's proposal. The publication of the proposed collection was of the utmost historical interest in itself; and it had the additional—and by no means less important—advantage in his eyes that it associated the countries of America more closely with the League.

M. LANGE (Norway) agreed on all points with the United Kingdom delegate's remarks in regard to the Argentine proposal. It was essential that the proposals should not involve any expenditure by the League.

He wholeheartedly supported the Danish delegation's proposal,¹ which (if he rightly understood it) would also not involve any financial charge on the League. The work proposed was of capital importance under present circumstances, and he hoped the subject would be ripe enough in the coming year to enable the competent organisations to give effect to the proposed programme.

M. EGORIEW (Union of Soviet Socialist Republics) was much interested in the proposal by M. Mistler, Mlle. Vacaresco and Mme. Sayah, to bring order into the prevailing chaos in the matter of the choice of translations. The intellectual co-operation organisations should take up the question within the limits of their budget. In the Soviet Union, the translation of the most various authors, from Homer to the moderns, had yielded excellent results, for the reason that the work was co-ordinated and carefully organised.

M. PARRA-PÉREZ (Venezuela) renewed the expression of his country's approval of the proposed American collection. He had no need to add to what he had said the year before;² but he was in a position officially to confirm his Government's offer to contribute financially to the execution of the proposal. He was not in a position to state the amount of the contribution; but it would be in proportion to the scope of the scheme as finally adopted.

He had listened with deep feeling to M. Costa du Rels' appeal for intervention to preserve, as far as possible, the monuments and works of art at present in danger in Spain. The Spanish-Americans regarded the heritage and traditions of Spain as part, not only of their own history, but also of their very existence. The Latin-American countries were a form of Hispania Magna, like the Magna Græcia of antiquity. On all these grounds, the Venezuelan delegation warmly supported what the Bolivian delegate had said.

¹ See page 24.

² See *Official Journal*, Special Supplement No. 143, page 40.

M. GARCÍA-OLDINI (Chile) said the Committee would remember that the Chilean delegation had frequently had occasion to indicate its acceptance of the Argentine proposal. It recognised the importance of the work proposed; he need not say more as to that.

But the work was on such a scale that, humanity being what it was, there was always a possibility of omissions liable to give rise to difficulties which the authors of the proposal never desired and could not foresee. He had been struck, in this connection, by the remarks of the delegate of the Dominican Republic. M. García-Oldini agreed with the latter that, while the question was on the whole a question of form, history showed the fundamental importance of questions of form. The best means of avoiding such omissions was to guard against them; and it was desirable, therefore, when the Intellectual Co-operation Organisation came to consider the scheme and the manner of giving effect to it, to communicate it beforehand to qualified institutions in the countries concerned for such observations as they might have to make. The authors of the scheme and the competent intellectual co-operation organisations would then be in a position to study the extent to which the observations in question should be taken into account, and to guard against the existence of elements out of proportion with the complete and perfect whole which the scheme contemplated.

He also wished to warn the Intellectual Co-operation Organisation against the danger of confining co-operation to intellectuals: such a policy would be extreme and regrettable. The value of intellectual co-operation was in proportion to the extent to which it spread to the peoples and strengthened the links between them. A certain measure of culture, refinement and power of appreciation was no doubt needed for the study of certain intellectual works; and such qualifications were confined to a select few. But the object must be to find a means of rendering such works accessible to the different peoples.

It was in this sense that the Danish proposal¹ deserved all the support the Committee could give it. The Chilean delegation attached great importance to this proposal, provided it could be given practical effect. The object must be, not merely to include works difficult of access, but also to find a means of arousing the interest of persons of a possibly insufficiently developed culture. It was necessary to descend to their level in order to help them to rise. If the attempt were made in a proper spirit, the result would not be a lowering but, on the contrary, a raising of the collective level. He hoped these considerations would be taken into account when the Danish delegation's proposal was examined.

M. LEVILLIER (Argentine Republic) said that time did not permit of his replying individually to all those who had spoken on his proposal. He had been much touched by all that had been said. The discussion not only revealed the unanimous attitude of the American countries with regard to the proposal; it was also evidence of the positive interest displayed in the proposal by those European countries which had lent it their support.

The day was perhaps not so far distant when the American countries would be in a position to fulfil the hopes expressed by M. Grumbach, and render in connection with the history of Europe some part of the services which European historians had rendered to the history of America. One day, maybe, under the auspices of the Pan-American Union, American historians would write the history of Europe with equal impartiality.

He would not engage in historical controversy on the subject of the interesting remarks made by the delegate of the Dominican Republic. The latter was justified in his contention up to a point; but M. Levillier might point out that Section 3 of Part II of the projected work (Christopher Columbus, 1492-1520) covered the history of San Domingo and Cuba. As M. Henriquez Ureña had very well put it, the point at issue was a point of form and not of substance. There could be no question of passing over in silence facts of such importance. In Chapters 3 and 6, the island of San Domingo must unquestionably be given the prominence which attached to it. As for the first "Audiencia", there was a reference to it in Chapter 6; and, as at the time there were no other "Audiencias", the reference could not be to any other "Audiencia", and it was sufficient to make a point to that effect.

In reply to the Chilean delegate, he must say that the Director of the Institute of Intellectual Co-operation had sent out 1,400 letters to academies, universities, archaeological and historical centres and other institutions, and had only received (apart from personal replies) eleven acceptances. He himself had sent out 700 letters and received nineteen replies. In spite of that admission, he was persuaded, nevertheless, that hundreds of institutions and individuals were interested in the proposed collection. In Chile, for example, the National Committee for Intellectual Co-operation had set up a special committee to study the proposal; but no comments had yet been received from it. The committee appointed to put the plan into final shape would, of course, take into account any subsequent suggestions it might receive.

It had been decided, in agreement with M. Bonnet, as a next step, that the Intellectual Co-operation Organisation should call a meeting of experts—possibly during the current month—to come to a definitive decision in regard to the proposal.

M. Levillier thanked those delegations which had promised financial support by their Governments towards the realisation of the scheme. In that connection, he was anxious once more to assure the delegates of the United Kingdom and Norway that the work would be financed entirely by the Governments of the American countries. Its value, no doubt, would be appreciated as far off as Europe; but it would not be fair to appeal for contributions to countries not directly or intimately interested in the scheme.

He wanted to make clear that the paternity of the proposal was not his alone. Its only authors at the outset were M. Paul Rivet, Director of the Ethnographical Museum at the Trocadero, and himself. Later, fifteen experts on America had discussed and amended

¹ See page 24.

the proposal; it had then been submitted in its new form to various institutions. The congratulations addressed to himself should therefore go to those co-authors of the proposal.

He agreed with M. Costa du Rels that it was eminently desirable, if possible, to find a form of words which would enable protection to be given to the monuments of the past in Spain in agreement with the Spanish authorities. The proposal deserved general support, for the Spanish monuments and works of art were a heritage, not only of the American countries, but also of the whole world.

Referring to the Danish proposal, he regarded the use of broadcasting in support of peace as one of the great benefits of science. It was a form of positive co-operation which the League in its own interests should support financially, since it was of value, not only to the countries of Europe, but also to such vast and distant continents as Australia and America. Exchanges of discs made it possible to reach the most remote villages where newspapers and books, if not altogether unknown, arrived only at rare and distant intervals. It might also be possible by means of broadcasting to spread ideas of peace amongst States not belonging to the League. On those grounds, he supported the Danish delegation's proposal.

M. BONNET, Director of the International Institute for Intellectual Co-operation, thanked the Committee for the care with which it had examined the report of M. Parra-Pérez and the work of the Organisation for Intellectual Co-operation. He passed on to that Organisation itself, to the International Committee and its Committees, and to his collaborators of the Institute and of the Secretariat, the congratulations which had been rendered to him personally. He wished to assure the Sixth Committee and the Assembly that the Governing Body of the Institute wished to create for the League of Nations, and within its framework, a technical organisation of intellectual collaboration and *rapprochement*.

The object of the work of intellectual co-operation was to induce each Government, each country, to solve, in concert with the others, the problems which, in the various aspects of intellectual life, were common to them all. This work was strictly in accordance with the principles on which the League of Nations was founded. It was not, therefore, as the delegate of Chile feared, a purely intellectual work, although it was carried on by the representatives of the intellectual world. It was natural that an appeal should be made to them, but there was no doubt that the Organisation was working towards practical ends: deeply to imbue all countries, Members of the League or non-member States, with the spirit of *rapprochement* and collaboration, which was one of the soundest foundations for future peace.

At its session last July, the International Committee had been able to report a marked progress in its work—in fact, while formerly it sometimes met with apathy on the part of those concerned, it was welcomed to-day, not only with sympathy, but also with confidence. M. Bonnet had thus become convinced that, thanks to contacts established with widely different circles which were not sparing with either their goodwill or their support, this work was directed towards fulfilling a general desire for understanding and conciliation.

From this point of view, it must be noted that the Organisation for Intellectual Co-operation was endeavouring more and more to concentrate on questions which were closely connected with the aims of the League of Nations. A typical example was that of the Conference of Higher International Studies, and M. Bonnet wished to thank the speakers who had emphasised its value. The aim of that Conference was ultimately to spread the results of its researches and work among the widest possible sections of the population. The study of international relations was becoming more widespread in the world by the setting-up of new university centres, or para-university centres, for the study of questions of foreign policy. Those centres, which had multiplied particularly in most European countries, would certainly render a great service to the cause of the League of Nations.

Another means of reaching the public was broadcasting, and M. Bonnet noted that the majority of the speakers were anxious to employ this powerful instrument of propaganda for peaceful ends. He wished to draw their attention to the fact that the Organisation for Intellectual Co-operation had never lost sight of the full use which might be made of it. The Organisation would, therefore, welcome with joy the draft resolution submitted by the Danish delegation, for if in this matter it had met with successes, of which the most recent was the Convention for the Use of Broadcasting in the Cause of Peace, it also had met with considerable difficulties: its carefully laid plans, the first of which had been worked out for the Committee for moral disarmament, and which had been further developed since then, had not yielded all the practical results inherent in them, owing to lack of material, moral and political support.

The Organisation had, indeed, already thought of using the cinema for pacific ends, particularly in the matter of news-reels, film scenarios and international exchanges of programmes, not to speak of the work of the Rome Institute. There was, therefore, no doubt that a formal request from the Assembly that the Organisation should present a complete plan of action would receive a hearty welcome, and would be likely to render great services.

In the matter of history textbooks, the International Organisation had worked continuously, although the results were inevitably slow in making themselves felt. The national committees of many countries, particularly those of five or six European countries, had devoted themselves to the study and revision of history textbooks. During the last year or two, in particular, this undertaking had yielded practical results, and the Organisation would keep in mind the useful suggestions made by several speakers in the course of discussion at the present session.

The number and unanimity of the delegates' observations on M. Levillier's plan made it unnecessary for M. Bonnet to enlarge on it. He would only say that the Institute would study this plan in the spirit in which the discussion had taken place. The Institute wished most sincerely that this great undertaking should succeed; it would, no doubt, be brought to a successful conclusion in a spirit of the utmost impartiality and scrupulous observance of historical method, thanks to the material assistance which several Governments were ready to furnish.

In the matter of translations, the *Index translationum* fulfilled to a certain degree the *desiderata* mentioned during the discussion, since it gave notice of the translations which had been most successful with the general public, but M. Bonnet admitted that the Institute could go still further in the direction which had been indicated. Moreover, the Spanish-American and Japanese collections were already a first stage in that direction. The Institute would endeavour to bring to finition the Roumanian proposal that similar collections should be made for various European and Asiatic countries. To succeed in this work, it would be necessary to devise some financial system, with the assistance of the national committees.

As for M. Costa du Rels' proposal, it need hardly be said that the Institute wished nothing more than to give its services to so noble a cause. M. Bonnet was glad to have heard the representative of the Spanish Government give his approval to the proposal. The International Museums Office had already collaborated in the collection of a great number of recommendations by technical experts, but it had only dealt with the question from the strictly technical point of view, which was not the only one. If the League of Nations adopted the Bolivian delegate's proposal, the means at the Institute's disposal would permit it to study the problem fully and to transmit its conclusions to the Organisation for Intellectual Co-operation.

Lastly, M. Bonnet could give the assurance that the International Organisation for Intellectual Co-operation and its numerous off-shoots would do all in their power to give effect to the various proposals made, for they all had as their aim the consolidation of the League of Nations, not only in the intellectual, but also in the political sphere.

Lord CRANBORNE (United Kingdom) regretted that the interesting Danish proposal made earlier in the meeting¹ had been produced at so late a date, and that the Committee had had no opportunity for its consideration, or for discussing the new and far-reaching suggestions as to methods of execution, which had been made in the proposal submitted by the Danish delegate (M. Frisch) at the previous meeting.²

Lord Cranborne was not prepared to pronounce either for or against the proposal until it had received the consideration which it required, and which his Government was fully prepared to give. But, with all reserves as to its ultimate view on the subject, he drew the Rapporteur's attention to the importance of the question.

FIFTH MEETING.

Held on Tuesday, October 6th, 1936, at 10.15 a.m.

Chairman : M. TURBAY (Colombia), Vice-Chairman.

14. Mandates : General Discussion.

M. LANGE (Norway) said that as his delegation had, as in previous years, been the one to request the inclusion of the question of mandates in the Assembly agenda, it was his duty to submit certain considerations on the administration of the mandates system.

His delegation was thoroughly satisfied with the way in which both the Permanent Mandates Commission and the Council were exercising their powers. He would take this opportunity of paying a tribute to the work of Lord Lugard, who had resigned after thirteen years' service on the Commission. It was no exaggeration to say that he had been one of its most active and most distinguished members. Thanks to his long experience in colonial administration, he had shown, in carrying out his international duties, great breadth of view and a profound understanding of the complicated problems with which the League was faced in its colonial and mandatory work. He was sure that the Sixth Committee and the Assembly would be anxious to endorse the tribute already paid to Lord Lugard in the Council.

In this connection, M. Lange would draw attention to the fact that some months ago, at a meeting of the Royal Institute of International Affairs in London,³ Lord Lugard had suggested that it would be wise for the British Empire to agree to submit annual reports to the Mandates Commission on the administration of and conditions in its Crown Colonies. M. Lange hoped that some day effect would be given to this suggestion; the League should welcome it, even though it would lay additional burdens upon it.

¹ See page 24.

² See page 15.

³ The United Kingdom delegation points out that the interpretation placed by M. Lange on Lord Lugard's statement before the Royal Institute of International Affairs is erroneous. A note giving the substance of the statement is published as Annex 5, page 70.

The Mandates Commission had as usual held two sessions during the year. M. Lange would confine himself to drawing attention to certain points which were of interest to all the Members of the League.

Among the general questions involved, perhaps one of the most important was that of the application of the principle of economic equality. The territories under mandate were one of the last relics of the principle of free trade—that generous but ambitious conception of the nineteenth century. The League should preserve that relic, for the mandates principle, if it could be extended, undoubtedly offered a means of warding off the grave danger of imperial and colonial rivalries. The Mandates Commission was to be complimented upon its vigilance in this matter. It was perhaps a small point, but was important in principle, that the Commission had drawn the attention of the French Government—mandatory for part of Cameroons and of Togoland—to a decree which rendered applicable to those territories a law reserving for French aircraft the commercial transport of persons and goods between two points in French territory, and between France and her colonies. The mandatory Power had cancelled the decree in question, and the Mandates Commission expressed its appreciation of the readiness displayed by the mandatory Power to amend a text which had appeared, on examination, to be liable to infringe the principle of economic equality. M. Lange was glad to associate himself with the tribute paid to the mandatory Power by the Mandates Commission and later by the Council.

Last year,¹ he had raised the question of the treatment to be applied in mandated territories to trade with States which had ceased to be Members of the League. The Commission had this year asked the mandatory Powers for their views on the problem, and, in particular, by what means they intended to safeguard the interests of the territories placed under their mandate as regards trade relations between those territories and the States in question. This problem concerned two States which had left the League of Nations—Germany and Japan. The Japanese representative had already made a declaration on the matter which had been duly noted both by the Mandates Commission² and the Council.

M. Lange noted, therefore, that this question, which was not without importance for the Members of the League in general, especially in connection with the application of the principle of economic equality, had held the attention of the Permanent Mandates Commission. The Sixth Committee would doubtless be interested to hear in due course of the conclusions and results of the enquiry.

In connection with a second general question—namely, that of the autonomy of the mandated territories and, related thereto, the problem of closer union—M. Lange recalled that this administrative union between a mandated territory and a neighbouring colony belonging to the mandatory Power had been discussed in previous years in connection with Tanganyika and the British colonies of Kenya and Uganda.

This year, the Mandates Commission had noted that, for financial reasons, a similar fusion had been effected on a fairly comprehensive scale between the administration of the French colony of Dahomey and that of Togoland under French mandate. The Sixth Committee would readily commend the vigilance of the Mandates Commission. There was reason to fear that the fusion, though representing certain economies for the mandated territory, meant that the population of that territory would suffer from an administrative point of view. It was an open question whether such a measure did not seriously prejudice the very principle of the mandate.

As regards special questions relating to the mandated territories, the territories of the Near East, and Palestine in particular, naturally called first for attention. The development of Palestine had, in recent years, been a source of great satisfaction to the members of the Assembly. From the economic standpoint, the territory had enjoyed and was still enjoying a prosperity unequalled elsewhere. Optimists even believed that there was reason to hope that the relations between the two elements of the population—Jew and Arab—were improving and would in time become normal. As far as Europe was concerned, Palestine's capacity for receiving Jewish immigrants was a happy contribution towards the solution of the tragic problem of refugees.

The disorders which had broken out last spring had unfortunately proved that the trouble was still smouldering. Palestine was once again the victim of violent agitation on the part of Arab nationalists, resulting in the destruction of Jewish property, and even murder and other crimes against individuals. M. Lange would offer no opinion as to the causes of this state of affairs, but he could not but express surprise at the fact that the mandatory Power had not been able effectively to stop the violence and disorder. On September 26th, 1936,³ Mr. Eden had declared to the Council during the discussion on the Commission's report, that the disturbances in Palestine had unhappily been prolonged and still continued.

The report of the Mandates Commission to the Council on the subject showed that when, in June, the Commission had begun considering the annual report on Palestine, the accredited representative had stated that he was not in a position to analyse the causes of the unrest which had existed in the territory since the spring, nor to anticipate the findings of the Royal Commission of Enquiry, which the Government of the mandatory Power had decided to set up. In view of the statement by the mandatory Power that it could not at present fix the date by which it would be able to furnish the information required for an examination of

¹ See *Official Journal*, Special Supplement No. 143, page 28.

² See *Minutes of the Twenty-eighth Session*, document C.439.M.228.1935.VI ; Ser. L.O.N. P. 1936.VI.A.2, pages 125 and 183-184.

³ See *Official Journal*, November 1936, page 1182.

the disturbances, the Commission had proceeded as best it could to consider the report for 1935, reserving the right to revert later to such matters as would appear to be connected with the present events. It had expressed the hope that, when peace had been restored to the territory, the mandatory Power would furnish it with information as to the disturbances and their immediate causes at its autumn session, even if it were not yet in a position, at that date, to define its policy in the light of the proceedings of the Royal Commission.

On September 26th, 1936, Mr. Eden had informed the Council of the appointment, composition and terms of reference of the Royal Commission, which was to undertake its investigations as soon as order was restored in Palestine. He had stated that His Majesty's Government would always be willing to facilitate, to the best of its ability, the Mandates Commission's important task. He had added that, in present circumstances, it could hardly be hoped that the mandatory Power would be in a position to furnish the Mandates Commission at its autumn session with the information for which that body had expressed a desire.

The representative of the Mandates Commission had, in his turn, explained to the Council that, since the accredited representative found it impossible to reply, at the time of the consideration of the report for 1935, to all the questions asked by the Commission, that examination had been incomplete; the result was that the League had, in the present case, only exercised inadequate supervision over the administration of this territory for the year 1935. Unless the Council took a special decision, the Mandates Commission would not be called upon to give an opinion regarding the disturbances in Palestine until it proceeded, in June 1937, to consider the annual report for 1936—that was to say, more than a year after the outbreak of the disturbances.

There were precedents for a Council decision to facilitate the work of supervision entrusted to the Mandates Commission; there had been two special sessions of the Permanent Mandates Commission, in 1926 for Syria and in 1930 for Palestine. The second case was analogous to the present one; following the outbreak of disorders in August 1929, the Council had, on September 6th,¹ expressed the wish that an extraordinary session of the Commission should be held to consider the material relating to the incidents. The difference of treatment between the two cases was therefore clear, in so far as the rapidity of examination was concerned, and M. Lange wondered whether it would not be advisable to request the Council to summon a special session of the Commission, provided, of course, that the Mandatory did everything in its power to supply the Commission with the necessary documentation.

He would not dwell longer upon the economic nor the demographic development of Palestine. The Sixth Committee would no doubt share the regrets of those who had hoped for continuous improvement in both fields and who were now anxious lest the disorders should seriously hamper progress.

Turning next to the neighbouring territories, Syria and Lebanon under French mandate, M. Lange noted with keen satisfaction the development which had taken place in those territories during the year. Last year, serious anxiety had been manifested in the Sixth Committee² as to the suspension of the political life of those countries; this year, things had materially changed, and the accredited representative had given the Mandates Commission, at its last session, information concerning the disorders which had taken place in the territory at the beginning of 1935, and concerning the resulting consultations between the mandatory Power and the Syrian delegation. In its report to the Council, the Mandates Commission had stated that the intentions of the mandatory Power were as follows: The resumption of parliamentary life, a conciliation of political aspirations of an important section of public opinion with the safeguarding of the rights of minorities, and the conclusion of a treaty designed to regulate the future status of the country. The accredited representative had assured the Commission that the mandatory Power did not intend to conclude an agreement until a regularly representative regime had been established in Syria.

As regarded the safeguarding of the rights of minorities when the mandate came to an end, the Commission had stated that it entirely shared the mandatory Power's anxieties. It had emphasised "the necessity of providing guarantees for effective protection, which the ordinary regime for the protection of minorities could not alone ensure in countries where, as experience has shown, a spirit of toleration is not yet manifest among the majority of the population". The Commission had added that it was not for it to suggest the form which these guarantees should take, inasmuch as the study of the subject was engaging the mandatory Power's attention. The Commission was fully alive to the difficulty of the problem, which was "one of reconciling the safeguarding of minorities—which would appear to imply a positive right of intervention—with the status of full independence which a mandated territory acquires on its emancipation from international tutelage". While reserving its judgment with regard to such solutions as might be submitted to it in due course, the Commission had pointed out "that the information furnished up to now by the mandatory Power on the basis of its experience in Syria under the mandate, does not furnish evidence of the existence of a degree of maturity sufficient to justify any thoughts of the emancipation of this territory without providing for a transitional period".

M. Lange also drew attention to the finding which the Commission had adopted relating to a series of petitions dealing with Syrian unity. In its conclusions, the Commission had expressed the hope "that no change will be made in the present status of the territory which might have the effect of depriving the minorities of the protection they enjoy under the tutelage of the mandatory Power, until the populations of Syria and Lebanon have furnished more convincing proofs of their spirit of mutual tolerance".

¹ See *Official Journal*, November 1929, page 1470, line 49 and following.

² See *Official Journal*, Special Supplement No. 143, pages 29 and 32.

The Commission had also expressed the fervent hope " that the mandatory Power will see that the equality of treatment as between the inhabitants of Syria and Lebanon, irrespective of differences in race, religion or language, provided for in Article 8 of the mandate is fully respected at all stages of the progressive advance of those territories towards their future independence ".

When, on September 26th, 1936, the Council had examined the report of the Mandates Commission, the French representative had stated that the conversations in Paris with a Syrian delegation had been concluded on September 9th.¹ They had resulted in the drafting of a Franco-Syrian Treaty which would be presented to the Syrian Parliament for ratification immediately after the elections, which were due to take place during the month of November, and after the setting-up of a constitutional Government in Damascus. The Treaty would not be valid until it had been signed by Syrian plenipotentiaries appointed by the future constitutional Government. In deference to the Syrian Parliament, which would have to consider the matter, and which had not yet been elected, the French Government had not yet been able to make the various texts public. The French representative had, nevertheless, stated that the Franco-Syrian Treaty was based, in its essential features, on the Anglo-Iraqi Treaty of 1930. It also contained, however, clauses in which Syria undertook to guarantee the existing autonomous regimes and to ensure equality of rights for individuals and all communities. The new regime of full independence would not come into force until Syria had been admitted to the League of Nations. By agreement between the two parties, application for admission would only take effect three years after the ratification of the treaty. The French representative had added that the mandatory Power intended to lose no time in negotiating a similar agreement with the Government of Lebanon.

The change of policy which had taken place would appear to be a matter for congratulation. The countries in question were progressing towards liberty and independence ; provision was being made for their education. But, whereas certain elementary conditions were undoubtedly indispensable to democracy, it must not be forgotten that, at the same time, the exercise of democracy afforded a nation the opportunity of fulfilling those conditions in a progressive way ; in a word, democracy itself constituted a school. M. Lange felt therefore that the Sixth Committee should note with satisfaction the reports on Syria and Lebanon.

To sum up, the conclusion to be derived from a study of the work of the League in connection with colonial mandates appeared to be that the mandatory regime was becoming more and more one of the most important and beneficial innovations. It was based upon two fundamental principles of a healthy political life : publicity and supervision. No people could be deprived of these without incurring grave risks of abuse and even of serious dangers—abuse of force and unbridled authority, dangers from dumb resentment, which sooner or later broke into open disorder. This applied both to peoples who liked to call themselves " civilised " and to so-called primitive peoples who, for that very reason, had been the object of colonisation, often, it must be admitted, in the form of economic exploitation. In saying this, M. Lange had in mind slavery, forced labour and the scourge of alcoholism, to mention only some of the forms or means of exploitation employed. It was more and more generally recognised that such exploitation was no longer profitable, but it continued to exist, and it left an indelible impression on the minds of the so-called " coloured " races.

The mandatory regime had been formed to put an end to those evils. Undoubtedly, abuses and injustices still existed—even in the mandated territories. M. Lange would cite a single example, quoted from the Minutes of the Mandates Commission.² In one such territory, the budget for education allowed twenty shillings per head for every white inhabitant, and only threepence per head for the native population. But the Mandates Commission had put its finger upon this defect ; the light of publicity had been thrown upon it, and the Commission was now in a position to—and would no doubt—see that it was removed.

M. KOMARNICKI (Poland) said that the numerous declarations made by his delegation at every annual discussion, by the Sixth Committee, of the work of the Permanent Mandates Commission, bore witness to the lively interest the Polish Government took in the development of the Jewish National Home in Palestine.

This consistent attitude of the Polish Government was determined by two factors of vital importance for Poland—in the first place, the over-population of Poland made it necessary to find outlets for emigration for the Jewish masses, whose economic structure could only with difficulty be fitted into the social evolution of contemporary Poland. There was no analogous problem in central or western Europe ; nevertheless it remained neglected, or even ignored, by western public opinion. In the second place, in view of the fact that, on Polish territory, there was one of the largest Jewish communities in Europe, it was the duty of the Polish Government to follow with particular attention and sympathy the development of the Jewish National Home in Palestine, which realised what the Jewish people had dreamed of for centuries.

The Committee would therefore readily understand that the Polish Government was following with close attention the painful events in Palestine ; he hoped that those events would not have any influence on the development of the country and would in no way diminish the part it was called upon to play for the Jewish people.

M. Komarnicki assured the representative of the mandatory Power that the Polish Government fully realised the complexity of the various aspects of the Palestine problem and the difficulties which the United Kingdom Government had to face in the execution of its mandate. He had full confidence in the energetic attitude of His Majesty's Government

¹ See *Official Journal*, November 1936, page 1180.

² See *Minutes of the Twenty-ninth Session*, document C.259.M.153.1936.VI ; Ser. L.o.N. P. 1936.VI.A.1, page 46.

in the United Kingdom, thanks to which there was no possibility of compromising one of the essential aims which had governed the institution of the mandatory system.

In this connection, the Polish Government had been glad to learn that the United Kingdom Government had not, as a result of the recent disturbances, stopped immigration into Palestine. He sincerely hoped that it would maintain that decision.

While considering that Palestine constituted the chief natural outlet of emigration for the Jews, the Polish delegation thought it essential that the League of Nations should not lose sight of the necessity, which was becoming more and more pressing, of finding other outlets for that immense reservoir of Jewish population which existed in central and eastern Europe. That necessity, which certain Jewish circles in Poland were beginning to discuss seriously—a fact which was being sympathetically and benevolently considered by the Polish authorities—could not be neglected by the League of Nations, whose duty it was to solve such problems, which were clearly international in character.

The Polish delegation had drawn the attention of the Assembly to emigration questions, both in the Second Committee¹ and in the Sixth, because the demographic and economic aspects of the problem of emigration were of vital importance for Poland. M. Komarnicki was quite aware that the League of Nations could only proceed step by step. For this reason, his delegation proposed to place later before the League fuller and more concrete proposals at such time as appeared to it most opportune.

M. SEPAHBODI (Iran) thanked the Mandates Commission for the report which it had just presented, and the representatives of the mandatory Powers for their information regarding the administration of the mandated territories. He also hoped that the pacific efforts of the mandatory Government in Palestine would meet with success. He was sure that, thanks to the impartiality of the mandatory Power, the legitimate rights and interests of the Arabs would be safeguarded.

Finally, he expressed the satisfaction of his Government and his whole country regarding the successful conclusion of the negotiations between the French Government and Syria, which would result in the independence of Syria and its admission to the League of Nations. He hoped that under the new regime in Syria the rights and interests of all foreigners, among others, those of Iranian nationals, who were numerous there, and those of the Turkish minority, also an important section of the population, would be completely safeguarded.

M. RÜSTÜ ARAS (Turkey) joined in the tribute paid by the Norwegian delegate to the Mandates Commission and also associated himself with the declaration made by M. Lange regarding the interest with which Members of the League of Nations followed, and would continue to follow, the evolution of the mandated territories.

He recalled that the Polish delegation had raised the question of the enlargement of the Mandates Commission;² he suggested that that Commission should invite those Powers which had a direct interest in the questions with which it dealt, either because of proximity or for some other reason (for example, rights derived from treaties) to send representatives.

As regarded Palestine, while M. Rüstü Aras deplored the present state of affairs, he expressed his confidence in the United Kingdom Government's wisdom, of which it had given further proof by the emancipation of Iraq, an event that had given great satisfaction to the neighbouring countries. In that connection, he was optimistic regarding the results of Nouri Pasha's mission, and he hoped that a happy settlement would be reached through the strict and equitable application of the Balfour Declaration, taking into account the legitimate rights of the Arabs and the security of the Jewish race in Palestine, as well as the demographic proportions of those populations in regard to each other.

The Turkish delegate next expressed his satisfaction with the new policy applied by France in Syria. He had already spoken in the Council of the great interest his country took in that part of the world; the Turkish Minister for the Interior had done the same at the thirteenth meeting of the Assembly.³ The concern which was apparent in the Mandates Commission's report regarding the degree of tolerance of majorities appeared to him to be justified, but he would not stress that point, in view of the fact that friendly conversations were to take place between the mandatory Power and Turkey. He wished, however, to draw the attention of the Mandates Commission to the fact that, in the territories in question, divisions as well as fusions were of great importance. The measures to be adopted in consequence of the political transformation of that country would have to be carefully analysed.

M. Rüstü Aras did not share the apprehensions which had been expressed in that connection regarding the maturity of the peoples it was proposed to make independent; in his opinion, the best way of effecting the political education of a people was to leave it in charge of its own Government. He was therefore quite prepared to have confidence in Syria, and in particular in the compact mass of Turks who lived in that country, and regarding whose fitness for self-government there could be no doubt.

M. VAN RAPPARD (Netherlands) shared the Norwegian delegation's point of view. Nevertheless, he took the opportunity once more to pay a tribute to the competence and diligence of the Mandates Commission. In the present circumstances, when the League had unfortunately failed in several fields, the Mandates Commission remained one of the solid foundations upon which faith in the League of Nations could be based. The Netherlands delegation hoped that the Commission would continue to exercise its vigilant and impartial supervision, thus contributing to the well-being of distant populations whose interests had

¹ See *Official Journal*, Special Supplement No. 157, pages 46 and 84.

² See *Official Journal*, November 1936, page 1143.

³ See *Official Journal*, Special Supplement No. 155, page 98.

been entrusted to the League of Nations, and at the same time tightening the bonds which linked up mandated territories with the different countries of the world, in the first place, in the matter of economic relations.

To arrive at that result, the Mandates Commission must continue to be composed of persons who were particularly well qualified in that respect. The same applied to the Mandates Section. After the departure of the old officials, who had had to leave the service of the League of Nations under rules which had to be observed, their successors must acquire the necessary knowledge, and, for that purpose, it would be very desirable that the League should give them the opportunity of visiting the territories with which their activities would be concerned.

The work of the Mandates Commission must always be based on the two essential principles laid down in the Covenant itself. In the first place, care must be taken that the mandates system should not lead to conditions which resembled more or less a disguised annexation. Concern had been shown on this point at the time of the foundation of the League of Nations and, as M. Lange had recalled the previous year,¹ the insinuation had frequently been made that the mandates system was only a skilful disguise for real colonial possession. But the spirit in which the Mandates Commission had conceived and carried out its task had greatly reassured public opinion, though the necessity of avoiding all danger of that nature still remained. As stipulated by the Covenant, mandatory Powers must never exercise an economic monopoly in the mandated territories.

The Netherlands Government had always been a supporter of the principle of economic equality in this sphere, and M. van Rappard once more insisted on the point in connection with Syria. The last Assembly had decided to carry out extensive public works in Syria for the establishment of the Assyrians, and M. van Rappard expressed the hope that, if such a situation arose there or in any other territory under mandate, care would be taken to ensure that those works were open to public tender, so as to afford nationals of all Member States the possibility of sharing in the work. Moreover, when, within a comparatively short time, in accordance with the treaty signed between France and Syria, the latter country should be released from the guardianship of the League of Nations, it would be advisable to follow the method applied at the time of the emancipation of Iraq, and to fix rules assuring respect for the principle of economic equality in the future.

Several other points affected more directly the well-being of the populations of mandated territories. A question which had given rise to anxiety long before the existence of the League of Nations was that of the importation of alcoholic liquor, perhaps by illicit means, into countries inhabited by native populations.

A similar problem was that of the protection of workers in the mines. Excessive recruitment, especially among young people, which tended to take a large number of natives away from their homes should at any cost be avoided. Continual vigilance must be exercised in this respect, particularly in the gold-mines, against possible abuses by the companies.

It also seemed contrary to the principle of the mandate that, in mandated territories, the number of natives should decrease in proportion to the number of nationals of the mandatory Power that had immigrated to those territories. Demographic statistics of the territories under Japanese mandate were such as to cause some anxiety. The Netherlands delegation, however, had been pleased to note that, in this connection, several factors, among others, the small number of births, infantile mortality and the recruiting of workers, had already been receiving the attention of the Mandates Commission.

It went without saying that, in this connection, the Netherlands delegation also had in view the particular interests of native women. It was glad that the Mandates Commission had taken up several points in connection with labour, hygiene and education, which, where natives were concerned, differed according to sex. It hoped that the Mandates Commission would give this problem all the attention it deserved.

The experience gained on the occasion of the first emancipation of a mandated territory—that of Iraq—clearly showed that the greatest caution must be observed in such cases. The question of the protection of minorities, which was already important in the mandated territories, would be all the more important in territories which, at a given moment, were released from the supervision of the Mandates Commission. Everybody was aware of the acute form in which, in Palestine, the problem of two populations of different race and religion required to live together in the same territory under mandate presented itself. As a result of exceptional circumstances in Europe, the number of Jews desiring to emigrate to Palestine had increased to an extraordinary extent. It was natural that, under those conditions, the Mandates Commission should have devoted special attention to the recent disturbances in Palestine. The Netherlands delegation was convinced that the Mandatory would do everything in its power to reach a pacific settlement of this question; its decision to send a Commission of Enquiry to Palestine must be applauded by all who realised the great difficulties of the problem. The Netherlands delegation expressed the hope that this Commission would proceed to Palestine shortly, and that the enquiry would be conducted with all due expedition.

M. van Rappard again emphasised the fact that it would be contrary to the mandates system, as provided for in Article 22 of the Covenant, for the mandatory Power to attempt to unite mandated territories too closely with its own territory. A tendency in this direction seemed to exist in certain mandated territories, where propaganda was carried on for the establishment of closer administrative union in the future.

¹ See *Official Journal*, Special Supplement No. 143, page 28.

In dealing with questions of this kind, it must be borne in mind that the important point was to favour, not the special interests of the mandatory Power, but rather those of the international community, and that the essential aim of the Mandates Commission and of the whole League of Nations must be to deserve well of the native populations of mandated territories.

M. OSUSKÝ (Czechoslovakia) declared that the three Governments of the *Petite Entente* had always followed with sympathy the development of the Jewish National Home in Palestine. The mandate over Palestine, approved by the Council, recognised "the historical connection of the Jewish people with Palestine, and the grounds for reconstituting their national home in that country". In the course of these last years, thanks to the fruitful activity of the Jewish Agency, Palestine had known a period of great development and prosperity, which the Sixth Committee had noted with keen satisfaction in the previous year.

The countries of the *Petite Entente*, therefore, deeply regretted the occurrence of events which might endanger a work of which the international importance was more than ever evident, in view of the situation of Jews in certain countries. Palestine had been able to absorb, in the course of the last few years, a relatively large proportion of Jewish immigrants. It appeared essential that, within the limits of Palestine's economic capacity, this should be able to continue without hindrance.

No one doubted that the mandatory Power, with its unique administrative experience, would very soon succeed in re-establishing order in Palestine, and that, thanks to the enquiry development of the Jewish National Home, the difficulties which were preventing the further and religious rights of non-Jewish inhabitants of Palestine would find a happy solution. The mandatory Power had, in that matter, assumed two duties which were not irreconcilable, as the Mandates Commission had affirmed on several occasions, and the United Kingdom Government itself had recognised in its declaration of September 8th, 1936.

In the name of the Governments of the three countries forming the *Petite Entente*, he wished to express to the mandatory Power his full confidence in its success in this heavy and delicate task, which was of great importance for the League of Nations.

Mr. CREMINS (Irish Free State) noted that in the part of the Minutes of the Twentieth Session of the Permanent Mandates Commission (pages 56 and 58) dealing with Tanganyika Territory, questions were raised regarding the training of native teachers and of native midwives. He hoped that the suggestions made on those matters, which were of obvious importance to the welfare of the native population, would be followed up.

He also drew attention to the passage in the Secretary-General's Report on the Work of the League in 1935/36 (document A.6.1936, page 106) dealing with the report of the Permanent Mandates Commission regarding Togoland under British mandate. The Commission, while paying a tribute to the progress made in education in this territory had expressed the hope that the medical services would also be developed and that more detailed information would be given regarding infant mortality.

Here, too, he submitted that one of the best means of dealing with infant mortality and maternal mortality would be the training of native midwives, as there was reason to fear that native women were reluctant to place themselves under the care of white midwives.

Mr. TE WATER (Union of South Africa) expressed sympathy with the Government of the United Kingdom in the extremely difficult problem which faced it in Palestine. He had every confidence that it would meet the situation justly, and eventually with success.

He congratulated M. Lange on his wise and valuable survey of affairs in the mandated territories. He joined with M. Lange in paying a tribute to Lord Lugard, whose wide knowledge and great experience of native administration had been of supreme value, not only to the Permanent Mandates Commission on which he had served for so long, but also to the South African Government.

M. Lange, though he had not specifically mentioned South West Africa, had referred to an interesting problem of education which also arose in that territory. While Government expenditure on the education of Europeans amounted to something over twenty shillings per head, M. Lange had pointed out that a few pence only was spent per head in the case of the native population. M. te Water ventured to remind M. Lange that anyone with administrative experience of native affairs must realise that those facts hardly presented a just picture of the situation. The native population of any country in Africa could not fairly be compared, as an educational unit, with the sparsely distributed European element, their needs were not the same and their numbers out of all relation to the numbers of the European population.

M. LANGE (Norway) interposed to state that South West Africa had not been the country he had had in mind.

Mr. TE WATER (Union of South Africa), continuing, accepted that the criticism nevertheless applied to South West Africa as well, but he would point out that it must be viewed in the light of the fact that there were in the territory only some 30,000 Europeans as against 250,000 Africans. The Committee would understand that the whole burden of taxation fell upon the very small European population, which had to find the finances to educate both sections

of the community. It naturally remained an obligation of mandatory Powers to ensure the progressive education of the native but, in urging such a policy, critics must not leave basic economic factors out of account.

He would pass over the interesting observations which M. Lange had made on the policy of the open door, in order to turn to another important principle which governed the administration of trustee territories—namely, the non-militarisation of native populations. This principle was pursued by the South African Government with a conscientiousness which, it was to be hoped, would eventually be followed by other nations interested in Africa. In no circumstances would the Union Government permit of the militarisation of a single native; it was aware of the very great dangers inherent in such a policy.

It was with dismay that it beheld certain great European Powers who, without proper consideration of the possible results, had armed the African native and taught him the methods and ways of European warfare. His Government had duly noted the undertakings and protestations of a great Power which had recently come into Africa, to the effect that it would not arm the African, but it had also observed how far that Power in raising conscript native levies had departed in actual action from those assurances.

Mr. te Water drew attention to a passage in the report of the Mandates Commission to the Council relating to the status of the territory of South West Africa (Minutes of the Twenty-ninth Session, page 211) in which reference was made to the Commission set up by the Union Government to study the so-called "fifth-province problem". During the past two or three years there had been a dislocation of the democratic constitution with which his Government had presented South West Africa. This could be traced to a single factor—the non-co-operation of a section of its citizens. Mr. te Water would make no comment and no criticism at this stage, but would point out that, for this reason, his Government had found it necessary to set up a governmental commission of enquiry. This had consisted of two experienced judges and one experienced Government official. The valuable report which it had submitted was now in the hands of the League authorities; his own Government too was studying the contents, but had not yet instructed him as to its views.

The Committee would gain some idea of the complexity of the problem when he said that the report contained as many opinions as the Commission had members. One member had held that the solution was to convert South West Africa into a fifth province of the Union; another, in complete disagreement, had argued that a system of Government Commissioners should be applied; the third had held a view half way between the two. The Union Government was now faced with the problem of reconciling the three opinions. When it had formulated its view, this would be communicated through him to the League.

Referring to another point raised in the report of the Mandates Commission (Minutes of the Twenty-ninth session, page 212, paragraph 6) regarding general health conditions in the mines, Mr. te Water pointed out that he had replied to this point in a letter to the Permanent Mandates Commission, which would be found annexed to the Minutes (page 220).

In conclusion, he expressed his satisfaction at the happy relations between his Government and the Permanent Mandates Commission, whose benevolence and understanding in the face of the complexities of the problems which beset the mandatory Power were always much appreciated. In his personal view, the Commission was a most helpful factor in the administration of the territory. He also paid a tribute to the work of the Acting Director of the Mandates Section and his staff, from whom the Union delegation always received every courtesy and consideration.

M. VIÉNOT (France) said the French Government was the better able to understand the anxiety of the United Kingdom on account of the present disturbances in Palestine because France had had formerly to deal with similar difficulties in the territories for which she was responsible in the Levant. Consequently, she was following with close attention and sincere sympathy the efforts England was making, in a spirit of equity to which all must pay tribute, to find a compromise acceptable to both parties.

In connection with the policy recently initiated in Syria, he drew attention to the complexity of the problem. The mandate was actually based on two principles, which were difficult in themselves to reconcile: on the one hand, the desire to prepare the Arab people for the independence to which their past history entitled them; on the other hand, the protection of minorities, which was in accordance, moreover, with French tradition as regards the Christians of the East. The Government of the Republic did not flinch before the responsibilities entailed by the introduction of a regime based on such diametrically opposed principles, because, during its already long experience, it had had time to consider how to achieve a fair and wise balance between these divergent aims. The maturity of the Syrian people gave grounds for hope that this was not a bold assumption. The delegation which had taken part in the negotiations had shown a moderation, wisdom and political sense which he was glad to acknowledge.

During the preliminary discussions in Paris, special provision had been made for the safeguarding of both compact minorities established in certain parts of Syria and scattered minorities dispersed throughout the country. A fuller guarantee was given than that provided, for the same purpose, in the treaties concluded after the war. France had never lost interest

in the Turkish minority in the Sanjak of Alexandretta. She had always carried out the undertakings signed at Ankara in 1921 in the most liberal spirit. It was obvious that the obligations now incumbent upon the mandatory Power would outlive the present regime. As soon as Syria became really independent, they would devolve upon her. She would legally succeed to them, and would consequently be responsible for carrying them out on the same grounds as France. He had already explained to the Council his views in this connection. Since then, he had enlightened and reassured M. Aras, in the course of private conversations, about the meaning of the texts initialled in Paris. If Turkey felt that the introduction of the new regime would entail changes in the methods of application of the agreements at present in force, that they remained within the framework of the said agreements and had therefore the same object—respect for the ethnical and linguistic characteristics of the minority concerned. Naturally, Syria would take part in any such negotiations, seeing that she was so directly and so keenly interested. It was only logical that the mandatory Power should take advantage of the transitional period provided for in the draft treaty to initiate the young State, as it were, in its international existence and responsibilities.

After these explanations, which supplemented his statement in the Council, M. Viénot described the enthusiasm with which the Syrian people had welcomed the successful negotiations in Paris. France had been warmly applauded. There was reason to hope that the last three years of the mandatory regime would pass in an atmosphere of calm, and that Syria would therefore be in a position to set up definitely all the necessary public bodies, while, at the same time, France would be able to keep an eye on their progress. No doubt, at the end of this last stage, the country would be justified in applying for admission to the League.

If nothing occurred to prevent satisfactory progress on these lines, it would be one of the League's strongest claims to universal recognition that, through the educational methods referred to by the Norwegian delegate, a country in which sectarian rivalry in both interests and conceptions made the establishment of a stable order particularly difficult had been able to achieve independence. Success would be due mainly to the Mandates Commission. He was glad to endorse the remarks of Mr. de Water and M. Lange who had spoken of the wisdom and perseverance, by means of which, with the help of both publicity and supervision, it had so usefully prepared the way to the consummation which France now hoped to bring about.

Lord CRANBORNE (United Kingdom) thanked the Norwegian and South African delegates for the tribute which they had paid to the valuable work done by Lord Lugard. He was sure that nothing would touch Lord Lugard more deeply than such expressions of appreciation by Members of the League which it had been his privilege to serve.

M. Lange had referred in his speech to Tanganyika and the question of closer union in East Africa. Lord Cranborne felt that it was hardly necessary for him to add to the declarations made on this subject to the Council and Assembly in previous years, but he could assure the Committee that His Majesty's Government would, in any matters bearing on this point, have full regard to the question of principle involved.

He could assure the Committee that the detailed points arising in the Committee's report concerning the administration of territories under British mandate, to which reference had been made in the discussion, would receive the full consideration of the mandatory Power and would be dealt with in future reports to the Commission.

As regards Palestine, regrets had been expressed during the course of the discussion that it had not been possible for His Majesty's Government to provide more detailed information in regard to the situation there. M. Lange had raised the question of calling a special meeting of the Mandates Commission on the subject, but had emphasised that the usefulness of such a meeting must depend on the ability of the mandatory Power to furnish the Commission with the necessary documentation. In Lord Cranborne's view, this consideration meant that any special meeting of the Commission would, for the moment, be premature.

His Majesty's Government was taking steps to institute the fullest enquiry into the matter, but until the facts were sifted by the authoritative body which had been set up, the position remained as stated by the United Kingdom representative at the Council meeting held on September 26th, 1936. Mr. Eden had then made the position abundantly clear in the following words :¹

“ His Majesty's Government would always be willing to facilitate, to the best of their ability, the Commission's important task. As matters now stood, however, there was unfortunately no prospect that His Majesty's Government would be in a position to furnish the Permanent Mandates Commission at its autumn session with the information for which that body had expressed a desire. Mr. Eden was sure the Council would understand that His Majesty's Government clearly could not, pending the report of the Royal Commission, express any opinion on the causes of the disturbances, and, as the Secretary of State for the Colonies had stated in the House of Commons on June 19th, His Majesty's Government could contemplate no change of policy until they had received and considered the Commission's report.”

Mr. Eden had subsequently added :

“ Statements on the present disorders and their underlying causes would not only be inappropriate while the whole question was, so to speak, *sub judice*, but would, in any case, be premature until the facts had been elucidated by the Royal Commission.”

¹ See *Official Journal*, November 1936, page 1182.

Lord Cranborne felt sure that the Committee would not wish him to amplify that statement. He would, however, point out by way of a general observation, that the basis of good government in a mandated, or indeed in any, territory was the maintenance of law and order; that was the only firm foundation for the future happiness and prosperity of all sections of the community. His Majesty's Government were at present engaged in establishing that firm basis. If more drastic measures had not been taken earlier, it was because, in the words of a statement on Palestine which had been circulated to the League,¹ His Majesty's Government's chief concern had been to restore peace between the different communities in Palestine by measures which entailed the smallest possible amount of suffering and loss of life.

The Polish delegate, and the Czechoslovak delegate on behalf of the *Petite Entente*, had expressed preoccupations arising out of their deep national interest in the question of immigration. His Majesty's Government was fully alive to this, and would in return thank the States in question for their appreciation of the difficulties with which it was faced as Mandatory for Palestine. It regretted the present disturbances as deeply as any Member who had spoken, and, when further information could be given, it would be given.

His Majesty's Government had followed with interest and sympathy the recent progress made by France in Syria along the path which the United Kingdom had already trodden in Iraq. He expressed the confident hope that the French Government must be successful in solving the difficult problem before it.

He thanked the Committee, and in particular the delegates of the Union of South Africa, France, Iran, Czechoslovakia, the Netherlands and Turkey, for their friendly references to the efforts being made by the United Kingdom Government to restore order in Palestine and for the confidence which they had expressed in the ultimate success of those efforts; their remarks would assuredly encourage the United Kingdom Government in the execution of its task. He would assure the Committee that his Government's aim was to find a solution satisfactory to Jews and Arabs alike.

15. Mandates : Appointment of a Rapporteur.

M. MUNTERS (Latvia) was appointed Rapporteur on mandates questions.

SIXTH MEETING.

Held on Wednesday, October 7th, 1936, at 10.30 a.m.

Chairman : M. MOTTA (Switzerland).

16. Intellectual Co-operation : Examination and Adoption of the Draft Report and Resolutions.

M. PARRA-PÉREZ (Venezuela), Rapporteur, was sorry that M. de Reynold had been unable to represent the Intellectual Co-operation Committee at the Sixth Committee's discussions this year.

M. Parra-Pérez noted that the text of the proposals he had submitted to the Committee had not been changed during the discussion. With reference to the observation made in the course of the discussion by M. Lange² as regards credits, he felt sure that the requests for credits submitted by the Sixth Committee³ would be examined by the Supervisory Commission, of which he was himself a member, in the understanding spirit it had always shown.

The Committee proceeded to the examination of the draft report and resolutions. Observations were made on the following points :

Ethnographical and Historical Collection on the Origins of American Civilisation.

M. ZALDUMBIDE (Ecuador) was glad to note that the South-American Governments had realised that it would not be possible to carry out M. Levillier's plan without a financial contribution, however modest, on their part. The vicious circle had at last been broken; they would no longer go on asking each other whether the plan should first of all be put on an

¹ See Official Journal, November 1936, page 1357.

² See page 15.

³ See page 19.

economic basis or whether the League's approval was necessary before that could be done. M. Levillier's plan, which had at first appeared to be of a somewhat specialised nature, had now taken on a much more universal character. This should merely be the first step, and the South-American example should be followed by the Scandinavian, Slav and other countries.

Question of the Preservation of the Artistic and Cultural Riches of Spain.

M. FABRA RIBAS (Spain) paid a tribute to the intentions of the Bolivian delegation, whose chief aim was to safeguard the artistic and cultural riches of Spain. He wondered, however, what was to be the scope of the action which the Intellectual Co-operation Organisation was to take in accordance with the following paragraph of the draft report :

“ The Sixth Committee considered that the technical aspects of the question should be studied by the Intellectual Co-operation Organisation.”

M. PARRA-PÉREZ (Venezuela), Rapporteur, had thought that the best means of giving effect to the Bolivian delegation's suggestion was to submit the technical aspect of the question to the competent technical organ of the League. He was, of course, prepared to take into consideration any observations which the members of the Committee might wish to make on that matter.

M. BONNET, Director of the Institute of Intellectual Co-operation, explained that the Museums Office had already had before it requests similar to that made by the Bolivian delegation. The question had already been discussed by curators of museums and directors of art galleries. The studies regarding the assistance which might be rendered with a view to protecting works of art in Spain were not yet completed. The adoption by the Assembly of a recommendation emphasising the interest which it took in the question would be an encouragement to the experts who were dealing with it. When their work was completed, it would be submitted to the competent organisations of the League.

The CHAIRMAN proposed that the paragraph quoted by M. Fabra Ribas should be purely and simply deleted, as it was really unnecessary, because everyone knew that the intellectual co-operation organs were already dealing with the question.

The Chairman's proposal was adopted.

M. COSTA DU RELS (Bolivia) said that he had approached the problem from a strictly technical and cultural standpoint and not from a political or ideological point of view. Nevertheless, technical action should be taken on his proposal, and a tacit mandate given to the Intellectual Co-operation Organisation to deal with the question.

The Committee decided that an implicit mandate should be given to the Intellectual Co-operation Organisation to study the technical possibilities open to the various organs for intellectual co-operation in this field.

Intellectual Co-operation Month at the 1937 Universal Exhibition.

M. GRUMBACH (France) thanked the Rapporteur for having drawn attention to the 1937 Exhibition. He renewed the invitation given last year by the French Government to the members of the Intellectual Co-operation Committee, and hoped that the manifestations which were to take place at Paris in 1937 would, as M. Edouard Herriot had observed, constitute the “ States-General ” of intellectual co-operation.

Permanent Committee on Arts and Letters.

M. SKYLSTAD (Norway) wished, on behalf of his delegation, to make a reservation in regard to the second resolution which proposed an increase in the number of members of the Permanent Committee of Arts and Letters from fourteen to eighteen. The Norwegian delegation did not think that this increase was necessary, as the same result could be achieved by a system of rotation.

M. PARRA-PÉREZ (Venezuela), Rapporteur, asked what would be the Norwegian attitude towards the voting of the credits required for the application of that resolution.

The CHAIRMAN said that it was merely suggested that the Assembly should approve a proposal adopted by the Council. Even if a contrary decision were now taken, that could not affect the situation in any way. It was therefore better to take note of the proposal.

M. SKYLSTAD (Norway) said that his delegation simply wished to make a reservation on the matter. If a vote was taken on the proposal, the Norwegian delegation would abstain, but did not wish to obstruct the procedure.

The report and draft resolutions¹ were adopted, subject to certain drafting amendments (Annex I, page 55).

¹ The resolutions were adopted by the Assembly on October 10th, 1936.

17. Intellectual Co-operation: Appointment of a Rapporteur to the Assembly.

M. PARRA-PÉREZ (Venezuela) was appointed Rapporteur to the Assembly for the question of Intellectual Co-operation.

18. Intellectual Co-operation: Application to the Report of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.

The Committee decided to apply to the report on intellectual co-operation the procedure whereby a discussion in a plenary session was deemed to be unnecessary.

19. International Assistance to Refugees: Report of the Sub-Committee.¹ General Discussion.

Lord CRANBORNE (United Kingdom), Rapporteur, said that the Sub-Committee had held four meetings at which a considerable divergence of view had been revealed. His task as Rapporteur had not been an easy one, and he thanked all the members of the Sub-Committee, and M. Motta in particular, for the indulgence which they had shown and the way in which they had facilitated his work. The report was intended to give as faithful a picture as possible of the different views expressed.

He pointed out that the resolution had been unanimously accepted by the Sub-Committee with the exception of two points involving the granting of credits—the first for 400,000 Swiss francs for the transfer and settlement in Paraguay of 200 families of Saar refugees, the second of 15,000 Swiss francs for a mission to be sent to investigate refugee problems in the Far East. By a majority decision, the Sub-Committee had pronounced in favour of forwarding both these proposals to the Fourth Committee; the full Committee must now express its view on the matter. He hoped that it would show the same desire as had the Sub-Committee to reach agreement on this important subject.

M. SKYLSTAD (Norway), after congratulating the Rapporteur on his objectivity, said that his delegation was able to accept the conclusions of the report as it stood.

M. FRYLING (Poland) said that his delegation had read with interest the reports of the Acting President of the Governing Body of the Nansen Office² and of the High Commissioner for Refugees coming from Germany.³ The Polish authorities were deeply interested in the question of refugees, both because there were several tens of thousands of refugees in Polish territory and because the geographical situation of Poland prompted them to follow the development of the problem with the closest attention.

Experience had led Poland to the conclusion that the humanitarian aspect was the primary consideration in the refugee problem; in its view, the question of the so-called Nansen refugees and of refugees coming from Germany, therefore, merely constituted part of a vast general problem. That being the case, the Polish Government felt that all refugee questions should be dealt with in the way most likely to avoid complications; in other words, they must be dealt with primarily on humanitarian grounds. That view was put into practice in Poland, where the Red Cross, in its capacity of a charitable organisation, was the body responsible for the protection of refugees. Poland would make no change in that system, whatever the changes made in the constitution of the international organs dealing with the assistance and protection of refugees.

The Polish delegation had nevertheless accepted membership of the Sub-Committee, thus proving its interest in the matter. It would take the opportunity of paying a tribute to M. Motta's able chairmanship of that body, which had enabled it to reach the compromise achieved in the draft resolution submitted by the Rapporteur, to whom M. Fryling also offered congratulations.

The Polish Government was prepared to vote for the resolution as it stood, but this implied no change of view with regard to two legal instruments mentioned in the resolution—namely, the Convention of October 28th, 1933, relating to the international status of refugees, and the Provisional Agreement of July 4th, 1936, regarding the status of refugees coming from Germany.

He drew the Committee's attention to a point raised in the Sixth Committee in the previous year by the Polish delegate, M. Kulski.⁴ M. Kulski had stated his Government's view that, if the international organisations should have resort to the co-operation, on an advisory basis, of the refugee organisations, the co-operation of all such organisations must be assured in a manner corresponding to their numbers.

¹ For the final text of the report submitted to the Assembly, see Annex 4, page 63.

² Document A.27.1936.XII; Ser. L.o.N. P. 1936.XII.B.7.

³ Document A.19.1936.XII; Ser. L.o.N. P. 1936.XII.B.6.

⁴ See Official Journal, Special Supplement No. 143, page 13.

Turning to another aspect of the refugee problem, the Polish Government felt that the task which had first claim on the attention of the international organisations dealing with overpopulation or unemployment. Only such countries could open their frontiers to refugees and provide them with an assured means of livelihood. It would also be well to bear in mind that certain categories of refugees should not be despatched to countries where there were already similar groups whose increase could not but be harmful to the demographic and social equilibrium of those countries.

It was therefore highly desirable, as a first step towards any settlement scheme, to undertake preliminary studies which, with the above considerations in mind, would provide the necessary data for reaching a solution advantageous, not only to the refugees, but to the international community.

M. STEIN (Union of Soviet Socialist Republics) endorsed the tributes paid to the Rapporteur and the Chairman. He would vote for the report and draft resolution, subject to the two following considerations : (1) He accepted resolution IV, 1 (b), purely in the interests of conciliation and because the Acting President of the Nansen Office had assured the Sub-Committee that he would do everything possible to submit a detailed scheme for the liquidation of the Office in May 1937 ; (2) He must except from his vote paragraph 2(b) of resolution IV, reading as follows :

“ Notes also the proposal for sending a mission to the Far East, to investigate the refugee problems arising there and to suggest possible reforms, and transmits this proposal, involving the expenditure of 15,000 Swiss francs, to the favourable consideration of the Fourth Committee.”¹

This proposal contravened the Assembly resolution of 1935, which stated that the appointment of a person to investigate the question of women of Russian origin in the Far East would not involve the League in any expenditure.

M. Stein did not think it necessary to dwell upon that last point. As was stated in part IV of the report, the despatch of the proposed mission on the eve of the liquidation of the Nansen Office was of scant value. The moment of liquidation of the Office in accordance with a plan for the reduction of expenditure was hardly the right one for incurring a fresh outlay. The view of the Soviet delegation on this matter was clearly set out in the report.

Lord CRANBORNE (United Kingdom), speaking in his capacity as delegate for the United Kingdom, reminded the Committee that he had last year informed it that, in the view of the United Kingdom Government, the function of the League in dealing with the refugee problem was inevitably limited.² It continued to hold the view that there were three main elements in the problem : status, relief and settlement, and that, though the first was essentially an international problem, the other two depended largely on the economic situation of the countries of refugee ; the League could not properly take responsibility for them.

It could do much to promote agreement on a common measure of protection and a universal legal status for refugees ; to provide the necessary administrative services for that purpose ; and to assist, through those services, to some extent in the co-ordination of the efforts of the private organisations in the work of settlement and relief. But further than that, it would not be wise for the League to go. To infringe the principle that the League budget should not be asked to provide for schemes for the settlement of refugees would be to sign a blank cheque on the future, and open the door to demands which the budget could not bear and should not be asked to grant.

The resolution before the Committee laid down the general plan that the two Refugee Organisations of the League should be continued as separate entities until the end of 1938—when the Nansen Office would cease to exist and the future of the Organisation for Refugees coming from Germany would be brought up for review. His Government saw no objection to the separate existence of the two organisations, working on parallel lines, for a prescribed period ; indeed, the arrangement might present some advantage, and, since the Assembly would two years hence be called upon to consider the question of future organisation, his Government would, for the time being, keep an open mind on the matter.

By 1938, the refugee problem might be on the way to solution, but it seemed probable that a regime of international protection would be necessary for some years. His Government therefore intended to do what it could to promote the acceptance of such a regime. In pursuance of that intention, it proposed shortly to accede to the Refugee Convention of 1933 ; it had signed the Provisional Arrangement concluded in July 1936 dealing with refugees from Germany, and it was prepared to consider sympathetically any proposals which the High Commissioner might put forward for the adoption of an international convention dealing with the status of refugees from Germany.

¹ This paragraph was subsequently omitted from the text of the resolutions as a result of a decision by the Fourth Committee not to grant the credit in question (see page 52).

² See *Official Journal*, Special Supplement No. 143 page 11.

In regard to the proposed credit for Saar refugees, the United Kingdom Government's views in regard to the proper function of the League in dealing with refugee questions meant that it was reluctantly obliged to maintain its opposition to this proposal. His Government realised very fully the difficulties of the French Government in dealing with its refugee problems, and greatly appreciated the benevolent measures which it had taken for the benefit of refugees in France. The United Kingdom Government would naturally desire to co-operate with the French Government in this matter. Its opposition was based solely on the important principle that the League should not accept responsibility for the settlement of refugees; to depart from that principle would create an extremely dangerous precedent. The question was not comparable with that of the Assyrians discussed at the previous year's Assembly. The Sixth Committee had then recorded the opinion that the Assyrian question was not a refugee problem; the reasons given in support of that opinion were recorded in the Minutes of the Sixth¹ and Fourth² Committees of the 1935 Assembly.

c Lord Cranborne appealed to the Committee to think well before coming to a decision which would, in his view, set a precedent which might in future years put a burden on the League which it would be quite unable to bear.

o Mr. BRUCE (Australia) entirely supported what had been said by Lord Cranborne regarding the principle which should govern the League's dealings with the question of financial assistance for the settlement of refugees. He would reinforce what Lord Cranborne had said by alluding to the very grave dangers which the Committee would be incurring for the League if, out of sympathy for these unfortunate people, it created a precedent by voting the amount suggested for the 200 Saar families.

However great the Committee's sympathy for the French Government in the problem, and however deep its compassion for those unfortunate refugees, its primary duty was to preserve the League from engaging in risky precedents.

The Australian Government would go so far as to say that the acceptance of the principle even endangered the League itself. It might go far beyond mere finance and lead to grave difficulties between member nations within the League. His Government was therefore obliged to offer the strongest protest possible to admission of the principle that monies could be found out of the League budget for the purpose of refugee settlement. So strong indeed was its feeling on the matter that he felt it only fair to say that the Australian delegation would be obliged to resist the resolution in the Committee and the proposal for credits when it came up before the Fourth Committee.

M. LIU Chieh (China), replying to the objection raised by M. Stein to the despatch of a mission to the Far East on the ground that it cut across a resolution passed by the Fifth Committee in 1935, pointed out that that Committee had only had in view the question of the traffic in women and prostitution, which were in his view merely incidental to the general refugee question.

The refugee problem involved questions of status, relief and settlement, which would not be covered by the work envisaged in the Fifth Committee's resolution in question.

As regarded expense, the Chinese delegation would point out that the sum involved was very modest; it covered administrative expenses only and should not in any way be confused with the expenses for relief and settlement in the case in regard to which the Rapporteur had rightly pointed out that the League should not accept responsibility.

Perhaps the Committee did not realise that the number of Russian refugees in the Far East was 130,000—twice the number in France and by far the largest number of all categories of refugees. As the report of the President of the Nansen Office had clearly indicated, not a single penny had as yet been spent on their relief and settlement nor had any effort been made, during all the years in which the question had been discussed, to study the problem adequately or to make contact with the refugees themselves.

In conclusion, he congratulated the Rapporteur on the execution of his difficult task.

M. GRUMBACH (France) recognised that it was scarcely for the League to take upon itself the settlement of refugees, but he could not see how this principle conflicted with the request for a credit of 400,000 Swiss francs for the transfer of 200 Saar families to Paraguay. The request had originally been made by Judge Hansson himself, who had explained to the Sub-Committee the main considerations which had prompted him, after ripe reflection, to make the request. These reasons bore out the passages in Judge Hansson's report³ which advocated this solution.

He pointed out that, in the Sub-Committee, M. Motta, who was very familiar with the League rules of procedure, had warmly endorsed the request for this credit.

¹ See *Official Journal*, Special Supplement No. 143, page 69.

² See *Official Journal*, Special Supplement No. 141, page 87.

³ Document A.27.1936.XII; Ser. L.O.N. P. 1936.XII.B.7, page 5, Section 13, and last paragraph but one of page 10.

There was no question of contemplating any *permanent* dealing by the League with the problem of refugee settlement. In any case, he would point out that the credit of 400,000 francs was scarcely adequate for settlement purposes in Paraguay ; its chief object was to cover the cost of transport.

M. Grumbach drew attention to another argument raised in the Sub-Committee. The case of the Saar refugees was a special one, and the League's responsibilities were considerable in the matter. From 1920 to 1935, a Governing Commission had administered the Saar in virtue of the Peace Treaty. The conditions in which the plebiscite had been held had profoundly affected the tragic fate of those who had had to flee abroad, abandoning all they possessed. He himself had witnessed the plight of the Saar refugees, and he knew the incredible difficulties that they had had to face owing to having expressed certain views or having belonged to a certain race. The question was therefore not merely one of money, but of something much more important from the point of view of international solidarity. The crux of the matter was this : Were the States Members of the League of Nations going to leave on France's shoulders the whole burden of the future fate of these refugees ?

M. Grumbach was therefore warmly in favour of Judge Hansson's proposal and thanked him, in the name of France, for submitting it. For the same reasons, he hoped that Mr. Bruce would reconsider his decision and would vote the credit which, after a long discussion in the Sub-Committee, had been approved by a majority of 7 votes to 3 with 2 abstentions. The two members who had abstained had undoubtedly shared the misgivings of the United Kingdom delegate who had stated that, though on grounds of principle he must vote against the credit, on grounds of humanity he would have voted for it, and that, in view of that fact, should a majority in the Sixth Committee favour the proposal, he would not oppose it. The Sixth Committee should see its way to vote for this proposal, not only in the name of humanity, but also in the name of international solidarity—the very basis of the League of Nations.

Moreover, there was no fear of the principle of the intangibility of the League budget being involved, for the case was an exceptional one and he was the first to acknowledge that it in no way constituted a precedent.

M. HANSSON, Acting President of the Governing Body of the Nansen International Office for Refugees, thanked Lord Cranborne for the statement he had made regarding ratification of the 1933 Convention. He hoped that, before long, the Convention would be generally ratified.

As regarded the Saar refugees, he explained the reasons for which he had thought it incumbent upon him to request a credit of 400,000 Swiss francs in order to solve once and for all a problem which was in every way a special case and which was a cause of constant friction. He realised that it was not for the League to vote credits for humanitarian purposes ; that was why he had asked for a very small credit. A refusal had seemed to him to be out of the question, since in the previous year a credit of £86,000 had been voted for the Assyrians. There was a striking similarity between the problem of the Assyrians and that of the Saarlanders. The argument that the first constituted a minority and were not refugees was scarcely valid. It was to his mind a legal quibble, since both unfortunate communities were victims of international agreements, the Assyrians under a mandate, the Saarlanders under a decision taken by the Council of the League of Nations. The Saar refugees had felt that they could, without fear, vote for the maintenance of League authority in the Saar. They had been mistaken. They had been bitterly deceived. From that time, they had lived in France, where they had received hospitality, but they had lost all that they could not carry with them, and were existing in a state of misery. They were prepared to emigrate, and the Nansen Office had negotiated with the Government of Paraguay and with a private landowner contracts under which those refugees could acquire the necessary lands and houses.

Since the Council decision on the Saar had been taken unanimously, M. Hansson felt that international solidarity should be exercised in order to assist those who were its victims. Surely there was no reason why France should be the only country to shoulder the burden which, in all justice, should be shared among all the Members of the League ?

Simply to liquidate the Nansen Office after two further years of work was not enough ; it was the League's duty also to liquidate the refugee problem itself and to facilitate the Office's work. Here was a means of doing so. All that was asked was a vote of 400,000 francs, and he felt that the credit could scarcely be refused in view of the consequences entailed in the vote. There was no other case similar to that of the Saarlanders. Already, despite his inclinations, he had abandoned any idea of asking for material help for Armenian and Russian refugees, even though the problem of the Armenians was one which weighed upon the conscience of Europe.

Further, since the Nansen Office and the whole refugee organisation was due to disappear in two years, there was no need to fear the consequence of such a vote. Public opinion would certainly be shocked were they to learn of a refusal. The League had just been through a serious political crisis and had known difficult times, but it had to its credit a great work of humanity—the work it had done for refugees. Surely it could not now refuse the help requested of it ?

20. International Assistance to Refugees : Examination of the Report of the Sub-Committee.¹

CHAPTERS I AND II.

Chapters I and II were adopted.

¹ For the final text of the report submitted to the Assembly, see Annex 4, page 63.

CHAPTER III.

M. SKYLSTAD (Norway) proposed to add the words " and with the legislation and administration of their country of origin " in the eighth paragraph, after the words " of the refugees in the different countries ".

M. Skylstad's proposal was adopted.

Chapter III was adopted.

CHAPTER IV.

M. MUNTERS (Latvia) requested the addition of a sentence at the end of the fifth paragraph in order to explain the minority's attitude to the credit proposal. He asked that after the words " did not appear to justify expenditure upon it " should be added the sentence :

" The attention of the Committee was also drawn to the fact that the agenda of the forthcoming Conference of Central Authorities in the East, which is to be held at Bandoeng in February 1937, includes the problem of the position of women refugees of Russian origin."

The Latvian delegation shared the view of the United Kingdom delegate with regard to the credit for Saar refugees, and had no strong feelings either way as to the credit for the mission to the Far East, but he felt that the report should take the Bandoeng Conference agenda into account.

M. Munters' proposal was adopted.

Chapter IV was adopted.

RESOLUTIONS I AND II.

Resolutions I and II were adopted.

RESOLUTION III.

M. GRUMBACH (France) thanked the Rapporteur for his mention of the recent measures adopted by the French Government in regard to refugees. Those measures were as follows :

At the Inter-Governmental Conference of July 1936, the French representative had announced that his Government would make every effort soon to afford an international status to refugees. That had been done. A Decree of September 17th, 1936, afforded rights to refugees and removed the prevailing uncertainty so demoralising to the refugees themselves and so dangerous to national order. He requested that this decree should be annexed to the Minutes (Annex 2, page 61), if only to encourage other Governments to take similar action.

The lot of refugees deserved every attention ; a man who was by reason of his opinions deprived of his national status should be enabled to find understanding, and, as it were, a new nationality in some other country.

Resolution III was adopted.

RESOLUTION IV.

Nansen International Office.

A vote was taken by show of hands upon the two proposals for credits.

Credit for the Transfer and Final Settlement in Paraguay of Saar Refugees.

The following twelve delegations voted in favour of the credit :

Canada, China, Czechoslovakia, Denmark, France, Greece, Netherlands, Norway, Roumania, Spain, Sweden, Switzerland.

The following seven delegations voted against the credit :

Australia, United Kingdom, Hungary, India, Iran, Iraq, Latvia.

**Credit for the Despatch of a Mission to investigate Refugee Problems in the Far East.*

M. HANSSON, Acting President of the Governing Body of the Nansen International Office for Refugees, explained that this credit was requested, in the first place, because the Office had not yet had an opportunity of sending a mission to the Far East and, in the second place, because it would be valuable, before the Office was liquidated, to know the exact conditions in which the Russian refugees were existing there. Lastly, it was extremely desirable that the 130,000 refugees living there unprotected and in misery should receive some encouragement.

The following twelve delegations voted in favour of the credit :

Canada, China, Denmark, Greece, Hungary, India, Iran, Netherlands, Norway, Roumania, Sweden, Switzerland.

The following two delegations voted against the credit :

Iraq, Union of Soviet Socialist Republics.

The CHAIRMAN felt that it would be preferable to explain to the Assembly that there had been a majority and a minority. If the minority upheld its view in the Assembly, the lack of unanimity would mean the rejection of the credits. If it abstained, the proposal could go through. This procedure could, of course, only be followed if a favourable vote were recorded in the Fourth Committee.

Mr. OFFICER (Australia) said that, in view of the grave view expressed by the leader of his delegation, Mr. Bruce, as to the question of principle involved in the vote for a credit for the Saar refugees, he must reserve the right of the Australian delegation to refuse to accept the resolution.

The procedure proposed by the President was approved.

Refugees coming from Germany (Jewish and Other).

M. GRUMBACH (France), referring to paragraph 3, recalled that, in the Sub-Committee, he had suggested, besides the creation of a Governing Body—an idea which the Sub-Committee had ultimately abandoned—the constitution of a consultative council. This latter idea had, it seemed, been accepted. That being the case, he would be glad to see the words “consultative council” included in paragraph 3.

Further, it would be well to mention, besides the relief organisations, the refugee organisations, and to indicate how contact between those organisations and the High Commissioner's Office should be maintained.

After some discussion, the Committee decided to adjourn the decision on this point to a subsequent meeting.

RESOLUTION V.

Resolution V was adopted.

RESOLUTION VI.

Lord CRANBORNE (United Kingdom), Rapporteur, explained that the name of Sir Neill Malcolm had been omitted from paragraph (2) of this resolution purely on technical grounds. The position was that the appointment was made by the Council, and not, as in the case of M. Hansson, by the Assembly. He was sure that it was the wish of the whole Committee that Sir Neill Malcolm should be appointed, especially in view of the great services he had rendered in the matter.

Resolution VI was adopted.

VOTE OF A CREDIT FOR ENTERTAINMENT EXPENSES OF THE PRESIDENT OF THE GOVERNING BODY OF THE NANSEN INTERNATIONAL OFFICE FOR REFUGEES.

The CHAIRMAN reminded the Committee of the energy with which M. Hansson had taken over the Chairmanship of the Governing Body of the Nansen Office. He had given his time and labour without remuneration, but his task had involved him in expenditure which he could not reasonably be asked to assume out of his private pocket. The Chairman, on his own initiative, therefore proposed to the Committee that the sum of 5,000 Swiss francs should be granted to M. Hansson for entertainment expenses.

The Chairman's proposal was adopted.

TRIBUTE TO SIR NEILL MALCOLM, M. HANSSON AND MAJOR JOHNSON.

Lord CRANBORNE (United Kingdom), Rapporteur, paid a tribute to Sir Neill Malcolm and M. Hansson, not only for what they had done, but also for their great courtesy to him as Rapporteur.

In his dual capacity as Rapporteur and United Kingdom delegate, he reminded the Committee that the Secretary-General of the Nansen Office, Major T. F. Johnson, was leaving the Office this year. He had been connected with refugee work since 1921, when he first became Secretary to Dr. Nansen, and Lord Cranborne was sure that the Committee would wish to pay a tribute to his great administrative services over a period of fifteen years.

21. International Assistance to Refugees : Appointment of a Rapporteur to the Assembly.

The Committee appointed Lord CRANBORNE (United Kingdom) Rapporteur to the Assembly for refugee questions.

SEVENTH MEETING.

Held on Thursday, October 8th, 1936, at 10.15 a.m.

Chairman : M. MOTTA (Switzerland).

22. **International Assistance to Refugees: Examination and Adoption of the Report of the Sub-Committee (continuation).¹**

RESOLUTION IV (*continuation*).

Refugees coming from Germany (Jewish and Other) (continuation).

Lord CRANBORNE (United Kingdom), Rapporteur, in deference to the request made at the previous meeting by the French delegation², proposed the following wording for paragraph 3:

“(3) To maintain contact with the various private organisations; in particular, through the Liaison Committee of an international character which has already been set up.”

M. GRUMBACH (France) read the sixth and seventh paragraphs of Section C, page 5, of the High Commissioner's report.³ This passage explained the reason for his insistence on the point he had raised at the previous meeting. That was the sense in which he was prepared to accept Lord Cranborne's amendment, which he viewed as summarising the passage in question and as expressing the views contained therein.

M. SKYLSTAD (Norway) said that his delegation held that the refugee organisations should also be represented on the Liaison Committee. If that was the case, he accepted the proposed amendment.

Sir Neill MALCOLM, High Commissioner for Refugees coming from Germany, assured the French and Norwegian delegates that their wishes would be borne in mind, and that he personally would do everything possible to secure the liaison in the spirit intended.

The amendment proposed by the Rapporteur was adopted.

DECLARATION BY THE BOLIVIAN DELEGATION REGARDING THE QUESTION OF SAAR REFUGEES AND BY THE SOVIET DELEGATION REGARDING THE DESPATCH OF A MISSION TO THE FAR EAST.

M. COSTA DU RELS (Bolivia) said that he had so far refrained from taking part in the discussion, because a country with which Bolivia entertained friendly relations seemed to be directly interested in the question. But he must submit a formal reservation regarding the despatch to Paraguay of 200 families of Saar refugees. The President of the Governing Body of the Nansen Office had stated at the previous meeting⁴ that the Office had successfully negotiated with the Paraguayan Government on the matter. But he must point out that the proposed transfer would undoubtedly raise far-reaching issues in South-American international politics.

The CHAIRMAN, while noting the statement made by the Bolivian delegate, pointed out that the vote taken at the previous meeting proved that all delegations were well aware of the force of the arguments for and against the proposed solution.

M. STEIN (Union of Soviet Socialist Republics) asked that, before the final adoption of the report and draft resolution, the Rapporteur should insert a reference in the report to the effect that the Soviet delegation, having declared that it would vote in the Assembly against paragraph 2(b) of resolution IV, requested that, in virtue of the Rules of Procedure, this point should be separately submitted to the vote in the Assembly.

Lord CRANBORNE (United Kingdom), Rapporteur, replied that this would be done.

M. COSTA DU RELS (Bolivia) requested that the passage regarding the despatch of Saar refugees to Paraguay should also be taken separately, for he intended to vote against it and to raise the question in the Assembly.

¹ For the final text of the report submitted to the Assembly, see Annex 4, page 63.

² See page 45.

³ Document A.19.1936.XII; Ser. L.o.N. P. 1936.XII.B.6.

⁴ See page 43.

The CHAIRMAN recalled that he had explained at the previous meeting¹ the way in which the question of credits would be brought before the Assembly. He had no intention of exercising any pressure, either direct or indirect, on the members of the Committee, and it would be open to each delegate to vote in the Assembly as he thought fit.

M. GRUMBACH (France) regretted that the Bolivian delegate had kept silence until so late in the day. If he had spoken during the general discussion, the President of the Governing Body of the Nansen Office could have given him the explanations which he had not asked for until now. Was there some fear that the Saar refugees would be exposed to the risk of becoming the victims of the final repercussions of a dispute between two South-American States? If only the Bolivian delegate had asked M. Hansson a few questions, it would have been possible to throw light upon the problem without raising a new difficulty.

The French delegation had hoped that those delegates who had voted "no" at the previous meeting had taken to heart the Chairman's discreet appeal and would abstain from voting in the plenary Assembly. M. Grumbach could hardly conceal his surprise at the declaration just made that one delegation intended to vote against the project. Public opinion, not to mention the French Parliament, would fail to understand why it should be France who would have to continue to bear unaided the cost of the maintenance of the Saar refugees.

He proposed that the Bolivian delegate should get into touch with M. Hansson and ask him the questions which he was perhaps unwilling to ask in full Committee. He hoped that, by this means, the final obstacles would be overcome and unanimity achieved in the Assembly.

M. COSTA DU RELS (Bolivia) said that M. Grumbach need have no cause for anxiety. His Government in no way wished to hamper the free development of the humanitarian work of the League, but the Bolivian delegation had that morning received formal instructions from its Government requesting it to call attention to the drawbacks and the political undesirability of despatching 200 families of Saar refugees to Paraguay. What guarantees were there that those families would not be sent to the Chaco—a circumstance which would create proprietary claims in that territory? The Buenos Aires Conference was at present dealing with the Chaco question, and any influx of colonising families from abroad must complicate the problem.

He was prepared to get into touch with the French delegate and the President of the Governing Body of the Nansen Office. He could assure them that they could rely upon his goodwill to reach an amicable settlement.

The CHAIRMAN noted those remarks and declared the discussion closed.

The report and draft resolutions were adopted (Annex 4, page 63) with certain drafting amendments and subject to the decisions taken by the Fourth Committee.

23. Intellectual Co-operation: The League of Nations and Modern Means of spreading Information utilised in the Cause of Peace: Draft Resolution submitted by the Danish Delegation.

Mlle. FORCHHAMMER (Denmark) submitted the following draft resolution:

"The Assembly,

"Emphasising once more the utility of a co-ordinated effort by official bodies to develop the spirit of international co-operation and mutual understanding, more especially taking into account the technical means of information at the disposal of public opinion:

"(1) Calls the attention of the International Committee on Intellectual Co-operation to the increased possibilities of utilising all modern means of spreading knowledge for that purpose, and asks it to draw up, on the basis of the proposals of the Secretariat, the International Institute of Intellectual Co-operation and the International Educational Cinematographic Institute, a plan of action to be submitted to the next Assembly.

"(2) Requests the Secretary-General to examine the possibility of submitting proposals, in connection with the draft budget for 1938, for developing the Secretariat's means of informing public opinion, such as the *Bulletin of League of Nations Teaching*, the *Monthly Summary*, and the information pamphlets published by the Secretariat, as well as the films, photographs and lantern slides supplied by the Secretariat, and wireless telephonic and telegraphic transmissions organised by it or under its auspices."

Mlle. Forchhammer felt sure that all the delegations were agreed as to the vital importance of moral disarmament. The recently adopted Broadcasting Convention² and the recommendation passed in the Sixth Committee as to the proposal of the Swedish Broadcasting Corporation³ were proof of that. Private organisations and individuals in all countries were already working for better international understanding, but, while recognising the value

¹ See page 45.

² Document C.399.M.252.1936.XII; Ser. L.o.N. P. 1936.XII.B.10.

³ See page 59.

of those efforts, the Danish delegation felt that they should be strengthened and co-ordinated by the League more than had hitherto been the case.

With reference to the second part of the resolution, her personal experience of lecturing about the League convinced her of the desirability of spreading information about the League to a greater extent than hitherto. It was suggested that the Information Section should provide the necessary material for this purpose.

But the Danish delegation attached yet greater importance to the first part of its proposal. The first delegate of Denmark¹ had, in the Assembly, stressed the value of a study by the Intellectual Co-operation Organisation of all aspects of the question with a view to formulating a collective plan for rallying world public opinion round the League. Moreover, the first delegate of the United Kingdom² had said that if disarmament was to be real it must be not only military but also mental, and that not only weapons but also the war mentality must be laid aside; she would ask the Committee to vote for the Danish resolution as being a means of achieving that end.

Lord CRANBORNE (United Kingdom), while respecting the high motives underlying the Danish proposal, felt that too little consideration had been given to a proposal of such potential scope.

On a close examination, the import and extent of the resolution were not clear. Who, for instance, were the "official bodies" referred to in the first paragraph? What was the "plan of action" mentioned in the second paragraph; by whom was it to be drafted and what would be its goal? Could the Committee be asked to authorise the provision of funds required for execution of the measures suggested in the third paragraph for schemes which had never even been seen by the Assembly?

His misgivings on this score had been increased by the explanations of the proposal given by certain delegations, which had gone to show that not merely a technical enquiry but actually a new conception of the League's functions was implied. The Danish delegate, for instance, had talked of propaganda on new lines and on a larger scale, and M. Lange had referred to the propagation of League ideals and "a League view".

Lord Cranborne would urge upon the Committee that the proposal, and still more these explanations, laid the League open to a danger of exceeding its proper functions. For instance, if a League view were to be propagated, how was the League to conduct such propaganda? Surely it was quite out of place for a body of sovereign States to undertake, for instance, propaganda across frontiers, and what was the position in this respect with regard to non-member States? Was such propaganda to apply to them and, if so, was it likely to lead to international goodwill, supposing it were contrary to the policy of their Government? The idea that there should be propaganda of a League view implied the conception that the League was a super-State. This was a wrong conception and he saw endless possibilities of difficulties if such propaganda were introduced. Indeed, the step might even place the League in the position of requiring to become a signatory of the Broadcasting Convention so recently drafted under its auspices.

Further, supposing that the propagation of a "League view", as M. Lange proposed, were really decided on, who was going to interpret that view? It appeared that the Director of the Information Section was the person considered, but Lord Cranborne would submit that to interpret and to influence policy was not a duty that the Committee could impose upon a single official.

His objection to the Danish proposal was based solely upon these misgivings, and did not mean that his Government considered that an examination of the technical resources at the disposal of the League was undesirable. On the contrary, it would have no objection to an enquiry as to whether the Information Section disposed of sufficient technical resources to fulfil its original purpose adequately. It might also be desirable for the Intellectual Co-operation Organisation to consider whether the development of the technical means of spreading information could be used to further the mutual exchange between nations of information relating to their respective civilisations and cultures.

Given time for due consideration, and a practical enquiry into some proposal more specific than that now before the Committee, his Government was fully prepared to go into the matter. But adoption of the present proposal without such consideration was not consonant with the authority of the League of Nations.

Mlle. HESSELGREN (Sweden), while supporting the general conception underlying the Danish resolution, hoped the Committee would be able to find some formula acceptable to all delegations, so that the matter could go before the Assembly in 1937.

M. SKYLSTAD (Norway) said that his delegation warmly supported the Danish draft resolution. As he saw it, the chief object of the proposal was to make the aims of the League known, principally by means of material to be placed in the hands of societies, private

¹ See *Official Journal*, Special Supplement No. 155, page 66.

² See *Official Journal*, Special Supplement No. 155, page 47.

organisations and schools in the different countries. He must admit that the public in Norway did not know enough of the League's work and that there was still a big field to be covered in that respect.

He felt that Lord Cranborne had perhaps misunderstood M. Lange's suggestion. M. Lange had not intended to convey that the League should undertake international propaganda. His idea had merely been that the Information Section should be asked to spread a knowledge of the aims of the League and the results of its work. The Norwegian delegation felt that there were no grounds for misgivings on that score. On the contrary, it was the duty of all to work on those lines; everyone was of course aware that the Information Section was already doing considerable work in that field.

Though it supported the Danish proposal, the Norwegian delegation was fully prepared to see certain amendments made for the sake of greater precision. The suggestions which Lord Cranborne had outlined differed very little in intent from the Danish proposal; paragraph 2 of the latter, for instance, was almost identical with the suggestion just made by the United Kingdom delegate that the League's activity should be examined afresh and that the results of that examination should be referred to the next Assembly.

LORD CRANBORNE (United Kingdom) pointed out that it was the form rather than the substance of the resolution which was raising difficulties.

The Danish delegate, in a spirit of conciliation and understanding, had agreed to submit the proposal in a different form, and he was therefore able to lay before the Committee the following alternative draft resolution, jointly submitted by the Danish and United Kingdom delegations :

“ The Assembly,

“ Emphasising once more the desirability of developing international co-operation and mutual understanding between nations ;

“ Having regard to the rapid contemporary development of the technical means of disseminating information ;

“ And considering that this development increases the possibilities of furthering the mutual exchange between nations of information relating to their respective institutions and cultures :

“ (1) Is of opinion that this question might well be the subject of discussion at the next ordinary session of the Assembly ;

“ (2) To this end, invites the International Committee on Intellectual Co-operation to draw up, after such consultations as they may deem appropriate, detailed suggestions to form the basis of the Assembly's discussions ;

“ (3) And further invites the Secretary-General to report on the above-mentioned technical means of spreading information at the disposal of the competent sections of the Secretariat, in order that the Assembly may consider at its next ordinary session whether such means are adequate or whether their further development is desirable.”

M. VAN RAPPARD (Netherlands) said that his delegation had not intended to oppose the original Danish proposal. Moreover, there was general agreement that, as the United Kingdom delegate had said, it was the task of the Secretariat, and in particular of the Information Section, to undertake, not propaganda in favour of the League, but the furnishing of complete and accurate information on its activities. Propaganda was work for the Governments and for the national associations, and should be carried out on the basis of the material supplied to them and by the means most suited to the spirit and customs of each country. Since that principle was more clearly stated in the resolution submitted by the United Kingdom and Danish delegations, the Netherlands delegation preferred the new text and cordially supported it.

M. FRYLING (Poland) endorsed the Netherlands delegate's view and for the same reasons he would support the new text.

The Committee adopted the draft submitted by the United Kingdom and Danish delegations, on the understanding that it would be embodied in the resolutions on intellectual co-operation and that M. Parra-Pérez would therefore report to the Assembly upon it.

24. Mandates : General Discussion (continuation).

M. Sabih NAJIB (Iraq) said that the interest of Iraq in Syria and Palestine would be obvious to all, because of the racial sympathy and many inherited common connections which bound Iraq so closely to the inhabitants of those countries. It was his duty as representative of Iraq, and it was also a great pleasure, to express satisfaction—felt, he was sure, by all Iraqis—at the wise policy of the French Government and of the Syrian leaders which had led to so happy a result in Syria, and to the prospect of an early termination of the temporary status of a territory under mandate. M. Najib desired to mention the name of M. Viénot, who had played an important rôle in reaching that happy result. It would be the wish of all Arabs

that the existing friendship and co-operation between France and Syria should always flourish. Iraq looked forward to welcoming Syria as a fellow Member in the happy community of the League.

The friendly sentiments expressed by the Turkish and Iranian delegates in that connection must be cordially acknowledged. As regards the Turkish minority in Syria the removal at the outset of all possible causes of misunderstanding would naturally be of the greatest value to all concerned. M. Najib believed that the wisdom and goodwill of the Syrian leaders and the proved friendship and sympathy of Turkey towards her Arab neighbours would overcome all difficulties and ensure satisfactory results.

The situation in Palestine was one which, as all the world knew, caused the greatest pain and anxiety. Nevertheless, Iraq persisted in hoping for a happy solution, which would take full account of the legitimate rights of the Arabs. M. Najib ventured to express that hope, in view of the experience gained in Iraq of the wisdom and sympathy shown by the British Government and nation to the national aspirations of the people of Iraq, as also of other Arab peoples. Iraq sincerely hoped, too, for the future welfare and happiness of the Jews throughout the world, and M. Najib appreciated the special reasons for the interest which some delegations took in the immigration of the Jews into Palestine. Members of the League, however, might be expected to show an equal interest in the indigenous population of that country, and on that score M. Najib welcomed his Polish colleague's view that the League should look further for a generally satisfactory solution for those Jews who felt that they were suffering from political and racial disabilities in their respective countries.

The reference of some delegations to the establishment of a Jewish National Home, on the one hand, and guaranteeing of the rights of the Arab population, on the other, touched a very important and delicate issue. Everyone earnestly hoped that a solution could be found which would give general satisfaction and conciliate the different points of view. Nevertheless, there was one outstanding truth which must not be forgotten—namely, the vital cause of all the existing disturbances—that was to say, the recent flood of Jewish immigration into Palestine, and the fear of the creation of a Jewish majority over the whole indigenous population. Everyone was awaiting with great anxiety the Royal Commission's report; they had complete faith that the Commission would carry out its very important task with entire impartiality and justice, and were also confident in the spirit of justice of the United Kingdom and the League.

On behalf of peace and humanity, M. Najib begged that these points should be given full weight.

He seized the opportunity to express the gratification which every Iraqi must feel at the recent settlement between the United Kingdom and Egypt. He congratulated the British Government most heartily, as also the Egyptian leaders, on the result of their good understanding. Iraq looked forward to welcoming this sister-nation very soon as a fellow Member of the League. That event, coupled with the not very distant emancipation of Syria and the hope of an early and satisfactory solution of the present troubles in Palestine, promised a prosperous and tranquil future for the countries of the Near East. The close and untiring interest shown therein by the Members of the League in the Sixth Committee and in the Assembly was, he believed, one of the surest guarantees for its realisation.

Lord CRANBORNE (United Kingdom) thanked the Iraqi delegate on behalf of His Majesty's Government for his expression of confidence in British policy. He assured him that it was the chief desire of the United Kingdom Government to achieve a settlement satisfactory to both Jews and Arabs.

25. Mandates : Examination and Adoption of the Draft Report and Resolution.¹

M. MUNTERS (Latvia), Rapporteur, said that as the question of mandates fell, under Article 22 of the Covenant, within the competence of the Council and Permanent Mandates Commission, and only indirectly within that of the Assembly as being the parent body, he had endeavoured in his report to avoid technical details and to confine himself to major issues.

M. SKYLSTAD (Norway) approved of the report as a whole, but wished to propose a modified text for the second sentence of the first paragraph reading as follows :

“ In reviewing the activities of the mandatory Powers and the work of the Council and of the Permanent Mandates Commission since the last ordinary Assembly of the League, the Sixth Committee devoted particular attention to the disturbances which had been taking place in Palestine for several months past and to the new stage in the development of Syria and Lebanon towards emancipation.”

The text he proposed was as follows :

“ The activities of the mandatory Powers and the work of the Council and of the Permanent Mandates Commission since the last ordinary Assembly of the League were reviewed. Certain delegations emphasised the importance of the maintenance of the

¹ For the final text of the report, see Annex 3, page 62.

principle of economic equality in the territories under A and B mandates and paid a tribute to the Mandates Commission's vigilance in this respect. The Committee's attention was further drawn to the importance of the question of the education of native children, and that of the funds voted for this purpose in the budgets of the mandated territories. Apart from these general questions, the Committee devoted particular attention to the disturbances which had been taking place in Palestine for several months past, and to the new stage in the progress of Syria and Lebanon towards emancipation."

Mr. TE WATER (Union of South Africa) had no objection to the report in its original form, but if M. Skylstad's amendment were to be inserted, he must also request mention of a similar question of principle which he himself had raised during the discussion—namely, the non-militarisation of native populations. If, therefore, the Norwegian amendment were accepted, he must ask for the inclusion at the beginning of the last paragraph of the report, following the words "delegate of the Union of South Africa", of the following passage :

" . . . in which he drew attention to the principle of the non-militarisation of the native populations of the mandated territories, which the Union Government accepted as being in the spirit of the duties imposed upon it by the terms of its mandate, and as conforming strictly to its own native policy in the Union. In the course of his statement, he also mentioned the constitutional problem of South West Africa"

M. KOMARNICKI (Poland) wished to make a change in the second sentence of the second paragraph reading as follows :

" The Polish delegation particularly emphasised the importance to its country of the problem of Zionist emigration."

He proposed the following text :

" The Polish delegation particularly emphasised the importance to its country of the development of a Jewish National Home in Palestine. It stressed the necessity and urgency of finding new outlets for Jewish emigration from Central and Eastern Europe."

M. Komarnicki added that, naturally, the Polish delegation assumed sole responsibility for the addition, which did not commit the Committee, but expressed the views of the Polish Government only.

M. SADAK (Turkey), referring to the first sentence of the third paragraph, reading as follows :

" As regards Syria and Lebanon, the Committee noted the desiderata put forward by the Turkish delegate concerning the future, under the post-mandatory regime, of the compact minorities and particularly of the population of Turkish language and culture in the Alexandretta district."

proposed the following text :

" As regards Syria and Lebanon, the Committee noted the desiderata put forward by the Turkish delegate concerning the future of the population of Turkish language and culture in the Alexandretta district in connection with the signature of the preliminaries of the Franco-Syrian Treaty."

M. GRUMBACH (France), on behalf of M. Viénot, thanked the Iraqi delegate for his flattering references to the French Government.

Referring to the third sentence of the third paragraph of the report reading as follows :

" As regards the regime of the Sanjak of Alexandretta, he referred to the statements of the mandatory Power at the Council meeting held on September 26th, 1936, concerning the application of the existing Franco-Turkish Agreements, within the framework of which, in his opinion, any exchange of views on this subject should be kept."

M. Grumbach proposed the following text :

" As regards the present and future regime of the Sanjak of Alexandretta, he referred to the statements of the mandatory Power at the Council meeting held on September 26th, 1936, concerning the application of the existing Franco-Turkish Agreements. He considered that any exchange of views which the Turkish Government might wish to initiate on this subject should be kept within the framework of those agreements; he proposed to invite the Syrian Government to take part in the contemplated negotiations."

M. MUNTERS (Latvia), Rapporteur, said that as the chief object of the report was to reflect the various points of view expressed during the discussion, he agreed, subject to any necessary textual changes, to the additions proposed by the delegates of Norway, the Union of South Africa, Poland, Turkey and France, in the sense of their observations.

The report, thus amended, and the draft resolution were adopted (Annex 3, page 62).

26. **Mandates : Appointment of a Rapporteur to the Assembly.**

• M. MUTERS (Latvia) was appointed Rapporteur to the Assembly for mandates questions.

27. **Application to the following Reports of Rule 14(a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly : (a) International Assistance to Refugees, (b) Mandates.**

The Committee decided that the summary procedure under which a plenary discussion was not considered necessary should be applied to the above reports and resolutions, and requested its Chairman to inform the President of the Assembly accordingly. An exception, however, would be made as regards the vote of the two credits mentioned in the resolution concerning refugees, in case any delegations wished to raise the question in the Assembly.

EIGHTH MEETING.

Held on Friday, October 9th, 1936, at 8.15 p.m.

Chairman : M. MOTTA (Switzerland).

28. **International Assistance to Refugees : Amendment of the Report to the Assembly in view of Decisions taken by the Fourth Committee.**

In view of the decision of the Fourth Committee to refuse the credit for 15,000 Swiss francs requested for a mission to the Far East and to sanction a credit for 200,000 francs to be appropriated, not for the transfer of Saar refugees to Paraguay, but as a sum to be placed at the disposal of the Nansen Office, the Committee unanimously decided to amend its report as follows :

“ Chapter IV.

“ To insert at the end of the sixth paragraph a new paragraph reading as follows :

“ ‘ The Committee subsequently took note of the decision of the Fourth Committee that any proposal for new missions should be rejected.’

“ At the end of the report, and before the resolutions, to add two new paragraphs reading as follows :

“ ‘ On the proposal of the Chairman, the Committee unanimously recommended that a grant of 5,000 Swiss francs should be made to the President of the Governing Body of the Nansen Office as representation allowance.

“ ‘ The Committee subsequently took note of the decision of the Fourth Committee to increase by 205,000 Swiss francs the grant to the Nansen International Office for the double purpose :

“ ‘ (1) Of giving to the President of the Governing Body of the Office the sum of 5,000 Swiss francs as representation allowance ;

“ ‘ (2) Of facilitating the transfer and settlement in South America of Saar refugees residing in France. The Committee, while reaffirming the principle that the League does not accept any responsibility for the settlement and relief of refugees, and without creating any precedent, considers that the peculiar position of these persons justifies the proposed grant.’

“ Resolution IV.

“ Nansen International Office.

“ To substitute for paragraph 2(a) of the draft resolution, the following paragraph :

“ ‘ Approves, while accepting the reservations made by the Fourth Committee, an additional grant of 200,000 Swiss francs to the Nansen International Office for the purpose of facilitating the transfer and settlement in South America of Saar refugees residing in France.’

“ To omit paragraph 2(b) of the draft resolution.

“ Refugees coming from Germany (Jewish and Other).

“ To substitute, for the last paragraph of the draft resolution, the following text :

“ ‘ Notes that the sum required for this purpose for the year 1937 amounts to 82,500 Swiss francs.’

“ Resolution VI.

“ To revise Resolution VI to read as follows :

“ ‘ The Assembly,

“ ‘ In order to give effect to the provisions of the present resolution :

“ ‘ (1) In accordance with Article 6 of the Statute of the Nansen International Office for Refugees, appoints Judge Hansson as President of the Governing Body of the Office until December 31st, 1938, and grants him a credit of 5,000 Swiss francs for representation allowance for the year 1937.

“ ‘ (2) Requests the Council to appoint, in the course of its present session, a High Commissioner for the Refugees coming from Germany (Jewish and others), until December 31st, 1938.’ ”

M. SKYLSTAD (Norway) and M. GRUMBACH (France) accepted the above changes. M. Grumbach welcomed the voting of half the sum requested for the Saar refugees.

M. COSTA DU RELS (Bolivia) said that his speech in the Fourth Committee had been in part the cause of the change in the method of providing the credit for the Saar refugees ; he was glad that a satisfactory compromise had been found.

As regarded the White Russians in the Far East, he recalled that in 1932 their transfer to a certain country had been arranged for, but that they had in fact been settled in another country, where their lot was far from satisfactory. In order to avoid future disappointments, he would draw the attention of the Nansen Office to that situation.

The report and resolutions, as amended, were adopted (Annex 4, page 63).

29. **Close of the Session.**

The CHAIRMAN, after expressing the usual thanks, declared the session closed.

ANNEXES

ANNEX 1.

Official No. : A.66.1936.XII.

WORK OF THE INTELLECTUAL CO-OPERATION ORGANISATION.

REPORT OF THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency M. C. PARRA-PÉREZ (Venezuela).

At first sight, it may seem paradoxical for the seventeenth Assembly of the League of Nations to be dealing with the work of the Intellectual Co-operation Organisation. Yet amid economic rivalries and political strife, not to mention the ever-multiplying social conflicts throughout the world, and in view of the profound differences of opinion even among thinking men, it is natural enough that an Assembly, even a political one, should concern itself with the problem of bringing about intellectual harmony and an international understanding through intellectual co-operation.

When we consider the documents which were submitted to the Sixth Committee — and I am thinking principally of the admirable report by M. Bonnet, Director of the International Institute of Intellectual Co-operation, of the Committee's own report on the work of its eighteenth session, and of that of the Governing Body of the Institute — we cannot but feel that year after year a living organism is growing and developing, extending its action to ever-wider fields, and achieving more and more important results by its patient, systematic labours, too often though these are ignored or contemned.

Such an impression must be founded only on facts and supported only by achievements. Before I come to mention the most salient of those facts and the most striking of those achievements, I should like to allude to certain features which, in the unanimous opinion of the Sixth Committee, characterise both the results of the past year's work and the programme for next year.

Great progress has been made this year in the direction of universality. True, the International Committee on Intellectual Co-operation has always counted distinguished non-Europeans among its members, and other continents than Europe have throughout played an active part in its work. Yet never before, I believe, has this been so patent as during the past twelve months. I need only mention the generous support afforded to the Paris Institute by the great American foundations, especially the Rockefeller Foundation; the number of National Committees on intellectual co-operation that have been founded or reorganised in Latin America, or are in process of formation, as in the Argentine, Brazil, Chile, and Venezuela, and — if we turn to Asia — in Iran; the important demonstrations of intellectual co-operation that took place at Buenos Aires at the beginning of September, and others which it is contemplated to hold at Cairo in 1937; and, lastly, the fact that the Japanese Government, though not at the moment a member of the League, has founded, under the auspices of the Paris Institute, a collection of Japanese literary works, based both in its idea and in its detail on the example of the Ibero-American collection.

Another noteworthy feature is the number of the Organisation's activities which, after protracted study by specialists and technicians, are now arriving at the stage at which governmental action alone can effectively crown the preparatory work, accomplish the projects, and consolidate the effects. The first international Convention concluded under the auspices of the International Committee on Intellectual Co-operation was that on the *Free Circulation of Educational Films*. It has not remained an isolated phenomenon. Last year, the League Assembly invited the States Members to adopt a *Declaration on the Teaching of History*, which has since been approved by several Governments. The Assembly hopes that the number of these Governments will increase rapidly. This year, a Convention on the *Use of Broadcasting in the Cause of Peace* has lately been discussed by an intergovernmental conference, on the eve of the present Assembly, and, though opened for signature only a few days ago, has already been signed by a score of countries. Lastly, there is a *draft Convention for the Protection of National Artistic and Historic Treasures*, which has already been twice submitted to our Governments and may, it is to be hoped, be concluded at Paris next year. Of these various acts and instruments, concluded or to be concluded, one of the most important is, without doubt, the scheme for a *Universal Charter for Authors' Rights*. There are two main agreements in existence — the Berne Convention, which institutes a system that may be described as European, and the Havana Convention, which has been signed by all the States of the two Americas. Only Brazil is a party to both, and that explains why it has taken the initiative in trying to harmonise them. A European mission has gone to Rio de Janeiro with that object, and Senator Antuña has visited Europe; texts have been drafted,

so ably that I have no doubt that the gulf between these two pillars of positive law — the Bern Convention and the Havana Convention — will soon be boldly bridged by a world charter of authors' rights. These examples show that the work of the Intellectual Co-operation Organisation has its own contribution to offer to the strengthening of the international ties constituted by a vast number of conventions and collective agreements.

As has been pointed out by Professor Bourquin, delegate of Belgium, there is a third general consideration that should be mentioned — the expansion of the Permanent International Studies Conference. This institution which, after a first essay in 1932, is now engaged in an objective and scientific study of foreign policy, has developed into an organisation that is growing daily in authority. Being an autonomous body within the Intellectual Co-operation Organisation, it can pursue its work in the complete independence proper to scientific research, while its close contact with the International Institute of Intellectual Co-operation enables the League to benefit by the results of its labours. The last Conference was held in Madrid from May 27th to 30th last and received the most generous hospitality from the Spanish scientific institutions and public authorities, who thus greatly contributed to its success. The seventeenth Assembly will doubtless wish to associate itself with the expressions of thanks addressed to them by the International Committee on Intellectual Co-operation.

As in previous years, the vast field of teaching includes League of Nations teaching proper, as well as the teaching of certain subjects, such as history and geography, which can be approached in a League spirit. It also covers co-operation among higher education departments, which this year has led to an important result — the publication, by the Paris Institute, of a first volume dealing with the organisation of higher education and research in several European and American countries.

The Sixth Committee was glad to learn of the decision taken by the International Committee on Intellectual Co-operation to devote a considerable share of its attention in future to solving the great problem of unemployment among intellectual workers, which is very serious in many countries. This news will be hailed with satisfaction by all those to whom this problem is causing anxiety — ministries of national education, rectors of universities, professors and, above all, the university students themselves. The steps already taken in several countries prove how serious the situation is. There can be no doubt that international action will give these measures their maximum effectiveness by inciting Governments which have not yet done so to create national university information centres, and by enabling those centres which already exist to compare their experience and statistics and to co-operate among themselves for the adoption of immediate practical measures.

Various delegations laid stress upon the importance of the revision of school textbooks, a problem to which the International Committee on Intellectual Co-operation has paid much attention for many years past, and on the utility of the collection now being formed by the Institute, with the assistance of a certain number of National Committees, of chapters or passages in class books at present in use in various countries which are of a particularly impartial character. As Government action is capable of reinforcing the persevering efforts of teachers and historians, it is to be hoped that the *Declaration on the Teaching of History* should not only be widely endorsed, as is already the case, but should be signed by as many States as possible.

In its report on its eighteenth session, the International Committee on Intellectual Co-operation calls the Assembly's attention to a number of specific points, and the same is true of the report adopted by the Council of the League on September 25th, 1936.

The Permanent Committee on Arts and Letters, which includes so many distinguished minds, and to which we are indebted for the well-known "Conversations", is asking for a small increase in its membership. The representative of France on the Council puts the question to the Assembly as follows in his report :

"The Committee has requested the Council and Assembly to consider how the membership of the Permanent Committee may be increased so as to include persons representing other great cultures, whose collaboration in the Committee's work seems indispensable. I would ask my colleagues on the Council to approve the proposal to increase the number of members of the Permanent Committee on Arts and Letters from fourteen to eighteen. This decision will depend upon a similar decision by the Assembly, since it will be for the latter to authorise the additional credits required by this increase."

The Sixth Committee, which regards the Committee's request as legitimate, has expressed a definitely favourable opinion.

The Committee on Arts and Letters also received an invitation and enjoyed generous hospitality. I refer to the "Conversation" on "The Rôle of the Humanities in the Training of the Modern Mind", which took place in the Hungarian capital from June 8th to 12th last. The cordial welcome that the participants received at Budapest makes it the Assembly's pleasant duty to thank the Hungarian Government, as well as the municipal authorities

and intellectual circles of Budapest, for the great help they have given to the cause of intellectual co-operation.

This year, for the first time, a "Conversation" has been held outside Europe — at Buenos Aires, with the support of the Argentine P.E.N. Club and the Government. Its subject was the part that can be played by intellectuals and their books — in short, by thought — in the relations between Europe and Latin America. I should like to suggest that the Assembly should offer the Argentine nation our most cordial thanks for this new token of its interest in intellectual co-operation and in the League.

One of the most important decisions the Assembly has to take concerns the future activity of the Intellectual Co-operation Organisation in the field of the exact and natural sciences, for which it is not so well equipped as for the study of problems of foreign policy, education, or literature and art. Last year, an appropriation was made in the League budget which enabled the Secretariat to summon a meeting at Geneva, on July 9th and 10th last, of a Programme Committee composed of distinguished scientists. The Committee drew up a very full and very interesting scheme of work, which is in every way deserving of being carried into effect. It regards the establishment of a permanent committee as essential. This decision again would involve expenditure for the League, to which the Sixth Committee strongly urges the Assembly to agree.

In the sphere of fine arts, which covers more particularly the admirable work of the International Museums Office, the Assembly is requested by the International Committee on Intellectual Co-operation to authorise the communication to the Governments of a number of recommendations on international art exhibitions. These contain various principles, laid down after careful reflection by the most highly qualified specialists, by which the competent administrations might be guided when they organise, as is frequently the case nowadays, international exhibitions of art, archæology and history. The recommendations in question reconcile the two main interests involved — namely, intellectual *rapprochement* and the education of the general public on the one hand, and the exigencies of the preservation and safety of works of art on the other. A resolution giving effect to the wishes of the International Committee on Intellectual Co-operation is appended below.

Last year, the Assembly of the League of Nations took cognisance of the scientific and financial plan for which the International Institute of Intellectual Co-operation had been asked in 1934 regarding a collection of ethnographical and historical works on the origins of American civilisation, proposed by Ambassador Levillier, delegate of the Argentine Republic. This plan was first of all carefully examined by the International Committee on Intellectual Co-operation. These parallel studies led to similar conclusions. As regards the material realisation of the scheme, the International Committee on Intellectual Co-operation referred the matter to the Assembly, and the latter expressed the opinion that it was chiefly for the Governments themselves and the scientific institutions to do what was necessary. As to the scientific plan of the collection, the Assembly shared the Committee's view that this publication should be further examined, "so as to provide a wide survey of the period envisaged in a comparatively small number of volumes".

This new examination was carried out during the year, and distinguished specialists were invited to give their opinion and state their views.

The International Committee on Intellectual Co-operation in its report describes the present situation as follows :

"The Committee was informed of the opinions expressed by eminent historians on Ambassador Levillier's proposal for a collection of ethnographical and historical works on Latin America. It confirmed the attitude it had adopted in July 1935, which was endorsed by the League Assembly last September. Convinced as it is of the value of such an undertaking, it is prepared to do what rests with it to put the scheme into effect, provided that the necessary administrative and financial conditions can be fulfilled."

The Sixth Committee had the privilege of hearing M. Levillier in person give an admirable description of the main outlines of his plan as worked out after two years' reflections and negotiations.

M. Levillier informed the Committee of the sympathy with which his scheme had been greeted in many quarters and of the financial and other support which American Governments and learned institutions were prepared to afford to assist in the formation of the collection.

The Sixth Committee warmly welcomed these explanations and approved the terms of the resolution proposed by M. Levillier himself.

During the discussion, the Bolivian delegation suggested that action should be taken to assist in safeguarding, in the midst of the present dangers, the artistic and cultural riches of Spain, the preservation of which was a matter of importance to civilisation as a whole.

This suggestion, which the Spanish representative welcomed, was favourably greeted by all the other delegations.

As regards the extensive and precise programme of work for 1937 which the International Committee on Intellectual Co-operation submits to us, the Sixth Committee draws the Assembly's particular attention to the manifestations of intellectual co-operation which will take place next year at Paris, in connection with the Universal Exhibition of Art and Technique in Modern Life. Last year M. Edouard Herriot, on behalf of the French Government, invited his colleagues on the Committee to hold their nineteenth annual session in Paris. Since then, thanks to the generous support given by the Commissioner-General of the Exhibition, a whole series of meetings and conferences is envisaged: Permanent International Studies Conference; Permanent Committee on Arts and Letters; Advisory Committee on League of Nations Teaching; and, especially, the second General Conference of National Committees on Intellectual Co-operation, at present numbering forty-four. M. Edouard Herriot therefore quite rightly spoke in his 1935 report of "States-General" of intellectual co-operation. At its meeting of September 25th, 1936, the Council of the League of Nations decided to recommend this manifestation most particularly to Governments and to request them to grant the widest facilities for the participation of their respective National Committees in the General Conference. Renewing its 1935 resolution on this point, the seventeenth Assembly associates itself with this recommendation.

The Governing Body of the International Institute of Intellectual Co-operation, which consists of the same persons as the International Committee on Intellectual Co-operation, is addressing this year a request to our Assembly:

After approving the accounts of the 1935 financial year, examining the financial situation for the current period, approving the budget for 1937, and congratulating the Director on his work, the Governing Body expresses its deep gratitude to the States, eighteen in number,¹ which, for several years, have been voluntarily making financial contributions to the Institute. These contributions are not only a valuable token of interest and confidence but are of indispensable material assistance in continuing its work.

Accordingly the Governing Body asked the Assembly of the League of Nations, which agreed, that the importance of such financial contributions by States should be stressed and that other States should be encouraged to make like contributions, attention at the same time being drawn to the desirability of the continuity of such contributions being guaranteed by means of a convention.

The Sixth Committee unanimously congratulates the International Committee on Intellectual Co-operation for its admirable and persevering efforts and approves, generally speaking, its report on the activity displayed in the past year and its programme of work for the year 1936/37.

This approval is a manifest proof that there is no paradox in speaking, even at this seventeenth session of 1936, of international intellectual co-operation, for the Assembly is convinced — agreeing in this with M. Rivas Vicuña, President of the Council, in his opening speech, and with Mr. Eden, the United Kingdom Secretary of State for Foreign Affairs, in his speech on Friday, September 25th — that, from the day when minds have really learned to co-operate, when a true determination to work in common inspires our thoughts and feelings, the League of Nations will be saved and peace will be assured.

DRAFT RESOLUTIONS.

" 1. *General Resolution.*

" The Assembly is glad to note that the activities of the Intellectual Co-operation Organisation have been maintained and extended during the year 1935/36, despite circumstances which have often been very difficult, and that the programme carried out during the year, as well as that planned for 1936/37, is inspired by the constant desire to achieve work useful to the League of Nations, the States which belong to it, and intellectual workers themselves.

" It approves the various reports which have been submitted to it, and particularly that of the International Committee on Intellectual Co-operation (document C.328.M.205.1936.XII) on the work of its eighteenth session, and that of the Governing Body of the International Institute of Intellectual Co-operation (document C.318.M.199.1936.XII), and thanks the Committee and the Governing Body for their systematic and persistent efforts.

" The Assembly associates itself with the thanks offered by the International Committee on Intellectual Co-operation and the Council of the League of Nations to the Argentine, Hungarian and Spanish authorities and institutions for the generous assistance afforded by them to the work of intellectual co-operation on the occasion of the Buenos Aires and Budapest 'Conversations' and of the ninth Permanent International Studies Conference held at Madrid.

¹ Austria, Brazil, Colombia, Denmark, Egypt, France, Hungary, Italy, Luxemburg, Mexico, Monaco, Peru, Poland, Portugal, Roumania, Switzerland, Venezuela and Yugoslavia.

" In general, the Assembly warmly thanks the States which pay contributions to the International Institute of Intellectual Co-operation, thus giving a token of interest and confidence in its work, and affording the Institute moral encouragement and indispensable material assistance.

" 2. *Permanent Committee on Arts and Letters.*

" The Assembly, noting the development of the 'Conversations' organised by the Permanent Committee on Arts and Letters or under its auspices, and the interest evinced in these 'Conversations' by a growing number of Governments, approves in its turn the proposal adopted by the Council on September 25th, 1936, to increase the number of members of that Committee from fourteen to eighteen, and inserts a supplementary credit of 5,050 Swiss francs for this purpose in the budget for the next financial period.

" 3. *Exact and Natural Sciences.*

" The Assembly approves the programme of work prepared by the Comité of Scientific Experts, which met at Geneva on July 9th and 10th, 1936, hopes that it will be promptly carried into effect, decides to set up for this purpose the Permanent Scientific Committee requested by the experts, and, accordingly, decides that a supplementary credit of 10,000 Swiss francs be entered in the budget for the next financial year.

" 4. *Education.*

" The Assembly, having noted the recommendation adopted on July 9th, 1936, by the Advisory Committee on League of Nations Teaching with regard to the proposal of the Swedish Broadcasting Corporation, recommended by the Ministries for Foreign Affairs of Denmark, Finland, Norway and Sweden, with a view, in particular, to the establishment of regular co-operation between the competent sections of the Secretariat on the one hand and the wireless broadcasting companies and adult education associations on the other, expresses the hope that the proposal will be carried into effect as soon and as widely as possible.

" 5. *Declaration on the Teaching of History.*

" The Assembly hopes that the numerous States who have already approved the principles of the *Declaration on the Teaching of History*, adopted by the Assembly of the League of Nations at its sixteenth session, and since communicated to Governments by the Council of the League of Nations, will sign that document.

" 6. *Unemployment among Intellectual Workers.*

" The Assembly, having taken cognisance of the plan prepared by the International Committee on Intellectual Co-operation to combat unemployment among intellectual workers :

" Considers that the Committee's action in this sphere, conducted as arranged with the co-operation of the International Labour Office, may be of the greatest value to States ;

" Approves the measures proposed and requests the Governments to facilitate their application to the best of their ability.

" 7. *Broadcasting and Peace.*

" The Assembly expresses its satisfaction at the recent conclusion, under the auspices of the League of Nations, of an International Convention concerning the Use of Broadcasting in the Cause of Peace.

" It is happy to note that this agreement was signed immediately on its conclusion by twenty States ;

" And hopes that the number of acceding Governments will increase as rapidly as possible, thus ensuring the maximum effectiveness to the Convention.

" 8. *Fine Arts.*

" The Assembly :

" Asks the Secretary-General to transmit to the Governments the recommendations of the International Museums Office regarding International Art Exhibitions ;

" Expresses the hope, in this connection, that the competent national administrations will be guided in practice by the principles laid down in these recommendations.

“ 9. *Ethnographical and Historical Collection on the Origins of American Civilisation.*

“ The Assembly,

“ Approving the resolution adopted by the International Committee on Intellectual Co-operation at its eighteenth session, regarding the plan for an ethnographical and historical collection on the origins of American civilisation ;

“ Having also taken cognisance of the revised plan submitted by Ambassador Levillier, which it approves subject to its acceptance by the International Committee on Intellectual Co-operation ;

“ Having further been informed that the Governments of Ecuador, Mexico, Peru and Venezuela have offered to afford material support to the plan, that the Argentine Government offers to contribute a sum of 25,000 Argentine pesos per annum for the establishment of the collection, according to a plan and conditions of execution approved by it, and that the Faculty of Philosophy of Buenos Aires University has agreed to take charge of the Spanish edition :

“ Warmly thanks them for these generous contributions, and asks the Intellectual Co-operation Organisation and its Executive Committee to examine, as soon as possible, the plan and the conditions in which it is to be executed. A special session of the Executive Committee, assisted by experts, should be held for this purpose, the costs to be defrayed out of the credits at the disposal of the Secretariat of the Intellectual Co-operation Organisation for the current financial period.

“ The works are to be published in French and Spanish, under the supervision of the International Institute of Intellectual Co-operation in the case of the French edition, and of the Faculty of Philosophy of Buenos Aires University in the case of the Spanish edition.

“ The costs of the collection, which will serve as an intellectual link between America and the Old World, should be covered by the contributions already promised and by other contributions of Governments or institutions.

“ The Assembly urgently appeals to the Governments and institutions concerned to place the necessary funds at the disposal of the International Institute on Intellectual Co-operation.

“ 10. *Intellectual Rights.*

“ The Assembly :

“ Notes that the International Institute of Intellectual Co-operation and the International Institute for the Unification of Private Law have fully carried out the task entrusted to them by the sixteenth Assembly as regards the bringing into line of the Berne and Havana Conventions on Authors' Rights ;

“ Hopes that the texts prepared, in co-operation with Senator Antuña, President of the Inter-American Commission on Authors' Rights, will be approved both in Europe and America, and that the next revision of the Berne Convention will provide an occasion for the conclusion of a universal convention on authors' rights.

“ 11. *Intellectual Co-operation Month at the 1937 Universal Exhibition.*

“ The Assembly, having been informed of the decisions taken by the International Committee on Intellectual Co-operation concerning the organisation of various manifestations of intellectual co-operation in July 1937, at Paris, in connection with the Universal Exhibition of Art and Technique in Modern Life ;

“ Warmly thanks the French Government and the General Commissioner of the Exhibition for their generous assistance ;

“ Expresses the opinion that the proposed meetings are likely not only to make intellectual co-operation more widely known, but to give important results ;

“ And, willingly acceding to the Council's wish, recommends these manifestations to the favourable attention of Governments, particularly the second General Conference of National Committees on Intellectual Co-operation, which should be attended by as large as possible a number of the representatives of these Committees.

“ 12. *International Educational Cinematographic Institute.*

“ The Assembly approves the resolution of the International Committee on Intellectual Co-operation concerning the International Educational Cinematographic Institute's work. It once more emphasises the importance of the rôle assigned to that Institute by the Convention on the international circulation of films of an educational character, and expresses the hope that Governments would make full use of this Convention in encouraging exchanges of educational films likely to contribute to mutual comprehension between peoples.

“13. *The League of Nations and Modern Means of spreading Information utilised in the Cause of Peace.*

“The Assembly,

“Emphasising once more the desirability of developing international co-operation and mutual understanding between nations;

“Having regard to the rapid contemporary development of the technical means of disseminating information;

“And considering that this development increases the possibilities of furthering the mutual exchange between nations of information relating to their respective institutions and cultures;

“(1) Is of opinion that this question might well be the subject of discussion at the next ordinary session of the Assembly;

“(2) To this end, invites the International Committee on Intellectual Co-operation to draw up, after such consultations as they may deem appropriate, detailed suggestions to form the basis of the Assembly's discussions;

“(3) And further invites the Secretary-General to report on the above-mentioned technical means of spreading information at the disposal of the competent sections of the Secretariat in order that the Assembly may consider at its next ordinary session whether such means are adequate or whether their further development is desirable.”

ANNEX 2.

ESTABLISHMENT OF AN IDENTITY CERTIFICATE FOR
REFUGEES COMING FROM GERMANY.

*Extract from the Official Journal of the French Republic
of September 23rd, 1936.*

The President of the French Republic,

In view of the Arrangement concluded at Geneva on July 4th, 1936;

In view of Articles 196, 197 and 354 of the Stamp Code fixing the rate of duty payable for the issue and visaing of passports;

In view of the Decree of February 6th, 1935, regulating the conditions of stay for foreigners in France:

Decrees:

Article 1. — Refugees coming from Germany, satisfying the definition contained in Article 1 of the Geneva Arrangement of July 4th, 1936, and lawfully residing in French territory shall be entitled to hold a special certificate called “identity Certificate for Refugees coming from Germany”, which shall enable the holder to move about in the territory of the States signatories of the said Arrangement.

Article 2. — The issue or renewal of this certificate shall be subject to the duty of 20 francs provided for in Article 196 of the Stamp Code.

Any visa of the said certificate shall be subject to the duty of 50 francs or 5 francs laid down in Article 197, paragraph 2, of the said Code.

Nevertheless, in conformity with the provisions of Article 354 of the said Code, identity certificates shall be issued and visas given, free of charge, to indigent refugees.

Article 3. — Identity certificates shall be issued through the intermediary of the prefects, and, in Paris, the Prefect of Police, who, before handing over the document, shall withdraw from the applicants such passports as they may possess.

Temporary Provisions.

Article 4. — Refugees coming from Germany who are able to prove that they were lawfully residing in France before August 5th, 1936, may request the issue of these identity certificates.

Refugees who resided there before that date, but without the necessary residence permit, may likewise request that their position be regularised, and ask for the issue of their identity card. They shall, in such case, be given a provisional acknowledgment of their request for an identity card.

All requests (whether for identity cards or for identity certificates) shall be made before November 1st, 1936.

Article 5. — The Minister of the Interior, the Minister for Foreign Affairs, the Minister of Finance and the Minister of Justice are responsible, each in so far as he is concerned, for the execution of the present decree.

Done at Rambouillet, September 17th, 1936.

Albert LEBRUN,
President of the Republic.

Yvon DELBOS,
Minister for Foreign Affairs.

Marc RUCART,
Keeper of the Seals, Minister of Justice.

Roger SALENGRO,
Minister of the Interior.

Vincent AUBIOL,
Minister of Finance.

ANNEX 3.

Official No. : A.69.1936.VI.

MANDATES.

REPORT OF THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : His Excellency M. MUTERS (Latvia).

As in previous years, the Assembly, on the Norwegian delegation's proposal, referred the documentation concerning mandates to the Sixth Committee. The activities of the mandatory Powers and the work of the Council and of the Permanent Mandates Commission since the last ordinary Assembly of the League were reviewed. Certain delegations emphasised the importance of the maintenance of the principle of economic equality in territories under A and B mandates and paid a tribute to the Mandates Commission's vigilance in this respect. The Committee's attention was further drawn to the importance of the question of the education of native children, and that of the funds voted for this purpose in the budgets of the mandated territories. Apart from these general questions, the Committee devoted particular attention to the disturbances which had been taking place in Palestine for several months past, and to the new stage in the progress of Syria and Lebanon towards emancipation.

As regards Palestine, several delegations voiced the Committee's unanimous feeling in expressing the hope that order and lasting peace would soon be restored in that territory. The Polish delegation particularly emphasised the importance to its country of the development of a Jewish national home in Palestine. It stressed the necessity and urgency of finding new outlets for Jewish emigration from Central and Eastern Europe. Other delegations mentioned the importance to their countries of Zionist immigration. Several delegations insisted on the necessity for safeguarding the dual principles laid down in the mandate providing a Jewish national home on the one hand and guaranteeing the rights of the Arab population on the other. The United Kingdom delegate recalled the statements made to the Council on September 26th, 1936, on behalf of the mandatory Power, to the effect that circumstances as yet did not permit the United Kingdom Government to supply the Permanent Mandates Commission with adequate material for the examination of the disturbances, their causes, and the lessons to be drawn therefrom, until the projected enquiry should have produced the necessary information. With reference to the suggestion that a special session of the Permanent Mandates Commission should be held for that purpose, the United Kingdom delegate expressed the opinion that such a meeting at the present stage would be premature, as the necessary documentary material was not yet available.

As regards Syria and Lebanon, the Committee noted the desiderata put forward by the Turkish delegate concerning the future of the population of Turkish language and culture

in the Alexandretta district in connection with the signature of the preliminaries of the Franco-Syrian Treaty. The French delegate informed the Committee of the recent developments of the policy in respect of Syria and Lebanon and of the prospects of emancipation of the territory in the near future, and gave an assurance that the rights of the minorities would be safeguarded. As regards the present and future régime of the Sanjak of Alexandretta, he referred to the statements of the mandatory Power at the Council meeting held on September 26th, 1936, concerning the application of the existing Franco-Turkish Agreements. He considered that any exchange of views which the Turkish Government might wish to initiate on this subject should be kept within the framework of those agreements; he proposed to invite the Syrian Government to take part in the contemplated negotiations. He also supplied particulars of the Franco-Syrian Treaty which has recently been negotiated, and dwelt on the favourable reception given to this agreement by the population of the mandated territory. The interesting and important considerations put forward in the course of this debate on Syria and Lebanon are sure to be fully considered by the Council and the Permanent Mandates Commission.

The Sixth Committee also heard a statement by the delegate of the Union of South Africa, in which he drew attention to the principle of the non-militarisation of the native population of mandated territories, which the Union Government accepted as being in the spirit of the duties imposed on it by the terms of its mandate, and as conforming strictly to its own native policy in the Union. In the course of his statement, he also mentioned the constitutional problem of South West Africa, of which a thorough study has been made. This study is now under consideration by the Government of the mandatory Power and the Permanent Mandates Commission. He recalled and renewed the pledge given last year to the effect that the mandatory Power would acquaint the League with its intentions before they were carried out. The Sixth Committee is convinced that this delicate problem can be solved by co-operation between the Union of South Africa and the competent organs of the League of Nations.

Draft Resolution.

“ The Assembly,

“ Having noted the activity of the mandatory Powers, the Permanent Mandates Commission and the Council concerning the application of the principles laid down in Article 22 of the Covenant and in the texts of the mandates :

“ (a) Renews to them the expression of confidence voted by previous sessions of the Assembly, and pays a tribute to the results they have achieved thanks to a close and frank co-operation which it is essential to maintain ;

“ (b) Expresses its profound regret at the disturbances which have been going on in Palestine since April 1936, hopes that order will be promptly restored, and has full confidence in the impartiality of the enquiry instituted by the mandatory Power ;

“ (c) Expresses its appreciation of the efforts of the mandatory Power with a view to bringing forth the emancipation of Syria and Lebanon, has full confidence in its action to that effect, and hopes that the questions connected with the problem of emancipation will be equitably settled.”

ANNEX 4.

Series of Publications : 1936.XII.B.12.

Official No. : A.73.1936.XII.

INTERNATIONAL ASSISTANCE TO REFUGEES.

REPORT OF THE SIXTH COMMITTEE TO THE ASSEMBLY.

Rapporteur : Viscount CRANBORNE (United Kingdom).

I.

In conformity with the terms of the resolution of the Council dated January 24th, 1936 (ninetieth session), the seventeenth Assembly of the League of Nations has had the duty of examining the report of the Committee on International Assistance to Refugees, and, in particular, has had the task of considering those parts of that report in which are set forth proposals regarding measures of a permanent nature (document C.2.M.2.1936.XII).

In approving measures of a provisional nature, the Council also instructed the temporary President of the Governing Body of the Nansen International Office for Refugees to present a special report to the Assembly with a revised programme embodying

constructive measures to accompany the liquidation of the Office. Furthermore, the mandate which was entrusted to the High Commissioner for Refugees (Jewish and Other), coming from Germany contemplated that a general report on the problem of refugees coming from Germany should be drawn up for the use of the Assembly.

The Committee has thus had the task of examining the proposals and conclusions of the special report drawn up by Judge Hansson, temporary President of the Governing Body of the Nansen Office (document A.27.1936) and the report of Sir Neill Malcolm, High Commissioner for Refugees coming from Germany (document A.19.1936). Furthermore, the Committee has had to take note of the annual report of the Governing Body of the Nansen International Office for Refugees (document A.23.1936).

The Committee decided to hear Sir Neill Malcolm and Judge Hansson before opening the general discussion on the reports which had been submitted to it.

Sir Neill Malcolm emphasised that, if the League of Nations decided to continue its action with regard to refugees coming from Germany, it should be sufficient to set up a limited organisation and to provide it with a moderate budget. The principal task of the High Commissioner would be to extend and secure the general adoption of the arrangement which had already been concluded concerning the juridical protection of refugees. In the light of his experience, he had come to the conclusion that the task of the High Commissioner would best be undertaken by a person who was invested with the authority of the League of Nations. He indicated that this was a question for decision by the Assembly. An Advisory Committee of representatives of private organisations concerned with assistance to refugees had been set up, but the Assembly was free to decide whether this Committee should be officially recognised.

Judge Hansson emphasised the tragic situation of the refugees and the disparity between the task which the Nansen Office had to accomplish and the financial resources at its disposal. The economic crisis had reduced the sums which public charity had given to refugee work and governmental assistance had diminished for the same reason.

Judge Hansson was concerned to make it clear that the refugee problem would continue even after the liquidation of the Nansen Office, which it had been decided should take place at the end of 1938. He pointed out the necessity for maintaining beyond that date the international protection of refugees. He also enlarged upon the request for credits which were mentioned in his report; he drew the attention of the Committee to the position of the refugees from the Saar at present resident in France and proposed that 200 families of Saar refugees should be settled in Paraguay, for which 400,000 Swiss francs would be necessary. Judge Hansson expressed the view that the League of Nations had a responsibility for this category of refugees similar to that which it had assumed for the Assyrians of Iraq, a responsibility which it had recognised by voting for the latter a sum of £86,000.

He also drew the attention of the Committee to the desirability of sending a mission of two persons, a man and a woman, to the Far East, in order to study on the spot the very serious situation of the refugees of Russian origin in that area. In this connection, he recalled the state of refugee women in China, which had already on several occasions been before the League of Nations.

A sum of 15,000 Swiss francs would be required to put this plan into execution.

Turning to the budgetary position of the Nansen Office, the Acting President drew attention to the fact that he would be obliged to submit a request for supplementary credit in the course of the 1937 Assembly, in order to be able to carry out the liquidation of the Office in a satisfactory manner within the time-limit fixed by previous decisions of the Assembly. In this connection, he referred to the conclusion of the report of the Committee on International Assistance to Refugees (document C.2.M.2.1936.XII, pages 7 and 11).

II.

In the course of the general discussion, the delegates of the different countries formulated certain observations on the principles which should be followed by the League in dealing with the question of international assistance to refugees. The principal points of view expressed were as follows:

(a) It was observed in one quarter that it was desirable to establish certain principles in respect of the treatment of the refugee problem by the League of Nations, with a view to making it clear that responsibility for the settlement and relief of refugees did not fall upon the League. These general principles would have to be formulated at the latest by the end of the year 1938, so as to govern the attitude of the League of Nations towards such refugee problems as might persist or arise after the liquidation of the Nansen Office and the Office of the High Commissioner for German refugees.

(b) In other quarters, it was emphasised that the League should look upon the question of refugees as an international problem. International collaboration in this question had a double aspect. It should facilitate the task of Governments and better the condition of the refugees themselves. Moreover, there was a close interdependence between the humanitarian and political aspects of the question, and the problem should be considered, not from individual aspects, but as a whole.

(c) Another point of view put forward was that the refugee question should be settled in conformity with the decisions already taken by the League of Nations. The League

had decided that the Nansen Office should be liquidated; that this liquidation should definitely take place in 1938; and that the credits voted by the League for the Nansen Office should be reduced in accordance with a pre-determined plan. The League could not contemplate the increase of these credits except in special cases such as the case of the Saar refugees.

(d) Lastly, the view was expressed that the function of the League in dealing with the refugee problem was inevitably limited. There were three main elements in the problem: status, relief and settlement. The question of status was essentially an international problem. The questions of relief and of settlement depended largely on the economic situation in the countries of refuge and the League could not properly undertake responsibility for them. The League could promote agreement on a common measure of protection and a universal status for refugees which will be necessary for a long time to come; provide the necessary administrative services for this purpose, and assist, through these services, to some extent in the co-ordination of the efforts of the private organisations, in the work of settlement and relief. But it would not be proper to infringe the principle that the League budget should not be asked to provide funds for schemes for the settlement of refugees.

Reference was made in the course of the discussion to the difficulties which were created by the practice of certain States in withdrawing protection from their nationals residing abroad. The hope was expressed that the attention of all countries, both Members and non-members of the League, would be drawn to this serious problem, which might act as a disturbing factor in international relations.

The Committee unanimously recognised that a decision had been taken by the Assembly to liquidate the Nansen Office at the end of 1938. It was unanimous also in thinking that the organisation for dealing with refugees coming from Germany, which had been provisionally established by the Council, should be continued for a period of two years, so that the Assembly would be enabled in 1938 to come to a decision in regard to the problem of refugees as a whole.

It was generally agreed that whatever decision might be taken by the Assembly in 1938 as regards the future action of the League in refugee questions, it would be necessary to promote agreement on the question of the international regime of protection for these two categories of refugees.

In this connection, the Committee was unanimous to recommend that the Governments concerned should adopt the Convention of October 28th, 1933, relating to the International Status of Refugees and the Provisional Arrangement of July 4th, 1936, concerning the status of refugees coming from Germany. The delegate of France announced that his Government had recently ratified the Convention of 1933 and that a decree-law had been promulgated to give effect to the Provisional Arrangement of 1936. The United Kingdom delegate announced the intention of his Government of acceding to the Convention of 1933, and their signature of the Provisional Arrangement. The delegate of Poland made it clear that the adoption of a resolution on this subject by his Government would not imply a modification of their attitude towards the Convention of 1933 and the Provisional Arrangement of 1936. The delegate of the Union of Soviet Socialist Republics declared that, as his Government had not taken part in the negotiation of the above-mentioned agreements and of similar measures, they were obliged to make a general reservation in regard to them. Finally, the Netherlands delegate recalled that his Government was not in a position to adopt the Convention of 1933.

III.

As regards refugees (Jewish and other) coming from Germany, the Committee took note of the conclusions and proposals contained in the High Commissioner's report.

With reference to the proposal that the action of the League of Nations on behalf of refugees from Germany should be continued in its existing form until December 31st, 1938, the Committee unanimously agreed that the limitations of the League's action to a definite period could not be regarded as prejudicing in any way the decision which the Assembly of 1938 might be led to take.

The view was advanced that it was desirable to define more clearly the High Commissioner's task. For instance, it would not be desirable for a representative of the High Commissioner to embark on any initiative with regard to a scheme for establishment and colonisation without his having previously obtained the agreement of the Government concerned. Again, any action by the High Commissioner on such a point ought only to be taken as a result of a request addressed to him by a private organisation. It was further pointed out that a refugee only became a refugee on leaving his country of origin, and that the High Commissioner could, therefore, only enter into negotiation with the Governments of the countries of refuge. In the course of his subsequent reply, the High Commissioner said that he entirely agreed with the above interpretation of the conclusions of his report. He expressed the opinion that his most useful line of action would be to support with the Governments the initiative taken by private organisations, if a request for such action on his part was made by those organisations. Moreover, unless the Assembly otherwise directed, he agreed that the High Commissioner should only carry on negotiations with the Governments of countries of refuge.

As regards the problem of organising the High Commissioner's office, the view was expressed that the High Commissioner's task might be facilitated if he were given the

assistance of a governing body of limited membership comprising solely representatives of the countries most directly interested. The presence of this body would obviate the need of long negotiations. The additional suggestion was made that there should be attached to the High Commissioner's Office a consultative body composed of representatives of the principal private organisations concerned with giving assistance to refugees, and of refugee organisations.

Alternatively, the suggestion was made that there should be set up a free relationship between the High Commissioner's organisation on the one hand and, on the other hand, an advisory committee of an international character which should be composed of representatives of private organisations. This would result in the establishment of an organisation which would correspond to the different responsibilities with which Governments and organisations concerned with refugees were respectively faced.

As against this, the view was expressed that it would be undesirable to give an official status to the advisory committee of private organisations which was referred to in the High Commissioner's report. Were an official status given to this consultative body, it would be contrary to the principle which had been many times expressed by the Assembly that the League of Nations could not assume a direct responsibility for assisting and settling refugees.

The view was also expressed that it was important to ensure an adequate representation of all the different groups of refugees on the advisory committee, in order to avoid any discrimination between them.

Finally, the question of the personnel of the High Commissioner was also raised. It was suggested that there should be added to the staff proposed an assistant thoroughly conversant with the social and economic conditions of the refugees in the different countries and with the legislation and administration of their country of origin. On this point, the reply was made that it was preferable to leave the question of personnel in the hands of the High Commissioner.

After further discussion, the Committee was of opinion that the recommendations of the High Commissioner in regard to the organisation of his office and of his work should be accepted.

In his reply on the question of the organisation of the High Commissioner's office, Sir Neill Malcolm laid emphasis on the international character of the Advisory Committee which had been set up. This Committee had co-opted representatives of organisations in other countries and he himself saw no obstacle to an enlargement of the membership of the Committee. But the Assembly was free to decide on the character to be given to this Committee. So far as the suggestion for the establishment of a Governing Body was concerned, the High Commissioner would himself prefer that the existing position should be maintained.

IV.

As regards the Nansen International Office, the Committee took note of the conclusions and proposals contained in the special report of the Acting President of the Governing Body.

The view was expressed that a detailed plan should immediately be elaborated, which would ensure the complete and final liquidation of the Nansen Office, in order that the Assembly of 1938 would not find it impossible to execute its previous decision. This plan of liquidation should take into account the observations contained in the report of the Committee on International Assistance to Refugees, which contemplated the devolution of the tasks of the Nansen Office upon Governments and private organisations. It would be necessary to draw up the plan as soon as possible, in order that it might be submitted to the Council of the League of Nations at its session of January 1937, and subsequently communicated to the Governments of States Members of the League, so that it could be approved by the Assembly at its eighteenth ordinary session.

As regards the remarks made by the Acting President on the subject of the budgetary position of the Nansen Office, it was declared that the credits allocated by the League of Nations to the Nansen Office ought to be reduced in conformity with the plan of liquidation which had been drawn up and approved by the Assembly. The very strict economies imposed by circumstances on the League of Nations did not allow any increase of these credits. Reference was also made to the decision of the Twelfth Assembly regarding the progressive reduction of the Office's expenses, and the report adopted by the said Assembly was quoted as follows: ". . . the Office proposes that budgetary reductions should be accentuated during the last five years of the existence of the Office, thus enabling the Office during the early period of its existence to exert its maximum efforts and accelerate the liquidation of the material side of the refugee problem". It was also reminded that the Sixth Committee of the Twelfth Assembly had considered that the proposals of the Office were sound and reasonable.

On the other hand, it was also pointed out that it would not be possible to keep strictly within the budgetary limits laid down by previous decisions in the event of its proving that such limitation would hamper the liquidation of the Office by the date contemplated.

The request for a credit of 15,000 francs to enable the Nansen Office to send a mission to the Far East with the task of studying the situation of the refugees in that part of the world was a subject of careful examination. The Acting President of the Governing Body emphasised the large number of refugees in that area, and he pointed out that up to the present time the conditions of these refugees had not been adequately studied and that

no adequate contact had been established with them. The Sub-Committee finally decided, by twelve votes to two, to transmit the request for credits to the Fourth Committee for favourable consideration. The minority considered that, as the Nansen Office would be liquidated at the end of 1938, the practical results likely to be achieved by the despatch of this mission did not appear to justify expenditure upon it.

The attention of the Committee was also drawn to the fact that the agenda of the forthcoming Conference of Central Authorities in the East, which is to be held at Bandoeng in February 1937, includes the problem of the position of women refugees of Russian origin.

The Committee subsequently took note of the decision of the Fourth Committee that any proposal for new missions should be rejected.

The request for a credit of 400,000 Swiss francs for the settlement of a part of the Saar refugees in France was the subject of a long discussion, in which divergent opinions were expressed. Certain delegations supported this request on the grounds that the League had incurred a special responsibility as a result of international decisions in which the League was concerned. The request might also be supported on the ground of international solidarity. It was further asserted that there was some analogy between the question of the Saar refugees and that of the Assyrians of Iraq.

On the other side, the view was expressed that to grant this credit would infringe the principle which the League had hitherto maintained — namely, that League funds should not be used for the settlement or relief of refugees. As regards the position of the League, it was pointed out that the League, though it had a long connection with the Saar Territory, could not be held to have responsibility for the decision reached in the plebiscite. There was no analogy between this question and the question of League action with regard to the Assyrians of Iraq, and it was recalled that the Assembly, at its last session, had emphasised that the Assyrian question was not a refugee problem but a political problem with a humanitarian aspect. A doubt was further expressed as to the wisdom of transferring inhabitants of a predominantly industrial area to a new home in Paraguay.

The President of the Governing Body understood this latter doubt, but observed that the decision in regard to the settlement of these refugees had been taken prior to his assuming responsibilities for the administration of the Office. He again emphasised the special position of the Saar refugees, in that they were in no way responsible for the situation which had obliged them to leave their native country.

Finally, the Committee, by twelve votes to seven, decided to transmit to the Fourth Committee, for favourable consideration, the request for a credit of 400,000 Swiss francs for the purpose of the transfer and final settlement in Paraguay of 200 families of refugees from the Saar now residing in France. The minority felt that they were unable to depart from the principle that League funds should not be employed for the purpose of settlement and relief of refugees.

The delegate of Bolivia formulated a general reservation to the proposal for settling refugees from the Saar in Paraguay.

On the proposal of the Chairman, the Committee unanimously recommended that a grant of 5,000 Swiss francs should be made to the President of the Governing Body of the Nansen International Office as representation allowance.

The Committee subsequently took note of the decision of the Fourth Committee to increase by 205,000 Swiss francs the grant to the Nansen International Office for the double purpose:

- (1) Of giving to the President of the Governing Body of the Office the sum of 5,000 Swiss francs as representation allowance;
- (2) Of facilitating the transfer and settlement in South America of Saar refugees residing in France. The Committee, while reaffirming the principle that the League does not accept any responsibility for the settlement and relief of refugees and without creating any precedent, considers that the peculiar position of these justifies the persons proposed grant.

* * *

The Committee proposes to the Assembly the adoption of the following resolutions :

I.

“ The Assembly,

“ Having examined, in the light of verbal explanations, the reports of the Acting President of the Governing Body of the Nansen International Office (document A.27.1936.XII) and of the High Commissioner for Refugees coming from Germany (document A.19.1936.XII) ;

“ Having taken into account the recommendations of the Committee for International Assistance to Refugees :

“ Thanks the Committee for its valuable report (document C.2.M.2.1936.XII), and Judge Hansson and Sir Neill Malcolm for the work which they have done during their term of office.”

II.

“ The Assembly,

“ Having weighed the many elements in the refugee problem ;

“ Having noted that, in pursuance of previous decisions of the Assembly and in conformity with the recommendations of the High Commissioner for Refugees coming from Germany, the organisations created by the League of Nations on behalf of refugees will terminate at the end of 1938 ;

“ Having taken account at the same time of the continuing difficulties of this problem and of the importance of ensuring as soon as possible a uniform regime of legal protection for the refugees :

“ Recommends the Governments concerned to adopt the Convention of October 28th, 1933, relating to the international status of refugees (document C.650(1).M.311(1).1933) and the Provisional Arrangement of July 4th, 1936, concerning the status of refugees coming from Germany (document C.362.M.237.1936.XII) ;

“ Recommends also that Governments concerned should participate in the negotiation of a Convention for the protection of the refugees from Germany ;

“ Considers, further, that the Assembly should, at the latest at its ordinary session in 1938, determine the general principles which, after that year, should govern the attitude of the League towards the refugee problem as a whole.”

III.

“ The Assembly :

“ Is happy to note that Governments have in certain cases been able to extend to refugees in their territories more liberal treatment than is provided for in the relevant international agreements, and having heard, with appreciation, the declaration made by the French delegation regarding recent measures adopted by the French Government in respect of refugees (legal status, joint committees, labour permits) ;

“ Expresses the hope that all Governments will adopt as liberal an attitude as possible towards refugees in their territories ;

“ Notes, on the other hand, that serious difficulties have been created by the practice adopted in certain countries of withdrawing protection from their nationals abroad ; and

“ Expresses the earnest hope that this practice may be discontinued.”

IV.

“ The Assembly takes the following decisions in respect of the Nansen International Office and the High Commission for Refugees coming from Germany :

“ *Nansen International Office.*

“ The Assembly :

“ Has taken note of the previous decision of the Assembly that the Nansen Office should be liquidated within a specified time and according to fixed budgetary rules, and, in execution of this decision :

“ (1) Decides to appoint, until December 31st, 1938, a President of the Governing Body of the Nansen Office entrusted with the following duties :

“ (a) To carry on the administration of the Office, in accordance with the existing statute, until it has been liquidated, and to organise the activities of the Office during the period of liquidation, with the help of the technical services of the League of Nations ;

“ (b) To draw up at an early date and, if possible, to submit to the Council at its session in May 1937 a detailed scheme for the liquidation of the Nansen Office ; in any event, the report should be in the hands of Governments before July 31st, 1937, in order that the scheme may be considered at the next ordinary session of the Assembly ;

“ (c) To make recommendations in time for consideration by the Assembly at its ordinary session in 1938 on the best method of allocating the tasks undertaken by the Office up to the date of its liquidation in the light of the situation existing at that time ;

“ (2) Notes the recommendations of the Acting President in regard to the settlement of different categories of refugees, especially those relating to the transfer of Armenian refugees to Erivan and to the position of the Armenian refugees settled in Syria.

“ Approves, while accepting the reservations made by the Fourth Committee, an additional grant of 200,000 Swiss francs to the Nansen International Office for the purpose of facilitating the transfer and settlement in South America of Saar refugees residing in France.

“ (3) Recommends that the following proposals of the Acting President should be brought to the notice of Governments for careful consideration :

“ (a) The encouragement, so far as circumstances permit, of the naturalisation and absorption of refugees in countries in which they have been resident for many years ;

“ (b) The issue of surcharged postage-stamps to assist the Nansen Office in its work ;

“ (c) The general application of the principles of the Franco-Belgian Agreement of June 30th, 1928.

“ *Refugees coming from Germany (Jewish and Other).*

“ The Assembly recommends that a High Commissioner shall be appointed until December 31st, 1938, for the purpose of liquidating, so far as possible, the problem of refugees coming from Germany, and that the High Commissioner's duties shall include, in particular, the following :

“ (1) As regards the improvement of the legal status of refugees : to approach Governments in order to obtain their accession to the Provisional Arrangement of July 4th, 1936, and to prepare an intergovernmental Conference for the adoption of an international convention on the status of these refugees ;

“ (2) As regards questions of emigration and final settlement : to encourage initiative on the part of private organisations ; to support such initiative by negotiations with the Governments of the countries of refuge ; and, if necessary, to have definite plans for colonisation and emigration studied on the spot, in agreement with the Government concerned ;

“ (3) To maintain contact with the various private organisations, in particular through the Liaison Committee of an international character which has already been set up ;

“ (4) To submit an interim report to the Assembly at its next ordinary session and, at its session of 1938, to present a report on the situation of the refugees at that moment and on the progress made towards the final solution of the problem, and definite proposals in regard to the future.

“ The Assembly decides to grant, for the administrative expenses of the High Commissioner for the year 1937, a sum of 82,500 Swiss francs.”

V.

“ The Assembly,

“ Having taken note of the report of the Governing Body of the Nansen International Office for the year ending June 29th, 1936 :

“ Expresses appreciation at the satisfactory results of the general application of the Nansen stamp system in France, and hopes that a similar practice will be adopted in all countries ;

“ Again urges Governments not to expel refugees until they have obtained entrance visas for another country ;

“ Requests the Governments of the immigration countries to continue to co-operate with the Office by informing it of the possibilities of settlement in their territories ; and

“ Recommends Governments to consider the advantage of capitalising their expenditure on refugees and of placing such funds at the disposal of the Office for the settlement of refugees.”

VI.

“ The Assembly,

“ In order to give effect to the provisions of resolution IV above :

“ (1) In accordance with Article 6 of the Statute of the Nansen International Office for Refugees, appoints Judge Hansson as President of the Governing Body of the Office until December 31st, 1938, and grants him a credit of 5,000 Swiss francs for representation allowance for the year 1937 ;

“ (2) Requests the Council to appoint, in the course of its present session, a High Commissioner for the Refugees coming from Germany (Jewish and other), until December 31st, 1938.”

ANNEX 5

EXPLANATORY STATEMENT BY THE
UNITED KINGDOM DELEGATION

The United Kingdom delegation points out that the interpretation placed by M. Lange on Lord Lugard's statement before the Royal Institute of International Affairs is erroneous. That statement was as follows :

“ Provided the other Colonial Powers are prepared to bear their share in the collective effort, not necessarily by adopting the same method, Great Britain should revert once more to her traditional policy of the ‘ open door ’ in all African territories over which she has control, the departure from which since 1932 has afforded some pretext for the complaint of monopolies.

“ To afford the guarantee which Sir Samuel Hoare said was demanded for the effective application of this policy, I would further suggest that the Mandates Commission should be entrusted with its supervision, but to the extent only of receiving memorials or petitions from anyone who had grounds for considering that the pledge was being infringed in any British dependency.

.....

“ I would not rule out a stipulation that the purchase of commodities for export should bear a reasonable relation to the value of imported goods.”

INDEX

	Page		Page
Africa		Arts and Letters (continued)	
British and other colonies in Africa : policy of the "open door" and prospective rôle of the Permanent Mandates Commission		Protection of national artistic and historical treasures	
Statement by Lord Lugard before Royal Institute of Int. Affairs 29, 70 (text)		Draft Convention 10, 24, 55 (report)	
Mandated territories in Africa, see the various mandated territories		in Spain : proposal submitted by Bolivian delegation 20-1, 26, 28, 29, 30, 57 (report)	
Agreements and Conventions		Assistance, International, to Refugees	
See under the subjects concerned		See Refugees : International assistance, etc.	
Alcohol, etc.		Assyrians of Iraq : Settlement	
in Mandated territories, see Mandates : Liquor traffic		Problem as compared with that of refugees from the Saar 42, 43, 64, 67	
Alexandretta (Question of)		Authors' Rights	
Future regime and position of Turkish minority : study in connection with forthcoming emancipation of Syria, see Mandates : Syria and Lebanon : Minorities		Universal Charter : harmonisation of Berne and Havana Conventions 19, 55-6 (report), 60 (resol.)	
America		Broadcasting : Use in Cause of Peace	
Collection of ethnographical and historical works on the origins of American civilisation (revised scheme submitted by M. Levillier) : purpose of scheme, financial aspect of question, languages in which the works are to be published, etc.		Broadcasts re	
Report and resolution of 6th Committee		Intellectual questions : results of "conversations", etc. 14	
Discussion and adoption 38-9		International questions : pacific propaganda, etc. 14, 16, 20, 24, 25, 28, 47	
Text 57, 60		International Conference and proposed Convention 14, 24, 28, 47, 55 (report), 59 (resol.)	
Resolution, draft, submitted by Argentine delegation 18-19		Proposal submitted by Swedish Broadcasting Corporation re co-operation between Secretariat and certain organisations 14, 47, 59 (resol.)	
Statement of M. Levillier and discussion 16-18, 20, 22, 23-4, 24, 25-6, 27-8, 29		See also League of Nations and Modern Means, etc.	
European culture and American culture, see Culture : "Conversation" of Buenos Aires		Cameroons	
Arabs		See under Mandates	
in Palestine, see Mandates : Palestine : Jews and Arabs		Chaco	
Armenian Refugees		Dispute concerning Chaco and question of settlement of refugees from the Saar in Paraguay, see Refugees : from Saar Territory : Attitude, etc.	
See Refugees, etc. : Armenian, etc.		Cinematograph	
Arts and Letters		Circulation, int., of educational films : International Convention 55, 60 (resol.)	
Classical works of different countries : translations, see Translations : Collections		Films and photographs for pacific propaganda 15, 16, 24, 28, 47	
Collections of literary works, see Translations : Collections, etc.		See also League of Nations and Modern Means, etc.	
Committee on Arts and Letters		International Educational Cinematographic Institute	
Members : increase of number and supplementary credits 11, 19, 39, 56 (report), 59 (resol.)		Work : resol. of 6th Committee 60	
Work and programme of work ("conversations", etc.) 11, 13, 14, 16, 19, 55, 56-7 (report), 58, 59 (resol.)		Collections	
		Collection of ethnographical and historical works on the origins of American civilisation, see under America	
		Collections of translations of classical works, see under Translations	

	Page		Page
Collections (continued)		Higher International Studies	
Ibero-American and Japanese collections	29,	Co-ordination Committee	19
	55 (<i>report</i>)	Permanent Int. Studies Conference : work, programme of work ; Madrid session 1936 ; Paris session 1937	12-13, 13, 16, 19, 28, 56 (<i>report</i>), 58
Colonies		Historical Treasures	
African, <i>see</i> Africa : British, etc.		Protection of national, <i>see</i> Arts and Let- ters : Protection of national artistic and historical treasures	
" Conversations "		Historical Works	
Activity of Committee on Arts and Letters	11, 13, 14, 16, 19, 55, 56-7 (<i>report</i>), 58, 59 (<i>resol.</i>)	Collection of ethnographical and historical works on the origins of American civilisation, <i>see under</i> America	
Results of " conversations " and means of communicating them to the different peoples	14	History, Teaching of	
Correspondence		History text-books ; declaration submitted to Govts.	22, 28, 55, 56 (<i>report</i>), 59 (<i>resol.</i>)
Int. school correspondence, <i>see</i> Educa- tion : School correspondence, etc.		Holiday Courses	
Culture		<i>See under</i> Education	
" Conversation " of Buenos Aires re effect of intellectual intercourse on relations between Europe and Latin America	16, 55, 57 (<i>report</i>), 58 (<i>resol.</i>)	Humanities	
Education		" Conversation " of Budapest on " Rôle of Humanities in the Training of the Modern Mind "	11, 13, 14, 19, 56-7 (<i>report</i>), 58 (<i>resol.</i>)
Conference on education, Geneva, 1936	19-20, 24	Ibero-American Collection	29, 55
Educational information centre	19	Information Section of Secretariat	
Higher education : organisation ; Confe- rence of Directors of Higher Educa- tion	19, 56	Rôle as regards propaganda in favour of League and information on its acti- vities	15, 16, 48, 49
History, teaching of, <i>see that title and below</i> Revision of school text-books		Intellectual Co-operation	
Holiday courses	11	<i>See also the subjects concerned</i>	
International Educational Bureau at Geneva	19	Committee, International Work, <i>see below</i> Discussion and Report of 6th Committee	
League of Nations teaching, <i>see that title in Mandated territories, see under</i> Man- dates		Discussion	10-14, 14-19, 19-29
Revision of school text-books		Institute, Int., at Paris	
Declaration submitted to Govts.	24, 55, 56	Finances and voluntary contributions	12, 55, 58 (<i>report</i>), 59 (<i>resol.</i>)
Work of various bodies of intellectual co-operation and certain countries	11, 15, 15-16, 20, 22, 24, 28, 56 (<i>report</i>)	Work, <i>see above</i> Discussion and <i>below</i> Report of 6th Committee	
School correspondence, international	11, 19	Intellectual Agreements, bilateral : publi- cation	11, 12
Egypt		Intellectual co-operation month at the 1937 Universal Exhibition, Paris	39, 58 (<i>report</i>), 60 (<i>resol.</i>)
Future Member of the League ; agree- ment between United Kingdom and Egypt	50	National Committees	
Erivan Republic		Activities ; establishment of new Com- mittees	11, 19, 20, 22, 24, 55 (<i>report</i>) 19, 58, 60 (<i>resol.</i>)
Transfer of Armenian refugees to Erivan	68	Organisation	
Ethnography		Request for credits ; examination by Supervisory Commission and 4th Committee	15, 38
Collection of ethnographical and historical works on the origins of American civilisation, <i>see under</i> America		Work, <i>see above</i> Discussion and <i>below</i> Report of 6th Committee	
Exhibitions		Rapporteur : appointment	10, 40
International Art Exhibition : recommen- dation of Int. Museums Office	57 (<i>report</i>), 59 (<i>resol.</i>)	Report and resolution of 6th Committee	38-9
Universal Exhibition, Paris, 1937 ; mani- festations of intellectual co-operation in connection with	39, 58 (<i>report</i>), 60 (<i>resol.</i>)	Discussion and adoption	38-9
Films		Procedure concerning adoption by Assembly	40
<i>See under</i> Cinematograph		Text	55-61
France		Intellectual Workers	
Franco-Syrian Treaty (Sept. 9, 1936) <i>see</i> Mandates : Syria and Lebanon : Emancipation		Unemployment among : campaign against	13, 22-3, 56 (<i>report</i>), 59 (<i>resol.</i>)
Geography		International Relations	
Teaching of subject in a League spirit	56	Int. co-operation and development of mu- tual understanding between nations, <i>see</i> League of Nations and modern means, etc.	
Germany		Scientific study of foreign policy : work of Permanent Int. Studies Conference	12-13, 13, 16, 20, 28, 56 (<i>report</i>)
Refugees, Jewish and other, from, <i>see under</i> Refugees		Iraq	
Withdrawal from League	30	Emancipation : reference to	33, 34
Health		Islands under Japanese Mandate	
in Mandated territories, <i>see under</i> Mandates		<i>See under</i> Mandates	
Higher Education			
<i>See under</i> Education			

	Page		Page
Japan		Mandates	
Withdrawal from League.....	30	Camerouns under French Mandate.....	30
Japanese Collection	29, 55	Discussion	29-38, 49-50
Jewish National Home		Economic equality: application of prin- ciple; question of States which have left the League... 30, 34, 51, 62	(report)
<i>See Mandates: Palestine: Jews</i>		Education; training of teachers; credits granted..... 32, 34, 35, 35-6, 51, 62	(report)
Jews		Health conditions; natality and mortality; midwives	35, 36
in Palestine, <i>see under Mandates: Pales- tine</i>		Inclusion of question in agenda of 6th Com- mittee: proposal submitted by Nor- wegian delegation..... 10, 29, 62	
in Poland and attitude of Powers of "Petite Entente" towards question of Jewish National Home in Palestine	32, 33, 35, 38, 50, 51, 62	Islands under Japanese Mandate.....	34
<i>(report)</i>		Labour: protection; forced labour... 32, 34, 36	
Refugees from Germany, <i>see Refugees: Jewish, etc.</i>		Lebanon, <i>see below Syria and Lebanon</i>	
Labour		Liquor traffic, etc.	32, 35
in Mandated territories, <i>see under Man- dates</i>		Mandatory Powers: activities, <i>see below Work, etc.</i>	
League of Nations		Non-militarisation of native populations	36, 51, 63
Future membership of		<i>(report)</i>	
Egypt	50	Palestine	
Syria	32, 33, 50	Arabs: relations with Jews, <i>see below Jews, etc.</i>	
Propaganda in favour of League ideas, <i>see League of Nations and modern means, etc.</i>		Disturbances; policy of mandatory Power; enquiry by Royal Commis- sion; extraordinary session of Per- manent Mandates Commission sug- gested 30, 31, 32, 34, 35, 36, 37, 38, 50, 51, 62	(report), 63
League of Nations Teaching		Jews and Arabs: relations between; Jewish immigration; Jewish Natio- nal Home 30, 32, 33, 34, 35, 38, 49, 50, 51, 62	(report)
States which have left the League	30	Permanent Mandates Commission	
Universality	13	Enlargement of Commission, question of	33
League of Nations and Modern Means of spreading Information utilised in the Cause of Peace		Members: tribute to activity of Lord Lugard	29, 35, 37
Discussion 14-15, 16, 24, 25, 26, 27, 28, 29, 47-9		Rôle as regards certain colonies, <i>see Africa: British, etc.</i>	
Draft resolutions submitted by following delegations		Session, extraordinary, for examina- tion of question of disturbances in Palestine, <i>see above Palestine: Dis- turbances, etc.</i>	
Denmark		Work and co-operation with man- datory Powers, <i>see below Work, etc.</i>	
Discussion, <i>see above Discussion</i>		Rapporteur: appointment	38, 52
Texts	15, 24, 47	Regime, beneficial character of	32
United Kingdom and Denmark: text and adoption	49	Report and resolution of 6th Committee	
Plan of action to be drawn up by Int. Committee on Intellectual Co-opera- tion	24, 47, 49	Discussion, amendments and adop- tion	50-1
<i>(resol.), 61 (resol.)</i>		Procedure concerning adoption by Assembly	52
Resolution of 6th Committee		Text	62-3
Draft resolutions, <i>see above Draft resolutions</i>		Secretariat: Mandates Section	
Text	61	Acting Director, tribute to	36
Rôle of Information Section.... 15, 16, 48, 49		Slavery and forced labour	32
Secretary-General to report on question	24, 47, 49, 61	South West Africa	
<i>(resol.)</i>		Status and Commission of Enquiry; education, etc. 35-6, 36, 51, 63	(report)
League of Nations Teaching		Syria and Lebanon	
Advisory Committee..... 14, 15, 58, 59		Economic equality and public works .	34
"Bulletin of League of Nations Teaching"	47	Emancipation and future League membership; Franco-Syrian Treaty	31, 32, 33, 36, 37, 38, 49, 50, 51, 62-3
Discussion..... 14, 15, 19, 20, 22, 47		<i>(report), 63 (resol.)</i>	
Report and resolution of 6th Committee	56, 58, 59	Minorities: protection; question of Alexandretta	31, 32, 36-7, 50, 51, 62, 63
School text-books: revision, <i>see Educa- tion: Revision of school text-books</i>		<i>(report)</i>	
<i>See also League of Nations and Modern Means, etc.</i>		Tanganyika Territory: proposed closer union with Kenya and Uganda and other questions	30, 35, 37
Lebanon		Togoland under British Mandate	35
<i>See Mandates: Syria and Lebanon</i>		Togoland under French Mandate: econo- mic equality; appointment of com- mon administrator for Togoland and Dahomey	30
Letters		Welfare of natives; position of native women, etc.	34
<i>See Arts and Letters</i>			
Libraries			
Representative of literatures of different countries, <i>see Translations: Collection of translations</i>			
Liquor Traffic			
<i>See under Mandates</i>			
Lugard (Lord)			
Resignation as member of Permanent Mandates Commission; tribute to his activity	29, 35, 37		

	Page
Mandates (continued)	
Work of Permanent Mandates Commission, Council and mandatory Powers: approval of Assembly 29, 33, 50, 62 (<i>report</i>), 63 (<i>resol.</i>)	63
Migration	
Jewish immigration into Palestine, <i>see</i> Mandates: Jews, etc.	
Military Matters	
in Mandated territories, <i>see</i> Mandates: Non-militarisation, etc.	
"Monthly Summary"	
Proposed development of above publication as a means of informing public opinion <i>re</i> int. questions.....	24, 47
Monuments	
Protection, <i>see</i> Arts and Letters: Protection of national artistic, etc.	
Moral Disarmament	
Principle and application....	14, 20, 28, 47, 48
<i>See also</i> Broadcasting: Use in cause of peace League of Nations and Modern Means, etc.	
Museums	
Office, Int. Museums.....	29, 39, 57, 59
Palestine	
<i>See under</i> Mandates	
Paraguay	
Despatch to Paraguay of 200 families of Saar refugees, <i>see</i> Refugees: from Saar Territory	
Peace	
Broadcasting: use in cause of peace, <i>see that title</i>	
League of Nations and Modern Means of spreading information utilised in the cause of peace, <i>see that title</i>	
Phonograph Discs	
Proposed use for publicity <i>re</i> international affairs	20, 28
Photographs	
Films and photographs for pacific propaganda	15, 16, 24, 28, 47
Poland	
Jewish population, <i>see</i> Jews: in Poland	
Propaganda in favour of League	
<i>See</i> League of Nations and Modern Means, etc. League of Nations Teaching	
Refugees, International Assistance to	
Armenian refugees: transfer to Erivan; position of refugees settled in Syria	68
Assyrian, from Iraq, <i>see</i> Assyrians of Iraq, etc.	
Committee for Int. Assistance to Refugees: report examined by 6th Committee 63 (<i>report</i>), 68 (<i>resol.</i>)	
Convention of Oct. 28, 1933, <i>see below</i> Legal status, etc.	
Discussion.....	40-3, 43-5, 46-7
Expulsion of refugees.....	69 (<i>resol.</i>)
Franco-Belgian Agreement (June 30, 1928): general application of the principles	69 (<i>resol.</i>)
from Germany, <i>see below</i> Jewish and other and from Saar Territory	

	Page
Refugees, International Assistance to (continued)	
Jewish and other refugees from Germany Advisory Committee and Liaison Committee.....	45, 46, 64, 66, 69 (<i>resol.</i>)
Countries of refuge: attitude of certain countries and opening of negotiations 40, 44, 65, 68 (<i>resol.</i>), 69 (<i>resol.</i>)	
High Commissioner (and Secretariat) Appointment, duties, liaison with private organisations, credits, etc. 41, 44, 45, 46, 53, 64, 65, 65-6, 69 (<i>resol.</i>)	
Council to appoint High Commissioner.....	69 (<i>resol.</i>)
Report by Sir Neill Malcolm, acting High Commissioner, and tribute to his activity 40, 45, 64, 65, 67, 68 (<i>resol.</i>)	
Legal status: Provisional Agreement of July 4, 1936: proposed int. Convention; decree of French Govt. <i>re</i> establishment of an identity certificate (Sept. 17, 1936) 40, 41, 44, 61-2 (<i>decree</i>), 65, 68 (<i>resol.</i>), 69 (<i>resol.</i>)	
Report and resol. of 6th Committee 64, 65, 65-6, 68, 69	
Legal status of refugees: Convention of Oct. 28, 1933 40, 41, 42, 43, 65, 68 (<i>resol.</i>)	
<i>See also above</i> Jewish and other, etc.: Legal status	
Mission to investigate refugee problems in the Far East: credits required, discussion of opportuneness of proposal, declaration of U.S.S.R. delegation, rejection of proposal 40, 41, 42, 44, 44-5, 46 (<i>declaration</i>), 52, 64, 66-7 (<i>report</i>)	
Nansen Int. Office for Refugees	
Budgetary situation and credits; representation allowance of President of Governing Body 44, 45, 52, 53, 64, 65, 66, 67, 69 (<i>resol.</i>)	
Liquidation: date and scheme 41, 43, 63, 64, 65, 66, 68 (<i>resol.</i>)	
Mission in Far East, <i>see above</i> Mission, etc.	
President of Governing Body Appointment of M. Hansson 53, 68, 69 (<i>resol.</i>)	
Credits, <i>see above</i> Budgetary situation, etc.	
Report of Acting President: examination by 6th Committee 40, 63, 64, 66, 67, 68 (<i>resol.</i>)	
Report, annual, of Governing Body 64	
Report and resol. of 6th Committee 64, 65, 66-7, 68-9	
Tribute to activity of M. Hansson and Major Johnson.....	45, 68
Naturalisation and absorption of refugees in countries in which they have been resident for many years.....	69 (<i>resol.</i>)
<i>See also above</i> Jewish and other, etc.: Countries of refuge	
Postage stamps, surcharged: issue advocated.....	69 (<i>resol.</i>)
Protection by certain countries of their nationals abroad, question of..	65, 68 (<i>resol.</i>)
Provisional Arrangement, July 4, 1936, <i>see above under</i> Jewish and other, etc.	
Rapporteur: appointment	45
Report of 6th Committee	
Amendment in view of decisions adopted by 4th Committee.....	52-3
Presentation to Assembly: simplification of procedure.....	53
Texts	
Final	63-9
as Submitted by Sub-Committee Examination of chapters and adoption.....	43-5, 46-7
General discussion.....	40-3
Russian refugees in Far East	
Mission to study problem, <i>see above</i> Mission, etc.	
Number and relief.....	41, 42, 44, 53, 67

	Page		Page
Refugees, International Assistance to (continued)		Sixth Committee (continued)	
from Saar Territory : despatch and settle- ment of 200 families in Paraguay		Close of session.....	53
Attitude of Bolivian Govt. : state- ment by M. Costa du Rels 46 (<i>statement</i>), 46-7, 47		Documents for Sixth Committee	
Credits requested by 6th Committee and granted by 4th Committee ; question of responsibility of League 40, 42, 43, 44, 45, 52, 53, 64, 67, 69 (<i>resol.</i>)	64, 67, 69	Preparation and distribution to mem- bers of Committee	15
Report and resol. of 6th Committee	69	Experts : participation in work of Com- mittee	9
Settlement and relief : principle which should govern League action and rôle of League..... 40, 41, 42, 64, 65, 68		Members : list	5-7
<i>See also above</i> from Saar Territory : Credits, etc.		Publicity of meetings.....	9
Sub-Committee of 6th Committee		Reports	
Addition of Portuguese member... 10		Simplification of procedure for pre- sentation of reports..... 9, 40, 52	
Constitution, members, Chairman.. 10, 40		<i>See also under the questions concerned</i>	
Report and resolutions		Vice-Chairman	5
Examination of chapters and adop- tion..... 43-5, 46-7		Election	9
General discussion	40-3	South West Africa	
Relations, International		<i>See under Mandates</i>	
<i>See International relations</i>		Spain	
Saar, Refugees from		Protection of artistic treasures, <i>see under</i> Arts and Letters : Protection, etc.	
<i>See Refugees, etc. : from Saar Territory</i>		Sport.....	15
Sanctions, Question of	13	Syria and Lebanon	
Sanjak of Alexandretta		Position of Armenian refugees in Syria	68
<i>See Alexandretta</i>		<i>See also under Mandates</i>	
School Correspondence, International		Tanganyika Territory	
<i>See under Education</i>		<i>See under Mandates</i>	
School Text-books, Revision		Togoland	
<i>See Education : Revision of school text- books</i>		<i>See under Mandates</i>	
Sciences		Traffic in Women and Children	
Committee of Scientific Experts..... 19, 57, 59		Conference of Central Authorities in the East, Bandoeng, Feb. 1937	44, 67
"Conversation" on consequences, in the domain of thought, of new theories and recent discoveries in physics ; proposal of Professor Bialobrzieski.. 11		Translations	
Permanent Scientific Committee : estab- lishment and supplementary credits 19, 57 (<i>report</i>), 59 (<i>resol.</i>)		Collections of translations of classical works, collection of Roumanian clas- sics..... 11, 17, 21, 22, 26, 29	
Scientific study of foreign policy, <i>see under</i> International relations		Co-ordination work : rôle of Institute of Intellectual Co-operation..... 14, 22, 29	
Seventh American Scientific Congress... 25		Ibero-American and Japanese collections	29, 55
Sixth Committee		"Index translationum"	22, 29
Agenda		Turkey	
Additional item	10	Turkish minority at Alexandretta, situa- tion after emancipation of Syria, <i>see</i> Mandates : Syria, etc. : Minorities	
Adoption	9	Unemployment	
Text	8, 9	of Intellectual workers, <i>see under Intel- lectual workers</i>	
Chairman	5	Universities	
		Information centres or para-university centres ; national university informa- tion centres	28, 56
		Women and Children, Traffic in	
		<i>See Traffic in women, etc.</i>	

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SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

MEETINGS OF THE COMMITTEES

MINUTES

OF THE

SPECIAL MAIN COMMITTEE

(Question of the Application of the Principles of the Covenant)

GENEVA, 1936.

CONTENTS.

	Page
LIST OF MEMBERS	5
AGENDA	7
FIRST MEETING, October 9th, 1936, at 10 a.m. :	
1. Opening of the Session	8
2. Appointment of the Chairman	8
3. Publicity of the Meetings	8
4. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Suggestions by the Chairman concerning Procedure	8
5. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : General Discussion	9
6. Appointment of a Rapporteur	17
SECOND MEETING, October 9th, 1936, at 5 p.m. :	
7. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Number of Members of the Committee which it was proposed that the Assembly should set up	17
8. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Examination and Adoption of the Draft Report and Resolution	18
9. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Application to the Report of Rule 14 (a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly	26
10. Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Question of the Convocation of the New Committee	27
11. Close of the Session	27
<i>Annex</i> : Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Report of the Special Main Committee to the Assembly	28

LIST OF MEMBERS OF THE SPECIAL MAIN COMMITTEE

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A. QAYUM Khan.
- Albania:* His Excellency Dr. Fuad ASLANI,
M. Thomas LUARASSI.
- Argentine Republic:* His Excellency M. José Maria CANTILO,
His Excellency Dr. Enrique RUIZ GUIÑAZÚ.
- Australia:* The Right Honourable S. M. BRUCE, C.H., M.C.
- Austria:* His Excellency M. Emerich PFLÜGL.
- Belgium:* M. J. COUCKE.
- Bolivia:* His Excellency M. Adolfo COSTA DU RELS,
M. Alfonso QUEREJAZU.
- United Kingdom of Great Britain
and Northern Ireland:* The Right Honourable Malcolm J. MACDONALD, M.P.,
Viscount CRANBORNE, M.P.
- Bulgaria:* His Excellency M. Nicolas MOMTCHILOFF.
- Canada:* The Right Honourable W. L. MACKENZIE KING, M.P.,
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- China:* His Excellency Dr. V. K. Wellington KOO,
His Excellency Dr. TSIEN TAI,
His Excellency M. WUNSZ KING.
- Colombia:* His Excellency Dr. Gabriel TURBAY,
His Excellency Dr. Carlos LOZANO Y LOZANO,
Dr. FRANCISCO UMAÑA BERNAL.
- Cuba:* His Excellency M. Guillermo DE BLANCK.
- Czechoslovakia:* His Excellency M. Štefan OSUSKÝ.
- Denmark:* M. William BORBERG,
M. H. BECH.
- Dominican Republic:* His Excellency Dr. Max HENRIQUEZ UREÑA.
- Estonia:* His Excellency M. August SCHMIDT,
Dr. Nicolas KAASIK (Substitute).
- Ethiopia:* M. Ato Lawrence TAEZAZ,
M. Everett A. COLSON (Substitute).
- Finland:* His Excellency Dr. Rudolf HOLSTI,
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Dr. Ensio HIITONEN.
- France:* His Excellency M. J. PAUL-BONCOUR,
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- Greece:* His Excellency M. Raoul BIBICA-ROSETTI,
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- Haiti:* His Excellency M. Constantin MAYARD,
His Excellency M. A. F. FRANGULIS.
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His Excellency M. Laszlo DE VELICS (Substitute),
M. Béla DE SZENT-ISTVÁNY (Substitute).
- India:* His Highness the Right Honourable the AGA Khan,
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Sir Denys BRAY, K.C.S.I., K.C.I.E., C.B.E.
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M. Nasrollah ENTEZAM (Substitute).
- Iraq:* M. Sabih NAJIB.

<i>Irish Free State:</i>	Mr. Francis T. CREMINS, Dr. Michel RYNNE (Substitute).
<i>Liberia:</i>	His Excellency Baron Othon DE BOGAERDE, M. Fenton MORAN (Substitute).
<i>Lithuania:</i>	His Excellency M. Petras KLIMAS, His Excellency M. Juozas URBŠYS (Substitute).
<i>Luxemburg:</i>	M. Albert WEHRER.
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<i>New Zealand:</i>	Mr. William Joseph JORDAN, Mr. C. A. BERENDSEN, C.M.G., LL.M. (Substitute).
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<i>Peru:</i>	M. Pedro UGARTECHE, M. José-Maria BARRETO (Substitute).
<i>Poland:</i>	His Excellency M. Tytus KOMARNICKI, M. Kazimierz TREBICKI (Substitute).
<i>Portugal:</i>	His Excellency Dr. Augusto DE VASCONCELLOS.
<i>Roumania:</i>	His Excellency M. Constantin ANTONIADE.
<i>Siam:</i>	His Excellency Phya RAJAWANGSAN, Luang BHADRAVADI.
<i>Union of South Africa:</i>	Mr. Charles Theodore TE WATER, Mr. ANDREWS.
<i>Spain:</i>	His Excellency M. Angel OSSORIO Y GALLARDO.
<i>Sweden:</i>	His Excellency M. Karl Gustav WESTMAN, M. B. Östen UNDÉN (Substitute).
<i>Switzerland:</i>	His Excellency M. Giuseppe MOTTA, M. Camille GORGÉ (Substitute).
<i>Turkey:</i>	His Excellency Dr. Tevfik RÜSTÜ ARAS, His Excellency M. Necmeddin SADAK.
<i>Union of Soviet Socialist Republics:</i>	M. Maxime LITVINOFF, M. Boris STEIN (Substitute).
<i>Uruguay:</i>	His Excellency Dr. Alberto GUANI, His Excellency M. Victor BENAVIDES (Substitute).
<i>Venezuela:</i>	His Excellency M. C. PARRA-PÉREZ, His Excellency M. M. AROCHA.
<i>Yugoslavia:</i>	Dr. Ivan SOUBBOTITCH, Dr. Stoyan GAVRILOVITCH (Substitute), Dr. Slavko STOYKOVITCH (Substitute).

AGENDA.

Application of the Principles of the Covenant of the League of Nations and Problems connected therewith.

* * *

• The Assembly, on October 8th, 1936, on the proposal of its General Committee, decided "to set up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Committee to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued".

FIRST MEETING.

Held on Friday, October 9th, 1936, at 10 a.m.

Chairman: The Rt. Hon. S. M. BRUCE (Australia).

1. Opening of the Session.

The SECRETARY-GENERAL [*Translation*] : The Special Main Committee has been set up in accordance with a resolution adopted yesterday by the Assembly. It is a plenary committee of the Assembly, and differs from the other Assembly Committees only in that it is not referred to by a number, but is known as the "Special Main Committee". It has only one question on its agenda, and will follow the usual rules of procedure.

2. Appointment of the Chairman.

On the proposal of M. VIÉNOT (France), supported by M. MOTTA (Switzerland), Mr. BRUCE (Australia) was unanimously elected Chairman.

The CHAIRMAN. — Before proceeding to the business of the Committee, I should like to express my appreciation of the honour that the Committee has done me. I hope that, when we have completed our work, I shall have justified your choice.

3. Publicity of the Meetings.

The Committee decided that its meetings should be public.

4. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Suggestions by the Chairman concerning Procedure.

The CHAIRMAN. — I think it would be desirable that we should first consider the resolution of the Assembly¹ which has constituted this Committee and examine the instructions given by the Assembly regarding the task we have to carry out. The text of the resolution is as follows :

" The Assembly,

" Acting upon the recommendation adopted by the Assembly on July 4th, 1936 ;

" Having regard to the replies of the Governments of the Members of the League to the invitation extended to them in pursuance of that recommendation ;

" Having regard to the statements that have been made concerning the application of the principles of the Covenant during the general discussion ;

" Considering that among the problems which arise out of the question of the application of the principles of the Covenant, and which must therefore be covered by the enquiry into that subject, mention should be made of the problem, already considered by the League, of harmonising or co-ordinating the Covenant with other treaties of a universal tendency aiming at the pacific settlement of international disputes — that is to say, the Treaty for the Renunciation of War, signed at Paris on August 27th, 1928, and the Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro on October 10th, 1933, on the initiative of the Argentine Republic, which treaties fall within the scope of Article 21 of the Covenant and, like the Covenant, are designed to ensure the maintenance of peace ;

" Considering that another problem already envisaged by the League of Nations is also connected with the question of the application of the principles of the Covenant — namely, the prohibition, in virtue of the provisions of the Covenant, of the supply of arms and war material to belligerents — a problem the study of which was entrusted by the Council to a Special Committee, which suspended its work owing to the fact that the Assembly was also dealing with the question of the application of the principles of the Covenant :

" Decides to set up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Committee to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued."

I would remind my colleagues that our instructions are that we should submit our recommendations to the Assembly as to the manner in which the study of the problems should be carried out.

I understand that there is also a resolution on the subject which has been circulated by the Chilian delegation.

That resolution reads as follows :²

¹ Document A.85.1936.

² See records of the fifteenth plenary meeting of the Assembly (*Official Journal*, Special Supplement No. 155, page 109).

“ With a view to ensuring the universality of the League of Nations, which is an essential condition of its efficacy and success, the Assembly deems it necessary to ascertain the views of States not Members of the League either through direct enquiry or by the convening of a diplomatic conference.”

I would suggest that the task which we have now to face is to determine the manner in which this examination of the Covenant will take place. We must, I think, take note of obvious facts : one is that time will not permit this Committee to carry out that full examination. We all recognise that some machinery must be created to give the necessary study to this very difficult and complicated question.

We should therefore, I suggest, first consider the question of the best means of dealing with the problem. I do not for a moment desire in any way to anticipate our decision, but probably we shall appoint some committee to continue the study. If that is to be our course of action, a number of suggestions have already been sent in with regard to the amendment of the Covenant ;¹ a number of speeches have also been made in the general Assembly dealing with this matter. The suggestions already sent in, any future suggestions, and everything that was said in the Assembly will obviously be subject-matter for the consideration of any body which we may set up.

Probably, also, some delegations will desire to deal further with the fundamental principles involved, and any speeches made with this object in view will then be directed to the attention of that body. I make these preliminary remarks because it seems to me that, unless we first define our work and our manner of procedure, we may become involved in a long discussion which would make it difficult to reach our objective.

First, therefore, I suggest we should deal with the question of the method of procedure we are going to recommend the Assembly to adopt for the study of this important question ; we should then proceed to deal with any definite resolutions that may have been submitted, such as that of the Chilian delegation, which contemplates a method by which, when our machinery is created, it may be possible for States non-members of the League to participate in its work ; finally, we should afford all delegations an opportunity of making supplementary observations so that those observations may receive the consideration of the body which we decide shall deal with the problem.

If there are no observations, I shall take it that these suggestions are adopted.

The Chairman's proposals were adopted.

5. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : General Discussion.

The CHAIRMAN. — I now open the general discussion on the recommendation to be made to the Assembly.

General TÁNCZOS (Hungary) [*Translation*] : I wish to recall the observations which I made to the Assembly, during the general discussion,² on the problem of the application of the principles of the Covenant, and in which I stated my Government's point of view.

In my opinion, the study of the reform of the League cannot be usefully undertaken unless sufficient attention is paid to the idea of universality, on the importance of which great stress has been laid in discussing this question.

The Hungarian delegation therefore considers it extremely desirable that an attempt should be made, before work is begun on this problem of the application of the principles of the Covenant, to obtain the assistance of all States whose co-operation is necessary if we are to make the work of the League really effective in the future.

The CHAIRMAN. — The delegate of Hungary has made a suggestion as to an important fact which we should bear in mind in creating our machinery — namely, that that machinery should offer the possibility of co-operation by non-member States ; but there has not yet been any suggestion as to what the machinery in question should be.

M. GARCÍA-OLDINI (Chile) [*Translation*] : In my opinion, there are two problems of procedure : that which concerns the procedure to be followed by the Special Main Committee, and that of the procedure to be laid down for the continuation of the work. As regards the first, the Bureau of the Committee will indicate the procedure and the Committee will, I feel sure, conform to it. The second, however, is closely bound up with the substance of the question we are to examine.

The Committee will have to discuss the resolution proposed by the General Committee of the Assembly and the Chilian delegation's proposal, both of which were submitted to the Assembly and referred by it to this Committee, and the subsequent procedure best suited to the case will emerge from the discussion of these texts. We ought therefore to make up our minds what line we shall take, how we shall approach the problem. Until we have done so, we cannot discuss how we are to set about attaining our object.

The CHAIRMAN. — The point made by the delegate of Chile is a very substantial one. It is impossible to dissociate the problem, and our views on it, from the procedure we shall adopt in future with regard to a committee ; but I suggest it is natural that, in addressing

¹ See *Official Journal*, Special Supplement No. 154.

² See records of the eighth plenary meeting of the Assembly (*Official Journal*, Special Supplement No. 155, page 58).

ourselves to the question of the body which we shall create to deal with the problem, we may have to deal with the fundamentals of the problem in order to show the reasons why we suggest that a certain procedure would be the best. I can assure my colleagues that I will give them the greatest reasonable latitude in discussing the substance of the question when they are addressing themselves to the problem of the best machinery to be created.

M. MOTTA (Switzerland) [*Translation*]: In my capacity as Chairman of the Sixth Committee, I took part in the deliberations of the General Committee of the Assembly. I am therefore well aware of the spirit in which the General Committee submitted to the Assembly the resolution which the latter accepted yesterday evening. We have first of all to decide whether we wish to entrust the study of the problem before us — namely, the reform of the Covenant, to a committee of enquiry or to a larger committee, which would of necessity include all States Members of the League.

Personally, I am of opinion that it would be better, if we are to arrive at satisfactory results, for the Assembly to set up a Committee of enquiry. By that I mean a committee which would include all States Members of the Council and several other Members of the League which are not Members of the Council. The choice could be made by the Assembly on the proposal of our Committee.

My reason for believing that it would be better to appoint a committee of enquiry than a general committee — I am contrasting the two proposals made here — is that I am absolutely convinced, as a result of all our experience up to the present time, both in the League itself and in the Disarmament Conference, that a relatively restricted committee — which may, however, be of a considerable size in view of the importance of the problem — would serve our purpose much more satisfactorily.

The questions raised a few moments ago by the delegates of Hungary and Chile should, in my opinion, be discussed when we have disposed of this essential and, in a sense, preliminary question of the nature of the committee.

I need not add that I find both suggestions of great interest and importance; but I repeat that we ought first to make up our minds regarding the form in which we desire to set up the Committee.

M. DE VASCONCELLOS (Portugal) [*Translation*]: I agree with M. Motta, whose method appears to me to be the right one. A number of suggestions for the reform of the Covenant have already been submitted to the League, and they form the beginning of a documentary dossier on the question. During the general discussion in the Assembly too, numerous proposals were made. The first step will be to add these to the dossier, in order that all the Members of the League may know what are the general ideas underlying these various suggestions.

The best course would therefore be to appoint a committee and to instruct it to prepare a dossier containing all the proposals bearing on this question, and to make a report. I therefore support the proposal to appoint a committee of enquiry. I believe it offers the best solution, and I am accordingly in favour of the proposal made by the delegate of Switzerland.

M. GARCÍA-OLDINI (Chile) [*Translation*]: I much appreciate the reasons put forward by M. Motta for appointing a restricted committee of enquiry. I realise that the work of such a committee would be extremely efficient, and that we can realise our aims only if we ourselves do our work efficiently.

In addition to this question, which I would call a purely internal matter, relating as it does to the effectiveness of our work, there is what might, without over-statement, be called the political aspect of the question referred to us, and hence of the work we are endeavouring to accomplish. This political aspect is of enormous importance, and for that reason I cannot reconcile it with the setting-up of a restricted committee of enquiry. I feel it still more difficult to accept this proposal when I recall the important remarks made by the Portuguese delegate, who said that the first step should be to form a dossier of the problem. To set up this committee would thus be a purely formal task, and it appears to me that, in view of the importance of the problem, this would reduce the committee's work to very small proportions.

For the preparation of this dossier, it seems to me that the ability, experience and organisation of the Secretariat are more than adequate, and I judge it to be more than capable of coping with the task.

We must always remember that we are dealing with a problem of immense political importance, which we cannot solve unless our work is efficiently carried out.

The scope of the problem is such that we ought to create a general commission including all States Members of the League, and then this commission, in order to perform its task efficiently, could set up committees of enquiry. This appears to me all the more necessary because the questions raised by the application of the Covenant — I use the term in its widest sense — are multifarious.

If we entrust the examination of them to a single committee, the latter will be obliged, I should say, to carry out a very lengthy programme, since it will have to investigate questions one after the other. If, on the other hand, we allow a general commission to set up different committees, the latter could carry on their work simultaneously, and therefore more rapidly and more efficiently, which to us is the important consideration.

I do not, of course, lose sight of the possible collaboration of non-member States in this work, since this belongs to our conception of the aims of the League. I am not going to make any proposal at present regarding the form which that co-operation might assume, but I take this opportunity of thanking the delegate of Hungary for the support he gave to my suggestion.

M. LITVINOFF (Union of Soviet Socialist Republics). — It is suggested that we should start our work by setting up a study committee to compile a file of documents, but I would venture to suggest that this work has been already done. We have two voluminous documents before us.¹ I do not, therefore, see why we should do this work a second time. If it is argued that the documentation is incomplete and that we have not received the views of all Governments, I would suggest that all the Members of the League represented here should express their views, if they have not already done so. Some Governments have expressed their views in writings, and some have done so orally in the Assembly, but some have done it neither in writing nor orally. We can give them the opportunity of doing so now if they wish; then we shall have a complete documentation.

Having thus a complete file of documents, we should start practical work, and that can only be done by a small committee. It is suggested that this should be called a "study committee", but when people use the word "study" they do not always mean the same thing. One may study a question in a scientific way and undertake a very close research which may never end. I hope it is not meant that we should take the word "study" in that meaning. I think we should undertake this study in a practical way with the object of co-ordinating the various views expressed on the application of the Covenant, and of coming to some practical political conclusions.

If nobody wishes to speak on the substance of the proposition in order to complete the documentation, then the only practical thing is to proceed with the nomination of a committee. I am quite indifferent as to whether the committee consists of forty or fifty members, or of thirty or twenty members, although, of course, from the practical point of view, the smaller the committee the better it will be able to work. Opportunity should be given to all persons to come to that committee to express their views when they like.

Then there is the question of universality. I expressed in the Assembly the views of my Government² and I am not going to recapitulate what I said on that occasion, but I would like to draw attention to one most extraordinary characteristic of the proposal which has been put before us.

If we were assembled to create a new society and the statute of an international political body, it would be natural and necessary to propose to all existing Governments that they should send their representatives to take part in this work, unless they had already shown us that they did not wish to be among us. But we are members of an existing society, an international organisation which has its duties, an organisation based upon certain principles which bind us all together. Can we invite people who do not share these principles to take part in the revision of a statute which binds us and does not bind them? They may influence our work without taking upon themselves any responsibility; whether they will become members of our association or not we do not know, but they will sit among us and influence the results of our work and we shall be responsible for the results. Is it rational? Has it ever been done in the world? I have never known of an existing society being helped, in the elaboration of its statute by people outside that society and having no duties towards it. It is a most extraordinary proposal.

We want to improve our Covenant; we can do it ourselves. It may be that, at a later stage, we shall publish the result of our work; we may propose to the whole world that they should express their views. If then some Governments standing outside should say, "We like very much in principle the work that has been done, we should like to join your society, give us an opportunity to take part in the later stages of your work", we might consider this offer, but not in the initial stages.

We do not yet know what we think ourselves of the various proposals, and yet we are asked to invite outsiders to state their views. After all, Governments, and States, cannot be of interest to the League of Nations if the League is of no interest to them. We do not work in secret; everybody knows what we are doing, and if these States were to intimate that they wished to take part in our work, we would consider it. Their own suggestion that they wished to work with us would mean that they contemplated becoming Members of our League. If, however, they do not express any wish themselves, I do not see any necessity for delaying our work in order to know their views, the views of Governments which may never be a party to that work.

I come back to my practical suggestion, to appeal to the members of the Committee to express their views and to complete the documentation. Then we should proceed to the nomination of the Committee to report to the Assembly.

The CHAIRMAN. — You have two proposals before you. One is the proposal made by the delegate of Switzerland and supported by the delegate of Portugal:

That the Assembly should appoint a restricted committee composed of the Members of the Council, together with certain other States, those other States being recommended by this Committee to the Assembly.

¹ For the relevant documentation, see *Official Journal*, Special Supplement No. 154.

² See records of the eighth plenary meeting of the Assembly (*Official Journal*, Special Supplement No. 155, page 61).

The other is that put forward by the delegate of Chile :

That there should be a Committee composed of all the Member States of the League, and that that Committee would have power to appoint sub-committees of its own to deal with different questions concerning this general problem.

Are there any other suggestions ?

M. VIÉNOT (France) [*Translation*] : In the choice now before us, which has just been stated by the Chairman, it is, in our view, absolutely impossible to dispose of so vast and delicate a problem as that raised by the delegates of Chile and Hungary as if it were a matter of procedure — that is to say, at the time of setting up the Committee. We all realise how important is the question of the League's universality, and we are also aware that another question arises in connection with that one, to which my Government attaches special importance — namely, that of strengthening the Covenant. To try to settle this question by setting up the organ we are about to create, to approach the question obliquely, is, in our view, absolutely impossible and contrary to the resolution voted yesterday by the Assembly. That was not what the Assembly asked us to do ; it asked us to study the reform of the Covenant, and not to decide whether such and such a non-member State should be introduced into the League for that purpose.

I would also remind you of the terms of the Assembly recommendation of July 4th last.¹ That recommendation was the origin of yesterday's resolution, and its terms are the law by which we must abide. Paragraphs 5 and 6 read as follows :

“ The Assembly,

“

“ (5) Being desirous of strengthening the authority of the League of Nations by adapting the application of these principles to the lessons of experience ;

“ (6) Being convinced that it is necessary to strengthen the real effectiveness of the guarantees of security which the League affords to its Members ;

“ Recommends that ”

That is our starting-point, and we have to take our decision in terms of that resolution. Our decision bears at the present moment upon a question of procedure. We must first of all make up our minds whether we want a restricted committee or a general commission. For the moment, no other question arises, and the formation of this committee must not in any way influence the decisions it may subsequently take.

M. PFLÜGL (Austria) [*Translation*] : After listening to the various views which have been stated here, I am of opinion that M. Motta's proposal is best suited to our task. We have to settle the question of procedure, and to decide whether we prefer a general commission or a restricted committee. All the League's experience teaches us, I think, that if we want effective work to be done, we cannot entrust it to so big an organ as a general commission. For that reason, I support M. Motta's proposal.

M. CANTILO (Argentine Republic) [*Translation*] : I think we ought not to lose sight of the real purpose of this discussion, which is to study the methods of carrying out this investigation. We have to find the most suitable body for the purpose. Some of the ideas to which we have listened refer, indeed, to matters of substance ; but these will have to be considered, and where possible settled, by the committee which will investigate the question itself. I therefore accept M. Motta's proposal, the more readily since those with a longer experience of the League than myself have found that the smallest bodies are the most effective.

Mr. MACDONALD (United Kingdom). — I have listened very carefully to this discussion, and I think that the suggestion made by the delegate of Switzerland is the better one. This body which we are proposing to set up will have some very important work to do, and I think a smaller body rather than a larger one would be better able to get through the very great task which faces it. The composition of the committee should satisfy two conditions. In the first place, I would suggest that on the committee various groups of nations of the League should be represented, and, in the second place, I think it is very important that the various points of view which have been expressed should be represented on the committee. The points of view I have in mind are those which have been put forward on the question of League reform during the general discussion in the Assembly, and also in the observations which have been sent to the Secretariat.

I think that M. Motta's suggestion that the Members of the Council should form a nucleus, and that to that nucleus there should be added whatever additional Members may be necessary to satisfy the two conditions I have just stated, would result in a body most competent to perform the difficult task before it.

¹ See *Official Journal*, Special Supplement No. 151, page 65.

M. ADLE (Iran) [*Translation*] : Since the reform of the Covenant is one of the most important tasks undertaken by the League, I think it quite natural that, if changes are to be made in the constitutional charter, which is a kind of treaty of alliance binding all the States Members of the League, those States should be allowed to express their opinion on such changes. The Iranian delegation is of opinion that, while a restricted committee might perhaps work more rapidly, it would be unwise to sacrifice the importance of the task to speed, and it therefore proposes that all States Members should be represented on the committee. Accordingly, the Chilian proposal offers, in its view, the best solution. Nevertheless, if the majority of the Committee prefers a restricted committee, we shall vote for that proposal, on condition that an adequate number of States which are not Members of the Council are represented on the committee.

Dr. Wellington Koo (China). — I am in agreement with those who believe that what we have before us at the moment is the question of procedure. I subscribe to what has been said by the delegate of France on that point. Some members have raised the question of the desirability of promoting universality, but that question, as well as that of seeking the views of those whose co-operation in the League of Nations would be desirable and is not yet forthcoming, are matters of a political character which need not be taken up here. It is true that all of us, when we do proceed to a discussion of the different proposals for the application of the principles of the Covenant, will have to bear those two questions in mind.

As regards the point whether it is preferable to have a general commission in which all Members of the League would be represented or a smaller committee, I am, in principle, in favour of a general Commission in which all Member States would be represented. After all, the question with which we are called upon to deal is one of fundamental importance to the League of Nations and all its Members States. But I realise also that this is a practical question of seeking agreement and obtaining results in our preliminary study, and, therefore, if the majority of my colleagues are in favour of a smaller committee, such as has been proposed by the delegates of Switzerland and the United Kingdom, I am ready to vote for it, but my support is conditional upon the committee being not of too small a compass, but relatively representative of groups and tendencies in the League of Nations, and including those Member States which have made important proposals on this question of the reform of the Covenant. Therefore, I am prepared to agree to a committee restricted in its membership, but not so small as to be unrepresentative.

The CHAIRMAN. — Before I call on the next speaker, the delegate of Czechoslovakia, I think it would be desirable if the delegate of Switzerland would clarify one point in his proposal, which, as I understand it, is for a committee to be set up composed of all the Members of the Council together with sufficient other members to cover all the points of view advanced. As several references have been made to a small committee, and stress has been laid by the delegates of Iran and China on the necessity, if a small committee is appointed, of making it sufficiently large to allow of the type of representation I have just indicated, I think it would be helpful if the delegate of Switzerland would make his proposal quite clear.

M. MOTTA (Switzerland) [*Translation*] : That question had already occurred to me, but I did not intend to voice it in public before hearing the continuation of the discussion. I note that the suggestion I made has met with a good deal of support, and I thank those concerned.

I proposed that the committee of enquiry should include all States Members of the Council, amounting at the present time to fifteen. However, I have been very interested to hear various delegates say that, if the idea of a restricted committee is accepted, the number of States not Members of the Council which should take part in it ought not to be too small.

As the delegate of the United Kingdom pointed out, representation should, in the first place, be given to all groups existing within the League. The various views on the question which have come to light, both in the replies of Governments and in speeches at the Assembly, should also be heard.

Bearing in mind all these facts, I think — though I do not put this forward as a definite proposal — that we should perhaps add eight members to the Members of the Council, thus making a committee of twenty-three members.

M. OSUSKÝ (Czechoslovakia) [*Translation*] : I asked to speak because I wished to obtain more definite information regarding the proposal made by the delegate of Switzerland at the outset of his remarks. This information he has now supplied, but I wish to explain to you in a few words the considerations which led me to ask to speak.

Had this question, for the examination of which we are trying to find the most appropriate method, been technical in character, a very small committee would obviously be preferable. No one will suggest, however, that the question before us is a technical one, and for that reason a committee of five or nine members could not be contemplated for a moment.

This is a political question, and we are bound to consider to what degree it is ripe for settlement. There, I think, the Assembly has supplied the answer. If, at the beginning of its session, it had considered the question to be ripe for settlement from the political and practical point of view, it would certainly have taken it in hand, and would have been considering it for the past three weeks. The very fact that the Assembly has done nothing of the kind proves that it did not regard the problem as absolutely ripe for final settlement.

Thus, the middle course suggested by the delegate of Switzerland appears to me the best. There can therefore be no question of summoning a conference to handle a problem the scope of which is undefined. We have merely to try to find a political and practical solution answering to the various conceptions which we represent in the League. I am unable to say whether we ought to fix the number of members of the committee at twenty, twenty-three or twenty-five; but the solution undoubtedly rests between a technical committee of nine or ten members and a general commission of fifty-two. I feel that it is for our Chairman to determine, according to the opinions expressed in the Assembly and the replies made to the questionnaire, the exact number of members which would be necessary to give these various opinions fair representation. If we wish to reach a final settlement, it would be useless to attempt to solve a political and practical problem by a method excluding certain points of view whose representatives have a right to be heard.

• **MR. DE WATER** (Union of South Africa). — I have listened with great interest to the speech made by the delegate of Czechoslovakia, and many of the considerations which he presented to the Committee had previously occurred to me. The difficulty which I find with regard to the valuable suggestion made by the delegate of Switzerland to set up a political committee is very much the same as the difficulty mentioned by the delegate of Iran. It seems to me that, at this unripe stage of the discussion on this very important question, it would be found that every delegation would wish to be represented on the political committee suggested by the delegate of Switzerland. I cannot see how, at this stage, when the views of all Governments are not yet known and have not been presented to the Assembly, any very great advantage would be obtained by setting up that type of committee.

I suggest that, at the present stage, the matter should rather be handed over to a small technical committee which would examine the replies already received, and which will in future be received, from Governments. That committee could examine the problem in its technical and political aspects, and draft a report which could be submitted to this Committee at a future date. This Committee would then, for the first time, be in a position intelligently to discuss the whole problem in all its aspects. It could then proceed to set up sub-committees to deal with different matters. That is a procedure which has often been followed in the past by the Assembly, and was, for example, followed in connection with a matter which took up so much of our time last year when a general commission was also set up.

To sum up, my difficulty with regard to the suggestion made by the delegate of Switzerland is that a political committee would involve the representation of so large a number of delegations that it would not be small enough to do the work which the delegate of Switzerland visualises, and I therefore suggest that a technical committee might achieve the object which we have in view.

M. SOLÍS (Panama). — In my opinion, it does not matter how many members there are in the committee which is to be set up, but it is important and essential that every State Member of the League shall have the right eventually to appear before that committee, to make suggestions and submit proposals and to participate in the discussions upon them. If that right of States Members is clearly recognised, I shall vote in favour of the proposal made by the delegate of Switzerland, which, I believe, will meet with the approval of the Committee.

M. LITVINOFF (Union of Soviet Socialist Republics). — I apologise for speaking a second time, but a new proposal has been made on which I should like to say a few words. While I could agree with the proposal to have either a large or a small committee, I cannot agree with the suggestion that we should do nothing, for the proposal to create a technical committee amounts to that. The only thing which a technical committee could do would be to classify the various proposals, and that has already been done. If it were only a question of doing some technical work of that sort, there would be no difficulty in appointing a few officials of the Secretariat or of the Governments and letting them do the work.

I venture to put forward another suggestion as a compromise between the proposals for a large committee and a small committee. It is that the present Committee should set up a sub-committee which, when its work is finished, would report to us. It would probably be necessary to obtain the permission of the Assembly for the present Committee to continue its work after the termination of the Assembly, but I think there are precedents for that, particularly in connection with the Disarmament Conference. If that suggestion were accepted, a small sub-committee would be appointed to do the practical work of trying to reconcile the various views; when its report was received by this Committee, it would be possible to hear the views of the Governments not represented in the small committee.

The CHAIRMAN. — I think it is desirable that I should make a few comments on the last suggestion made to the Committee. As I understand it, the position is that this Committee was appointed by the Assembly in the same manner as the other six committees, and that its powers and functions will disappear with the termination of the 1936 Assembly. If it were desired to continue this Committee after the close of the Assembly, I suggest that we are brought back to the second of the two proposals which have been put forward — namely, to constitute a full committee composed of representatives of all States Members.

M. FRANGULIS (Haiti) [*Translation*] : It is by no means certain that all political and legal points of view have so far been revealed in the Governments' replies. We are concerned with the reform of the central charter of this institution, and I sincerely believe that our only course is to increase the facilities for hearing opinions on this matter, from whatever quarter they come.

Do you not agree that, in view of the difficulties and shortcomings revealed by seventeen years' working of the League, it would be desirable to allow all Governments without exception to inform us, during this investigation, of any suggestions or amendments they may desire to make? Why is there any hesitation to prolong the Assembly? In view of the great work before us, work which is to be the foundation of peace and of the League organisation in the future, why can we not accept the proposal made by the delegate of the Union of Soviet Socialist Republics?

He has asked for the problem to be studied by a general commission such as this, which emanates from the League, or by a committee. But is that not the customary procedure of the League? Would there be any objection to appointing sub-committees or a sub-commission, to clear the ground and, as the delegate of Panama mentioned, to giving all Members of the League an opportunity of stating their views there? Moreover, would not this general commission, which emanates from the Assembly, have more power to enlarge its mandate and to give other Governments an opportunity, as the Chilian delegate remarked, of submitting ideas to it? Would not this great work of reform carry more weight and authority if the powers of this commission were extended, and if all were given a chance to be represented on it?

Certain delegates have said that representatives on the Committee would be chosen according to the points of view which have been expressed. Then what criterion should we employ? Should it be positive or arbitrary? If it is a positive criterion, I would point out that the Council itself emanates from all the States, and that it represents all existing points of view. Let us therefore entrust the task to be fulfilled to a small committee of the Council. Our object will be to give great weight and authority to the proposals, the amendments and, perhaps, the interpretations which may be put forward. I therefore consider M. Litvinoff's proposal to be the best, and I wholeheartedly associate myself with it.

The SECRETARY-GENERAL [*Translation*] : I wish to draw the Committee's attention to the documents which have been, or will be, circulated. The first two were issued on September 17th, a date that perhaps did not conduce to reading the documents, since it was almost the eve of the Assembly, a time when all delegations are extremely busy, and the documents may thus have escaped the notice of some. They are at present two in number. The first is a collection of communications from Governments received up to September 12th.¹ This collection will be followed by another containing, in addition to the oral statements made in the Assembly, all subsequent written communications. The second document is entitled "Application of the Principles of the Covenant of the League of Nations : Study of the Proposals submitted by Members of the League".² This study was undertaken in accordance with the recommendation adopted by the Assembly on July 4th. The Council instructed the Secretary-General³ to "make a first examination and classification" of any proposals which the Members of the League might wish to make in order to improve, in the spirit of the resolution and within the limits laid down therein, "the application of the principles of the Covenant". In this document will be found an analysis and classification of all the proposals which have been made.

This documentation will be continued,⁴ and I think that certain wishes which have just been expressed will thus be satisfied.

M. DE VASCONCELLOS (Portugal) [*Translation*] : The League of Nations already has an established procedure, and, when we depart from it, we generally find that we are on the wrong road. As the Chairman remarked, our Committee will shortly disperse. It is an Assembly Committee, and the Assembly will soon have completed its session. If we appoint a sub-committee of a Committee which is itself about to be dissolved, we shall be wandering in the realms of fantasy. For that reason, I supported M. Motta's proposal; it does not depart from the ordinary procedure of the League and it would open up a way for a satisfactory study of the dossier to which the Secretary-General and I myself referred. By doing as M. Motta suggests, we remain on the firm ground of reality, and we must keep to reality.

How could we do useful work with a permanent general commission? Should we be obliged to summon the representatives of fifty-two States whenever it required to meet? That way failure lies. In my opinion, M. Motta's proposal is the only practical one, and I suggest that we should accept it. If we do, we shall appoint a commission on which all the points of view that have been revealed will be represented. It will study the dossier, will complete it, will see what are the general points of view that emerge from it and what proposals can be submitted to a larger commission at the next Assembly.

M. VIÉNOT (France) [*Translation*] : This exchange of views, which has elicited so many valuable opinions, has now brought us to the point when the question has been clarified, and the time has come, I submit, to take a vote.

¹ Document A.31.1936.VII.

² Document C.376.M.247.1936.VII.

³ See *Official Journal*, July 1936, page 769.

⁴ See *Official Journal*, Special Supplement No. 154.

Personally, I strongly support M. Motta's proposal. I agree with the delegate of Czechoslovakia that it reconciles the principal views which have been put forward. The suggestion made by the delegate of the United Kingdom certainly satisfies the members of the Committee in principle, since it enables each of the points of view that have been expressed here to be represented. In these circumstances, I think we can now decide whether or not we accept the principle of a restricted committee. If we are in favour of doing so, we can then ask our Chairman to consult the delegations privately, and to make a suggestion concerning the number of members who are to sit on the future committee.

M. MOTTA (Switzerland) [*Translation*] : I thank M. Viénot for the support he has given to my proposal, but I wish to point out that, in suggesting that eight members should be added to the fifteen members of the Council, I did not intend that figure to be taken as final. I have full confidence in the Chairman's judgment in his conversations with delegates, and I shall be ready to accept whatever number he proposes. If I may be allowed to add one point, I am of opinion that the minimum number of members should be twenty and the maximum twenty-five. The choice should be between these two figures.

The CHAIRMAN. — We have a concrete suggestion from M. Motta, and he has been good enough to suggest that I should put forward a proposal to this Committee as to the exact composition of the future committee, should the decision be favourable to the appointment of a restricted committee. If that is your decision, I would be quite prepared to put forward a proposal.

Our first duty is, however, to decide whether the future committee is to be a restricted one, or whether we should adopt the first of the two proposals — namely, that the committee to be appointed should be composed of all the Members of the League. Before proceeding to a vote, I would formally ask whether any of my colleagues desire to speak on this question.

If none of my colleagues desire to speak, I will enumerate the proposals before us. There are, in fact, three :

The first proposal is that we should recommend to the Assembly that a committee be appointed composed of representatives of all the Member States of the League of Nations.

The second proposal is that we should recommend to the Assembly that a committee be appointed composed of the representatives on the Council, and a further list of non-Members of the Council which will be decided upon and recommended by this Committee.

The third proposal is that we should appoint a technical committee.

If it is your desire, we will now vote on these proposals.

With regard to the technical committee, as no one else has spoken in its favour, possibly the delegate of the Union of South Africa would not wish it to be put to the vote ?

Mr. TE WATER (Union of South Africa). — It appears to be the general sense of this Committee that one of the other two propositions which the Chairman has set out so clearly would meet their desire. The proposal which I made has had no support. I am quite prepared, under those circumstances, to withdraw it, as it is the traditional habit of the League of Nations to work in unanimity as far as possible. But, before doing so, I would like to address two or three remarks to the Committee in explanation of what was in my mind when I made the proposal.

On this fundamentally important subject we are here much in the position of workmen who are blaming their tools. My own Government has not yet put its views before the Assembly on this question, but because the Covenant has failed in our hands I feel we should proceed with the utmost caution, that our procedure should be such that those fundamental differences of opinion which exist among us on this question of the reorganisation of the Covenant should not be brought out before the matter has been thoroughly thrashed out, and before every delegation has had an opportunity of fully stating its case.

The procedure which is going to be adopted now is one, I fear, which will not enable all the delegations present to submit their case clearly. I therefore suggested that a technical committee might prepare a brief which would enable a full committee such as this to consider that brief and give every Government an opportunity of stating its case. For that reason, I asked that the matter should be referred to a technical committee, and that, after a draft had been thoroughly prepared, the present Committee might consider the whole question at a later date and refer the problems to the different bodies set up by it. These considerations were in my mind when I made the proposal ; but, as they have apparently not weighed with the Committee, I am perfectly happy to withdraw the proposal and allow the matter to be submitted in the form already suggested.

I have already stated that, on account of the extraordinary importance of the occasion, it will be better for any political committees set up to study this question to be composed of members of all the Governments represented in the League.

The CHAIRMAN. — Before we go further, I wish to make it quite clear that the discussion upon these various proposals is closed. I invited any delegation who wished to speak to do so. There was no response. I then proceeded to formulate the questions. I only allowed the delegate of South Africa to speak as he has so courteously withdrawn his resolution, and he was speaking in explanation of the reasons that led him to withdraw it. There must not be a resumption of the debate. I hope none of my colleagues will consider me discourteous if I refuse to call on them and if I proceed immediately to take a vote.

I will put first to the vote the proposal made by the Swiss delegate. It is clear, I think, in all your minds. He proposed, if I may be permitted to interpret his resolution, that we should

recommend the Assembly to appoint a committee which would be composed of the Members of the Council, together with a further number of Member States that are not on the Council, a list of those further Member States to be determined by this Committee as a recommendation to the Assembly.

M. FRANGULIS (Haiti) [*Translation*]: I wish to raise a point of order. The first proposal, by which all Members of the League would be represented on the Committee, is more far-reaching than the second, and, in view of its wider scope, I am of opinion that it should be put to the vote first.

The CHAIRMAN. — In reply to the point of order raised by the delegate of Haiti, I would say that I noted the discussion as it took place. The delegate of Chile spoke before the delegate of Switzerland, but when he spoke the first time he did not formulate his proposal. He spoke again after an intervention by the Portuguese delegate, and then formulated a definite proposal. At the time I marked the fact that M. Motta's proposal had been submitted to the Committee first, and that the delegate of Chile submitted his proposal afterwards. Consequently, my ruling is that I take the proposal which was submitted first.

M. GARCÍA-OLDINI (Chile) [*Translation*]: M. Motta's proposal falls into two parts. The proposed Committee will consist, in the first place, of the Members of the Council — whose number is fixed — and also of a certain number of other Members which is not yet fixed. This leaves room for uncertainty, since we have no information regarding the number of States not Members of the Council which would take part in the committee, and it places all those who will have to vote on such a proposal in a dilemma. I think it would be better if the Chairman could consult the members of the Committee individually in advance to find out what their real attitude is, which States wish to be represented on the committee, and what is the best means of enabling all points of view to be represented. He could then make a concrete proposal concerning the number of members to be added to those of the Council.

The CHAIRMAN. — I do not think M. Motta's proposal is so indefinite that we cannot vote upon it. I quite appreciate the point made by the Chilean delegate, but I would suggest that we are completely master of our own affairs. It is quite within our competence to pass a resolution proposing to set up a committee composed of the Members of the Council and a certain unspecified number of non-Members of the Council. If, subsequently, after I have undertaken the task you have entrusted to me, we find ourselves not in a position to come to an agreement on a committee of that character, it would be for us to determine what other action we should take. But it would be most undesirable to postpone the decision on the question whether there should be a general committee until we have settled the list of those who should be members of the restricted committee. We should now vote on the proposal that a restricted committee, the number of representatives thereon other than the Members of the Council remaining unspecified, be set up, leaving the exact composition of the committee until a later stage of our proceedings. I will forthwith put M. Motta's proposal to the meeting, the vote to be taken by a show of hands.

M. Motta's proposal was adopted, thirty-one delegations voting in favour and seven against.

The CHAIRMAN. — M. Motta's proposal having been adopted, I suggest that the most practical course to pursue would be to meet again this afternoon. We must remember that we have to make a recommendation to the Assembly; this will involve not only a proposal with regard to a committee — if that is our final decision this afternoon — but also a recommendation as to the powers which the Assembly should entrust to that committee. For that purpose, it will be desirable for us to appoint a Rapporteur.

6. Appointment of a Rapporteur.

On the proposal of M. MOTTA (Switzerland), Mr. BRUCE, Chairman of the Special Main Committee was appointed Rapporteur.

SECOND MEETING.

Held on Friday, October 9th, 1936, at 5 p.m.

Chairman: The Rt. Hon. S. M. BRUCE (Australia).

7. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith: Number of Members of the Committee which it was proposed that the Assembly should set up.

The CHAIRMAN. — When we adjourned this morning, the Committee was good enough to entrust to me two tasks: one was to suggest a list of States non-Members of the Council which should be included in the limited Committee it was decided to set up; the second, to draft a report for submission to the Assembly.

I will first deal with the number of members of the proposed Committee. I have given a great deal of thought to the question, consulted with certain delegations, and made a good many enquiries. I have borne carefully in mind the instructions given by the Committee to take into account the views expressed during the discussion, both in the Assembly and in this Committee, in order to try and get a good geographical disposition and also to ensure the representation upon the new Committee of all shades of thought.

Starting with the limitation that the Council consists of a fixed number of members, and then trying to add to that, I regret to say that I have slightly failed in my task. I understood M. Motta's motion, accepted by the Committee, to mean that the proposed Committee should comprise not less than twenty and not more than twenty-five members, but M. Motta was good enough to suggest that, if I exceeded my instructions to the extent of going as far as twenty-seven members, I would possibly be pardoned. Unfortunately, with the exercise of all the ingenuity at my command, I have not been able to get below twenty-eight, and I would therefore ask the Committee to give me that further small measure of liberty.

M. LANGE (Norway) [*Translation*]: I am well aware of the great difficulties the Chairman has encountered. I am, however, somewhat disappointed to learn that, after all he is contemplating a Committee of twenty-eight members. I am almost tempted to say that, if that is really the case, it might perhaps be wise to go a little further and accept the idea, advocated by several delegations, that a Committee should be set up on which all the Members of the League who expressed a desire to do so might have a seat. This morning, the Committee supported the very wise suggestion of M. Motta, who explained that he contemplated a minimum of twenty and a maximum of twenty-five members. I for my part took the word "maximum" literally; and I wonder whether it might not be as well for the Committee, before discussing any list, to state that it does not in any case wish the number to exceed twenty-five. We should avoid forming a Committee which, by its composition, would merely be a reflection of the Assembly without being the Assembly itself.

M. GARCÍA-OLDINI (Chile) [*Translation*]: I am very well aware of the difficulties of the task which we entrusted to our Chairman, for I am sure that, when we accepted this morning the idea of a restricted Committee, each one of us thought he would be on it; which is not surprising, as we all have views to express. I have already heard some delegates say that they would be surprised if they were not on the Committee. These remarks of mine are made as an independent criticism, since the intended composition of the Committee is not yet known; but I think they serve to show how anxious we all are to make our views known on the occasion of such important discussions. They also explain why the Chairman was not able to fix upon a smaller number than twenty-eight.

That being so, without wishing to go one better, I wonder whether it might not be preferable to adopt a simple formula, like that of the paritary committees of the International Labour Organisation, and to fix the number of members at thirty — namely, fifteen Members of the Council and fifteen from the Assembly. That would at least give an appearance of balance, and would afford the Chairman a better opportunity of bringing into the Committee representatives of all shades of opinion and of all the various groups.

M. ENTEZAM (Iran) [*Translation*]: Without being acquainted with the details of the Chairman's negotiations, we are all convinced that it is the difficulties he encountered which have led him to propose a Committee of twenty-eight members. Twenty-five was the number first suggested, and it was even proposed that this might be increased to twenty-seven. Then why should we not decide to include one extra member and thus accept the Chairman's proposal? I see that he has taken the happy medium between twenty-five, the original number suggested, and thirty, the figure proposed by the Chilean delegate.

The CHAIRMAN. — The question I have to put to you is whether the Committee authorises me to submit a list of twenty-eight members, or whether I must reduce that number by three. I can adopt the latter course if the Committee wishes, but I would like a decision on the question.

If there are no other speakers I shall take it that the Committee agrees to a membership of twenty-eight.

The Chairman's proposal was adopted.

8. Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Examination and Adoption of the Draft Report and Resolution.¹

The CHAIRMAN (Rapporteur) read the draft report and resolution.¹ He added : The list of members of the Committee will follow the second paragraph of Section II. I suggest the following States :

Argentine Republic, Austria, Belgium, Bolivia², United Kingdom of Great Britain and Northern Ireland², Bulgaria, Canada, Chile², China², Czechoslovakia, Ecuador², France², Greece, Iran, Italy², Latvia², Mexico, Netherlands, New Zealand², Poland², Portugal, Roumania², Spain², Sweden², Switzerland, Turkey², Uruguay, Union of Soviet Socialist Republics².

¹ For the final text of the report, see Annex, page 28.

² Members of the Council.

General TANCZOS (Hungary) [*Translation*] : On behalf of the Hungarian delegation, and for the reasons I explained this morning,¹ I make the fullest reservation regarding the composition of the Committee of enquiry, and I abstain from voting on that composition in the form in which it has been proposed.

The reservation of the delegation of Hungary was noted.

M. GARCÍA-OLDINI (Chile) [*Translation*] : One of the reasons put forward against the idea of a general committee consisting of all the Members of the League was that the latter, if they so wished, would have the right of putting before the restricted Committee their views on the points under discussion.

In the text submitted to us, it appears that the Members of the League would not have that right. On the contrary, the Committee will — I quote from the third paragraph of Section II of the draft report — “be empowered to invite to take part in its discussions . . . any other Member of the League whose opinions it might see desirable to ascertain”. I think the report should give expression to the idea — which was put forward this morning and certainly had an influence on the discussions leading up to the decision to set up a restricted Committee — that all Members of the League have the right to be present at the discussions. Procedure enabling this to be done may be provided, but the right of all Members to submit their views to the Committee should be mentioned in the report.

The CHAIRMAN (Rapporteur). — In preparing my report, I gave very careful thought to the point which the delegate of Chile has just mentioned, but I would remind him that the point raised this morning was that every Member nation should have an opportunity to have its views made known to the Committee, and that the composition of the Committee would be such as to include representatives of all broad points of view. I would point out to the Chilean delegate that the opportunity for making views known is afforded by an earlier part of this report, in which all Member nations are invited to forward at any time any views they may hold.

The paragraph under discussion does not deal with that point, but with the question of taking part in the Committee's discussion. That is a point which is germane to the one which has just been raised; it is for this Committee to take a decision as to the right of Members to attend meetings of the Committee without taking part in the discussions. I have not embodied that point in the report because, on examination, it seemed that to accord a general right to enlarge the number of people present at the meetings of the Committee, which it was desired should be held on the basis of the most intimate discussion and frank exchange of views, would render that latter object more difficult of accomplishment. If, however, it is the wish of this Committee that such a provision should be included in the report, it would be a simple matter to incorporate it.

M. GARCÍA-OLDINI (Chile) [*Translation*] : I wish to refer to a specific case, that of Hungary. I am not now addressing the Committee because the Hungarian delegate has expressed an opinion similar to my own, but because that case is very instructive. The problem is as follows : the Hungarian delegation is not represented on the Committee; if it wishes to defend its view at a Committee meeting, it cannot, according to what the Chairman has just said, do more than state its view; it will not be able to discuss it. It seems to me that as, in making a choice between two extreme solutions, we have decided to set up a restricted Committee, we should at least devise some means for enabling delegations not represented on it to defend their views at its meetings and not simply to state them.

M. MOTTA (Switzerland) [*Translation*] : Our Chairman has raised the question whether the right of delegations not represented on the Committee to be present at its discussions should be mentioned in the report. He said that it would not be difficult, indeed it would be a simple matter, to embody that right in the text of the report. That being so, I desire to ask him to be good enough to have it expressly inserted, for the following reasons : In my view, all delegations showing such a lively interest in these questions should, in principle, be able to take part in the discussions. There would be only one objection to that procedure : it might be said that such a large attendance might be derogatory to the intimate and confidential nature of the discussions. But when twenty-eight delegations are represented, it must be confessed that there can be no more question of intimacy or secrecy. Consequently, that objection automatically disappears.

I would add that, in my opinion, if we mention this right in the report, we are meeting the wishes expressed by the Hungarian and Chilean delegations. Let us suppose that the Committee was sitting and a State which did not belong to it was represented at the discussions. Suddenly a question arises which appears to that State so serious as to justify it in asking for permission to express its view and to take part in the debate. I do not believe that anyone would oppose such a request. Consequently, if the report definitely lays down this right, the problem will be solved and the difficulties which have hitherto divided us will have been smoothed over.

The CHAIRMAN (Rapporteur). — I should like to define the two questions before us. The first is whether any State Member of the League, not a member of the Committee, should have the right to attend the meetings of the Committee; the second is whether they should have the right to take part in the discussions.

It is contemplated in the paragraph of the draft report with which we are dealing that delegations should be invited to attend the meetings of the Committee to deal with certain

¹ See page 9.

questions. I had in mind the position that would arise if any State wrote to the Chairman of the Committee asking to be allowed to take part in a discussion. The Chairman would naturally be prepared to invite a representative of that State to attend. But if States not Members of the Committee are to be given a right, that right must be defined. The Chairman of the Committee must be communicated with, and the subject which the State wishes to discuss should be indicated. There should not be an unlimited right, enabling the representative of any State to rise at any time in the course of a meeting and insist on taking part in the discussion.

M. VIÉNOT (France) [*Translation*] : The Chairman has just pointed out the objections which I wished to make to M. Motta's suggestion. In fact, I should like to defend the proposal which M. Motta himself made to us this morning, against his proposal of this evening, for it seems to me that the two proposals are to a certain extent contradictory. The effect of the first was that a restricted Committee should be set up. What would become of that proposal if all the twenty-four States which were not members of the Committee had the right, as a result of the resolution, to take part in its discussions? The result would be that the twenty-four States which were not members of the Committee would be added to the twenty-eight which were, and we should end by having the general committee which we decided against this morning.

M. KOMARNICKI (Poland) [*Translation*] : I should like to recall, in this connection, the practice which has been followed by the League for several years. As a rule, permanent delegates, with very rare exceptions, have had the right of attending all meetings of League Committees, even when the Press is not admitted. Thus, M. Motta's proposal conforms entirely with League practice. In a Committee of such importance, which will discuss questions of fundamental concern to all States, the existing practice should, in my view, be followed. Further, if a delegate is specially appointed for the purpose by a country which has not a permanent delegation at Geneva, he should be treated in this respect as a permanent delegate.

M. SOUBBOTITCH (Yugoslavia) [*Translation*] : The delegate of Poland is quite right. It is a constant practice to admit permanent delegates to the main Committees even if the public and the Press are not present at their meetings. That is, in fact, one of the principal functions of the permanent delegations kept here at the expense of their Governments. It therefore seems to me that this practice, which has worked very well, especially at the Disarmament Conference, should be followed. I do not believe the discussions will thereby lose anything as far as secrecy is concerned.

With regard to the second point — namely, the right of all States to take part in the discussion whenever they think fit — I think it would be difficult to grant that right. But there is another method which has already been followed and which might serve as a compromise between M. Motta's suggestion and that of M. Viénot. It was one which was adopted with success at the Disarmament Conference.

The States which were not on the Committee would not have the right to take part in the actual discussions — that is to say, they could not put forward or reply to arguments, initiate discussions, or vote. But there is no reason why those States should not have the right to be heard — that is to say, to state their views at the proper time, which would be decided by the Chairman, who would exercise a certain measure of control in order to obviate any abuse of that right. Such statements might enlighten the Committee, and it would be much better if they could be made during the debates than after they were over.

M. MOTTA (Switzerland) [*Translation*] : If I have been the involuntary cause of a slight misunderstanding, I am sorry; but I do not think that any real misunderstanding exists, and it seems to me that the remarks of the Polish and Yugoslav delegates have thrown sufficient light on the discussion. I should, however, like to make one additional observation. A very clear distinction should be made between two completely different ideas: participation in discussions on the one hand, and physical presence at meetings on the other. It was only that physical presence which I had in mind; for, if I had thought of all States participating in the discussions, I should have destroyed the very essence of the proposal I put forward this morning.

Moreover, as a matter of actual fact, it will be seen that the physical presence to which I referred has no practical meaning except when applied to private or secret meetings. If the discussions are public, everybody has a right to attend, *a fortiori* the delegations, and especially permanent delegations. From the practical point of view, then, the question arises only on occasions when the restricted Committee decides not to meet in public. You know what these so-called private meetings are like. However, a distinction has been made at the League between public meetings and private or secret meetings, and I will respect that distinction. In reality, therefore, the physical presence of delegations will be really important only when the restricted Committee decides to hold a private meeting.

M. VIÉNOT (France) [*Translation*] : I should not wish it to be thought that I had shown myself lacking in respect for precedent. I have never entertained the idea of excluding from meetings of the Committee the permanent delegations of countries which were not members of it, or their representatives if they were countries which had no permanent delegation. Like M. Motta, I was thinking only of the right to participate in debates. After this exchange of views, it seems to me that we all agree that the time has now come to adopt the text submitted to us by the Chairman.

The CHAIRMAN (Rapporteur). — I take it that the French delegate has voiced the view of the Committee.

M. GARCÍA-OLDINI (Chile) [*Translation*] : I do not see any connection between the Chilean proposal, reproduced in Section II of the draft report, and the following sentence which occurs later : " It seems that it is for the Members of the League in the first place to study the problems connected with the question of the application of the principles of the Covenant ". That appears to be an objection to the Chilean proposal. What does that proposal say ? It merely states that " the Assembly considers it necessary to ascertain the views of non-member States ", and it indicates the methods to be followed. On the one hand, there are the methods involving participation in the study of the problems ; on the other, those which do not necessarily imply such participation.

What matters is not the method to be followed, but the central idea of the proposal, which is the necessity of knowing the views of non-member States. When the report states that, " it is for the Members of the League in the first place to study the problems ", it refers to only one part of the Chilean proposal, that concerning procedure ; it ignores the basic idea of the proposal, which is, as I said, the necessity of knowing the views of non-member States. I do not think the Committee or the Rapporteur himself would deny that it would be useful to know those views.

I should therefore be grateful to the Rapporteur if, in consideration of this aspect of the question, he would give more exact expression to the connection between our proposal and the observations which arise from it. I do not think that would present any difficulty.

The next sentence of the draft report reads as follows : " One such problem is that of universality, to which various Governments have referred ". Some Governments may perhaps have referred to it specifically ; but it is a question which occupies the attention of all Governments. I would even say that it is at present the dominating problem for all Members of the Assembly and all countries. We think — indeed, we say so in our proposal — that universality is " an essential condition for the efficacy and success " of the League of Nations. If we consider that universality is perhaps our essential object, I wonder whether it would not be desirable to mention our preoccupations on the subject in the report in such a way as to reflect more closely what is, in my opinion, the dominating idea at present occupying the attention of the Assembly. Universality may not have been referred to by all States, and the report is no doubt accurate to that extent ; but, in my view, if it does not point out that the question is one of fundamental importance, it is guilty of a sin of omission. Why do we consider the question of universality so important, and why do we conclude that the views of non-member States should be ascertained ?

We were told this morning — and the wording of the report has certainly been influenced by the fact — that, when people are trying to reorganise a society, they do not ask for the opinions of those who do not belong to it : the members of the society themselves are the people to do the work. That is true ; but reasoning by comparison is not always sound, — far from it. The League cannot be compared with any other society. It is unique in history, for it was conceived in terms of universality. Its charter was drawn up with a view to universality, and I believe that the fact that universality was not realised, lies at the bottom of all our failures.

According to the recommendation adopted on July 4th of this year,¹ we should try to " strengthen the authority of the League of Nations ". How is this to be done ? " By adapting the application " of the principles of the Covenant " to the lessons of experience ". Now, experience has shown that we were unable to prevent war, despite all our efforts. Why ? It may be answered that there were many reasons ; but I believe that, if we sincerely try to get to the root of the matter, we shall find that the underlying reason was this lack of universality. If I had the necessary documents with me, I would remind you of the discussions which took place when we were considering sanctions ; but no doubt you remember them. Behind every hesitation, behind every retreat, I might almost say behind all our shortcomings lay this lack of universality.

Our recent painful and tragic experience has taught us that universality is necessary if we wish to continue to exist and to fulfil our mission. Let us therefore try to achieve universality ; but as, if we are to do so, we must try to bring back to the League the States which have left it, and to bring into it those which have never belonged to it, we naturally wish to know the reasons why they left it or never belonged to it. We must not try to reduce all those reasons to one single reason ; there is a whole series of reasons, and widely different ones too.

How can we attempt to adapt the application of the principles of the Covenant to the lessons of experience if we ignore the factor which experience has proved to be decisive ? We therefore think it absolutely necessary, if we are to attain true universality — and we consider that indispensable — to know the views of non-member States.

The resolution of July 4th, which forms the basis of our discussion, says, further, that, " it is necessary to strengthen the real effectiveness of the guarantees of security which the League affords to its Members ". I repeat, experience has shown that we do not possess the means of offering real guarantees. We are seeking to transform the present guarantee, which is not a real guarantee, into one which is. I may here follow the argument that I put forward just now : why have we not been capable of giving a real guarantee of security ? Because the League is not universal. How shall we be able to give such a guarantee ? By

¹ See *Official Journal*, Special Supplement No. 151, page 65.

seeking universality and, as I have said already, if we are to achieve it we must know the views of non-member States. This idea can be expressed in the words of the report :

“ The point raised by the Chilian delegation and the other delegations which share its view might, it seems, be met if it were left to the Committee to consider, if it thought fit, the appropriate methods for ascertaining the views of non-member States.”

I thank the Rapporteur for the attempt he has made to embody this idea in his report. But I think that the wording of that paragraph might be both more precise and more elastic. I would therefore, if I may, suggest that the last phrase in the sentence should read as follows : “ leaving to the Committee the question of ascertaining the appropriate methods for learning the views of non-member States, and giving the Committee the right for that purpose of addressing itself to such States ”.

That wording would not affect the substance of the question, but it would give the Committee greater freedom, without in any way prejudicing questions of expediency, occasion or method.

M. VIÉNOT (France) [*Translation*] : I have listened with the greatest interest to the admirable speech made by the delegate of Chile, and, in other circumstances, it would have been a great pleasure for me to discuss with him in detail the views he expressed, for those views are sufficiently valuable to merit discussion. But this is not, I think, either the place or the time to do so. It is not the place, because, as I said this morning, this Committee has no power to deal with the question which the Chilian delegate has just raised. I will not repeat the observations I made at our first meeting ; but questions which are so important cannot be discussed by the Committee during a debate on procedure. Nor is it the time for such discussion. We have to deal with a report ; and we must decide whether its text reflects our discussions of this morning. That is the object of the present debate, and I should be sorry to postpone its happy conclusion.

I have only one more remark to make about the text of the report. The sentence following the Chilian proposal reads :

“ The Committee suggests that it would be premature for the Assembly to take such a decision.”

This text seems to suggest that such a decision must be taken in any case, but that the Committee merely considers that it would be premature to take the decision to-day. I think that the following formula would be more in accordance with this morning's debate :

“ The Committee suggests that it would be premature for the Assembly to examine this proposal.”

M. CANTILLO (Argentine Republic) [*Translation*] : I shall only say a few words, in the hope of shortening the discussion and in order to pay a tribute to the Chilian delegate, who feels a very laudable anxiety about the future of the League.

I think that we all agree on the question of universality. The replies of the various Governments, published in the document to which the Secretary-General referred,¹ all coincide on this point except in matters of detail. I think, therefore, that we shall have to descend from the high level to which the Chilian delegate has raised the debate and concern ourselves strictly with the report. The question of universality is mentioned in it ; and so is the opinion of Chile.

With regard to the formula concerning the appropriate methods of ascertaining the views of non-member States, I consider that the wording of the report is perhaps more elastic than that suggested by the Chilian delegate, in that it leaves the new Committee free to choose the most efficient, speedy and appropriate means. I think therefore that the Chilian delegate may be quite satisfied about the question he raised, and that he can accept the report.

M. MOTTA (Switzerland) [*Translation*] : I should like to go some way to meet the views of the delegate of Chile. But I must say, first of all, that I support the amendment proposed by M. Viénot.

M. García-Oldini, in his observations, asked for either a diplomatic conference to be held or a direct approach to be made to the States in question. Anyone who is following international political events with close attention must realise clearly that it is at present impossible to contemplate either a diplomatic conference or a direct approach. But I can reassure M. García-Oldini, who knows that my country has the same views as his on the subject of universality. We expressed our attitude on this question in the memorandum we sent to the Secretary-General,² and we pointed out very definitely that we regarded the question as one which was not only essential but vital for us. So, if M. García-Oldini approaches me, he will find a friend.

It seems to me that the only criticism of the text that might be made is this : In the paragraph after the Chilian proposal, it is suggested that it should be left to the Committee :

“ . . . to consider, if it thought fit, the appropriate methods for ascertaining the views of non-member States ”.

¹ See *Official Journal*, Special Supplement No. 154.

² See *Official Journal*, Special Supplement No. 154, page 28.

It seems to me that some account might be taken of the essential and, indeed, necessary part of the Chilian delegate's observations, by replacing that phrase by the following :

“ . . . by requesting the Committee to examine the appropriate methods for ascertaining the views of non-member States.”

In that way, instead of leaving the Committee free either to attend to the question or to disregard it, we should be expressing the opinion that it was obliged to deal with it. We should not be prejudicing its decisions; it would say whatever it deemed useful and opportune; but this new formula would at least give Chile a guarantee that the question would be studied in any case.

If the Chilian delegate could see his way to accepting my amendment, I think other members of the Committee might support it too, and I appeal to them to do so.

M. LITVINOFF (Union of Soviet Socialist Republics). — I have been very much astonished to hear a discussion in this Committee upon the substance of the proposals which the new Committee is to consider. After deciding this morning that we would deal only with the procedure to be followed, and leave it to the new Committee to study the various proposals presented by the Governments, we have listened to a discussion on one of those proposals, that of universality. That is a quite legitimate proposal for improving the application of the principles of the Covenant. It may be said that this question has arisen because of our experience in the Italo-Ethiopian conflict and that if there had been universality in the League there would have been no conflict, or that the sanctions which the League applied would have been more effective. Other arguments to the contrary may be brought forward. It may be said that it was not lack of universality that caused sanctions to fail, but lack of solidarity among the Members of the League and lack of loyalty to the Covenant. It is possible that, if there had been more countries in the League, especially those which the Chilian delegate has in mind, there would have been still more disloyalty to the Covenant. There were deserters; some countries did not take part in imposing sanctions; and, if there had been more countries in the League, we might have had more deserters. That would not have helped very much.

There are many arguments that may be brought forward in discussing the application of the Covenant, and I do not see why we should mention this particular proposal in our report. I could state some of the proposals of my Government for improving the application of the Covenant; would you mention them in the report? Certainly not. Moreover, the paragraph which we are now discussing already contains the suggestion of approval of that particular proposal. As the delegate of France rightly pointed out, if the report states that “ it would be premature for the Assembly to take such a decision ”, it means that we are agreed that a decision should be taken in a certain way. If the report says that it is left to the Committee to consider “ the appropriate methods for ascertaining the views of non-member States ”, it means that we are agreed that we must know their views before we can do any useful work. As the Committee has not agreed to that, how can we adopt a report containing such statements?

I do not wish to prolong the discussion; but, since the statement has been made that all the Members of the League agree that it is because of lack of universality that the League has been inefficient, I must make a reservation on that point. We know that the League has never been universal. There was a time when it had less Members than it has now, but the League went on with its work. Efforts were made to improve the Covenant, and a number of resolutions to that end were adopted. The Covenant itself was the result of work in which one great country took part, although afterwards it did not join the League; and it does not follow that if some States take part in our work now they will afterwards join the League.

We all agree that universality is desirable; that is our ideal; but the question whether or not we can embark upon the work of improving the Covenant without universality is a controversial one. I think that the whole question should be left to the new Committee to study, and that we ought not to bind ourselves by any decisions or allusions to decisions. Therefore, I might propose the deletion from the report of the part referring to the proposals of the Chilian delegation. By way of conciliation, I would agree to the report as it stands, provided we accepted the amendment of the French delegation.

M. DE VASCONCELLOS (Portugal) [*Translation*] : I fully understand what our colleagues from Chile and the Argentine have in mind, and on that ground I support M. Motta's amendment, because I think it is capable of satisfying them. As he said, it in no way prejudices any decisions the Committee may take, and it thus solves the question fairly, and, I hope, to the satisfaction of our South American colleagues. I therefore support the appeal made by M. Motta to the Committee and to the delegate of Chile, requesting them to accept that wording.

M. RÜSTÜ ARAS (Turkey) [*Translation*] : I should like to associate myself fully with the view expressed by the French delegate, and I accept his amendment. I congratulate the Rapporteur on having interpreted our intentions so satisfactorily; I think we should now let well alone, as my friend M. Litvinoff intimated. We have heard the very convincing arguments put forward by M. Motta as to the vital importance of the principle of universality. I think he gave eloquent expression to a view held by the majority of States — in any case, by my own country.

If we go further, and if, without allowing the Committee to study the problem sufficiently, we make it ask the opinion of non-member States, I am very much afraid that we may be acting in a way contrary to the very idea of universality, for we shall thus be establishing a very dangerous procedure. We shall be creating two categories of Members, those with obligations and those without, and the majority of States would prefer to belong to the more privileged group. The great difference between the present era and past centuries is that the League of Nations has established the principle of equal rights and privileges for all.

There is another reason which makes me think we must not go so far. Such an important problem should not be discussed merely incidentally, without having been duly put before the Assembly and the competent organs of the League. To discuss it in such a way would appear to diminish its importance.

M. VIÉNOT (France) [*Translation*]: I would suggest another simple variation in the text which would, I think, satisfy everybody, including the delegate of Chile. There should be introduced the idea that the question of universality which we all consider so important will be examined by the future Committee, but that Committee should be let entirely free, when it has examined the question, to decide whether it should invite non-member States to participate or not. I therefore propose the following wording:

“ The point raised by the Chilian delegation and the other delegations which share its view might, it seems, be met by the fact that the Committee will certainly have to consider this question, and possibly will have to examine the appropriate methods . . . ”

I think that formula interprets the various opinions which have been expressed, and which our report should reflect as faithfully as possible.

M. MOTTA (Switzerland) [*Translation*]: This proposal expresses my own idea better, and I recommend my colleagues to adopt it.

M. DE VASCONCELLOS (Portugal) [*Translation*]: I support it too.

The CHAIRMAN (Rapporteur). — An amendment has been proposed to the paragraph following the text of the Chilian proposal. The amendment is to substitute for the words “ take such a decision ” the words “ consider the question ”, so that the sentence would read:

“ The Commission suggests that it would be premature for the Assembly to consider this proposal.”

The amendment was adopted.

The CHAIRMAN (Rapporteur). — There is a further amendment relating to the third sentence of the same paragraph. It proposes to substitute for the words “ be met if it were left to the Committee to consider, if it thought fit . . . ” the words: “ be met by the fact that the Committee will certainly have to consider this question and possibly will have to examine . . . ”

The amendment was adopted.

The CHAIRMAN (Rapporteur). — The delegate of the Union of Soviet Socialist Republics desires to propose the following amendment to the draft resolution — to replace the following paragraph:

“ The Committee will, as soon as possible, draw up a report, which will be forwarded to the Governments of the Members of the League,”

by the following text:

“ On the basis of this study, the Committee will prepare a report, as soon as possible, indicating the definite provisions the adoption of which it recommends with a view to giving practical effect to the above-mentioned recommendation of July 4th, 1936.

“ This report shall be submitted to the Governments of the States Members of the League of Nations to serve as a basis for the decisions to be taken in this matter.”

M. LITVINOFF (Union of Soviet Socialist Republics). — There is nothing new in our amendment. I only wish to make the last paragraph of the resolution more precise, because in the preceding paragraphs it is stated that the Committee will study the proposals submitted by Governments, but it does not say whether the Committee itself would make any proposals to Governments. What we want is for the Committee to formulate some practical proposals, and that is what is expressed in our amendment.

Mr. JORDAN (New Zealand). — I am rather concerned with regard to both the original wording before us and the proposal of the Soviet delegate, in which references are made to a report to be forwarded to the Governments of Members of the League of Nations.

I would ask that consideration be given to the inclusion of a recommendation that the Assembly should be convened as soon as possible after the report is available in order that something definite may be done without a delay of another year.

Returning to the report, I see it follows from the resolution adopted by the Assembly on October 8th that the Committee which it is there proposed to set up would take the place of the special Committee appointed to study the question of the prohibition of the supply of

arms and war material to belligerents. Earlier, we find that the matter was entrusted to the Council, which in turn entrusted the work to a special Committee, which suspended its work owing to the fact that the Assembly also was dealing with the question of the application of the principles of the Covenant. Now the work of that special Committee is to be handed over to the Committee which we are now proposing to constitute, which will produce a report and submit it to Governments for their consideration. It is quite evident that, unless we decide otherwise, the whole matter will be deferred for at least another year.

I wonder whether our Chairman, as Rapporteur, and whether this meeting would consider the advisability of empowering this Committee to recommend to the Assembly that the Committee we are about to set up should advise the Assembly to meet earlier if occasion arose, because it does seem that the whole matter of the consideration of the Covenant and the many questions that are handed over to the new Committee are of such importance that it is advisable that the Assembly should meet to consider them, if it is convenient to do so, and if the report is available, at least in less time than another year.

M. LANGE (Norway) [*Translation*]: The question of the steps to be taken after the Committee has been set up is one in which my delegation is particularly interested. At the present time, nobody would dare to predict what may happen in the future. In any case, it is very important, in the opinion of the Norwegian Government, to allow for the possibility of the Assembly being called on to make decisions before its next ordinary session. I therefore support the views expressed by the delegate of New Zealand. I also find ideas similar to our own in the proposal made by the delegate of the Union of Soviet Socialist Republics. I have only one reservation to make with regard to the last part of that proposal. I am afraid the formula used might possibly lead to a false deduction. From the sentence: "This report shall be submitted to the Governments of the States Members of the League of Nations to serve as a basis for the decisions to be taken in this matter", it might be inferred that those decisions were to be taken by the Governments. I do not think that can have been what the Soviet delegation intended, but I should like to be enlightened on that point.

Thus, whilst I approve of what my colleagues have said, I should like to raise this question and ask whether it might not be better to make definite provision for decisions to be taken, if necessary, before next September; by that date it might be too late.

M. LITVINOFF (Union of Soviet Socialist Republics). — I welcome the suggestion made by the delegate of New Zealand. When this question was discussed, I proposed practically a special session of the Assembly for this purpose. I am also grateful for the remarks made by the delegate of Norway. The text as it stands does not seem quite clear, and I am prepared to add at the end: "at as early a session of the Assembly as possible".

M. VIÉNOT (France) [*Translation*]: I should not like there to be any misunderstanding. Would it be an ordinary or a special session of the Assembly?

M. LITVINOFF (Union of Soviet Socialist Republics). — A special session.

The CHAIRMAN (Rapporteur). — We have a proposal to substitute for the last paragraph of the draft resolution a new text proposed by the Soviet delegation. A further question has been raised as to the time when any report by this Committee should be considered by the Assembly.

If there are no observations on the first paragraph of the amendment submitted by the Soviet delegate, I shall take it that it is accepted.

The first paragraph of the amendment was adopted.

The CHAIRMAN (Rapporteur). — In connection with the point raised by the delegate of Norway in connection with the second paragraph, I should be glad to know if he is satisfied with the amended wording proposed by M. Litvinoff.

M. LANGE (Norway) [*Translation*]: I accept the new wording proposed by M. Litvinoff.

The CHAIRMAN (Rapporteur). — I understand that M. Litvinoff proposes to add at the end of the paragraph the words "at as early a session of the Assembly as possible".

M. MOTTA (Switzerland) [*Translation*]: I have no objection in principle to the idea of a special Assembly if circumstances make it appear necessary for the peace of the world; but we should know who is to convene it.

The CHAIRMAN (Rapporteur). — I would suggest that, in order to meet M. Motta's point, we should leave the wording of the paragraph as it is, and add a further paragraph to read:

"The Committee shall be authorised to propose a special session of the Assembly, should it consider it advisable to do so."

If there are no further observations, I will take it that the original text of the second paragraph of the Soviet amendment is accepted without alteration.

The second paragraph of the Soviet amendment was adopted.

The CHAIRMAN (Rapporteur). — I will now put to the vote the additional paragraph I have just proposed.

The additional paragraph was adopted.

The report as a whole and the resolution¹ as amended were adopted (Annex, page 28).

9. **Question of the Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Application to the Report of Rule 14 (a) of the Rules of Procedure of the Assembly concerning the Simplification of the Procedure of the Assembly.**

The CHAIRMAN. — With regard to the procedure to be followed when this report is placed before the Assembly, I propose, if no member of the Committee wishes to speak upon it, that the summary procedure should be adopted.

General TANCZOS (Hungary) [*Translation*] : I have already made a reservation with regard to the composition of the new Committee. After hearing the rest of the discussion, I find I must make a general reservation with regard to the whole report, and I shall abstain from voting. I would request the Chairman to be good enough to have my reservation recorded in the Minutes.

The reservation made by the delegate of Hungary was noted.

The CHAIRMAN. — I would like to point out one practical advantage that would be gained by adopting the summary procedure. It will be necessary to take some action with regard to the methods and time of convening the Committee which we propose should be constituted. If the summary procedure is adopted, it will be possible for the question to be dealt with by the Assembly to-morrow morning, after which the new Committee could meet to elect its Chairman and decide its own procedure.

M. GARCÍA-OLDINI (Chile) [*Translation*] : I desire to reserve the final opinion of my Government on the report.

Consequently, I should like to reserve the possibility of making a statement in the Assembly. It is, of course, only a possible contingency, and for the moment I cannot say anything definite. I must await instructions from my Government, and until I have received them I cannot let the Rapporteur know whether I desire to make a statement in the Assembly or not.

The CHAIRMAN. — Perhaps the Secretary-General could tell us whether, if we adopt a summary procedure, a delegation can reserve to itself the right to make a declaration.

The SECRETARY-GENERAL [*Translation*] : There is a complete contradiction between the method of summary procedure and the reservation by a delegation of the right to make a statement in the Assembly. According to Rule 14 (a) of the Rules of Procedure, the method of summary procedure can be followed only "in cases where the Committee has unanimously declared that it does not consider a discussion of the report at a plenary meeting to be necessary". Consequently, if the Committee is not unanimous, there can be no summary procedure.

M. GARCÍA-OLDINI (Chile) [*Translation*] : My country is situated at a very great distance from Geneva, and it is reasonable to suppose that it is not yet aware of the final terms of the report. It is thus quite natural for me to reserve my Government's right to express its views at the Assembly should it wish to do so.

The CHAIRMAN. — I am sure everybody recognises the Chilean delegate's position. In those circumstances, I suggest that this item should be placed on the agenda of the Assembly for to-morrow morning on the understanding that we have reached unanimity, but that, should the delegate of Chile, after consultation with his Government, desire to speak, we should ask, when this item comes up in the Assembly, for its postponement.

We have all listened with great attention and interest to the statements made by the Chilean delegate, and I think that neither his Government nor anyone else will feel that he has left any possible doubt as to the position of his Government on this very important question.

M. GARCÍA-OLDINI (Chile) [*Translation*] : I should like to make my position clear. I have no wish to create difficulties with regard either to the adoption of the report or to the procedure to be followed. But, as I have said, it is my duty to consult my Government. I must take the question of distance into account and wait until my Government knows the terms of the report and has been able to send me instructions. It may wish to make its views known to the Assembly. I must therefore take that possibility into consideration. In these circumstances, in spite of my earnest wish to satisfy the Committee, I cannot agree to the method of summary procedure.

¹ The resolution was adopted by the Assembly on October 10th, 1936.

I think, however, that the Chairman can perhaps find some way of reconciling my position with the adoption of summary procedure, and I should be grateful if he could give me an assurance that I shall be able to state my Government's point of view on the report should it be necessary.

The CHAIRMAN. — The Chilian delegate has made his position quite clear, and his right to make a statement is reserved.

10. **Application of the Principles of the Covenant of the League of Nations and Problems connected therewith : Question of the Convocation of the New Committee.**

The CHAIRMAN. — I desire to know whether the Committee wishes the Assembly to fix the date on which the new Committee should meet for the election of its Chairman and the settlement of its agenda.

M. LIMBURG (Netherlands) [*Translation*] : I do not quite understand. States, and not people, have been appointed to the Committee. How can it meet to elect a Chairman when it is not yet known what persons have been appointed to it ? The Governments must first appoint their delegates to the Committee.

M. MOTTA (Switzerland) [*Translation*] : That is a serious objection ; but would not the question be settled if the Secretary-General were empowered to convene the Committee at whatever he considers to be the appropriate moment ?

The SECRETARY-GENERAL [*Translation*] : I should gladly discharge that duty, if I knew the wishes of delegations regarding the probable date ; but I should not like to have to decide on the date arbitrarily.

M. MOTTA (Switzerland) [*Translation*] : It will be for the Secretary-General to consult the delegations.

M. ENTEZAM (Iran) [*Translation*] : In theory, delegates are appointed by their Governments, but I think we have a precedent : last year, when the Co-ordination Committee had to be appointed, the same question was raised, and was settled by allowing the first delegate of each country to appoint a delegate, who was then entitled to sit on the Committee.

M. LITVINOFF (Union of Soviet Socialist Republics). — Why should there be any more difficulty in the case of this Committee than in that of the six Committees of the Assembly which meet to elect their Chairmen ?

The CHAIRMAN. — I suggest that there be an informal meeting of the delegates of the different countries who are members of the Committee in order that they may consult with the Secretary-General as to a suitable date, and then it would be left in the hands of the Secretary-General to call the first formal meeting.

The Chairman's proposal was adopted.

11. **Close of the Session.**

After the usual thanks, the CHAIRMAN pronounced the session closed.

ANNEX.

Series of Publications: 1936.VII.13.

Official No.: A.83.1936.VII.

APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE
LEAGUE OF NATIONS AND PROBLEMS CONNECTED THEREWITH

REPORT OF THE SPECIAL MAIN COMMITTEE TO THE ASSEMBLY.

Rapporteur: The Right Honourable S. M. BRUCE (Australia),
Chairman of the Special Main Committee.

At its meeting of October 8th, the Assembly adopted the following resolution setting up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure :

“ The Assembly,

“ Acting upon the recommendation adopted by the Assembly on July 4th, 1936 ;

“ Having regard to the replies of the Governments of States Members to the invitation extended to them in pursuance of that recommendation ;

“ Having regard to the statements that have been made concerning the application of the principles of the Covenant during the general discussion ;

“ Considering that among the problems which arise out of the question of the application of the principles of the Covenant, and which must therefore be covered by the enquiry into that subject, mention should be made of the problem, already considered by the League, of harmonising or co-ordinating the Covenant with other treaties of a universal tendency aiming at the pacific settlement of international disputes — that is to say, the Treaty for the Renunciation of War, signed at Paris on August 27th, 1928, and the Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro on October 10th, 1933, on the initiative of the Argentine Republic, which treaties fall within the scope of Article 21 of the Covenant and, like the Covenant, are designed to ensure the maintenance of peace ;

“ Considering that another problem already envisaged by the League of Nations is also connected with the question of the application of the principles of the Covenant — namely, the prohibition, in virtue of the provisions of the provisions of the Covenant, of the supply of arms and war material to belligerents — a problem the study of which was entrusted by the Council to a Special Committee, which suspended its work owing to the fact that the Assembly was also dealing with the question of the application of the principles of the Covenant :

“ Decides to set up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Committee to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued.”

The Committee considered that, in order to fulfil its terms of reference as fixed by the Assembly, it should make recommendations upon the following points :

- Collection and classification of the relevant documents ;
- Setting-up of a body to study these documents.

I.

As regards the documentary material, the Committee agreed that it would be highly desirable that the Governments of the States Members of the League which had not yet made known their views either in writing or in the speeches of their delegates in the Assembly should forward to the Secretary-General, as soon as possible, any proposals they might desire to submit in reply to Circular Letter 124.1936.VII.

The Secretary-General should further be asked to complete, by a classification of the proposals, including statements made during the course of the Assembly, received since September 12th, the study which he had made of the different proposals submitted by Governments (document C.376.M.247.1936.VII). He should also issue the communications received since September 12th in a publication supplementary to document A.31.1936.VII.

II.

As regards the body to be set up to consider, after the documentation has thus been collected, the question of the application of the principles of the Covenant and all problems connected therewith, and to make proposals to be submitted to Members of the League, the Committee considered that, since the question was one of vital interest to all Members it would be well to contemplate the establishment of a committee on which all the views expressed would be represented. The Council, to a great extent, represents those views; but the Committee considered that there was occasion to follow certain precedents and to propose to the Assembly the setting-up of a larger committee, including, besides representatives of all the Members of the Council, the delegates of certain League Members who do not at present hold seats on the Council.

The Committee therefore proposes that the suggested committee should be composed of the following Members of the League :

Argentine,	Italy,
Austria,	Latvia,
Belgium,	Mexico,
Bolivia,	Netherlands,
United Kingdom of Great Britain and Northern Ireland,	New Zealand,
Bulgaria,	Poland,
Canada,	Portugal,
Chile,	Roumania,
China,	Spain,
Czechoslovakia,	Sweden,
Ecuador,	Switzerland,
France,	Turkey,
Greece,	Uruguay,
Iran,	Union of Soviet Socialist Republics.

The Committee further proposes that the committee thus constituted should be empowered to invite to take part in its discussions, during the consideration of any given proposal, any other Member of the League whose opinions it might seem desirable to ascertain.

The Chilian delegation made the following further proposal :

“ In the interests of universality — an essential condition for the efficacy and success of the League of Nations — the Assembly considers it necessary to ascertain the views of non-member States, either by direct approach or by the convening of a diplomatic conference.”

The Committee suggests that it would be premature for the Assembly to consider this proposal. It seems that it is for the Members of the League, in the first place, to study the problems connected with the question of the application of the Covenant. One such problem is that of universality, to which various Governments have referred. The point raised by the Chilian delegation and the other delegations which share its view might, it seems, be met by the fact that the committee will certainly have to consider this question and possibly to examine the appropriate methods for ascertaining the views of non-member States. The proposal of the Chilian delegation and any other proposal to the same effect would thus be considered by the committee.

III.

As regards the committee's terms of reference, the Committee recalls that these are defined in two texts already adopted by the Assembly : the recommendation of July 4th, 1936, and the resolution voted on October 8th.

These texts define the spirit in which the Assembly hopes that the study which it has undertaken will be carried out.

Further, it follows from the resolution adopted by the Assembly on October 8th that the committee which it is proposed to set up would take the place of the Committee of all the Members of the League appointed by the Assembly's resolution of September 25th, 1931, and also of the Special Committee appointed to study the question of the prohibition, in virtue of the provisions of the Covenant, of the supply of arms and war material to belligerents.

Draft Resolution.

“ The Assembly,

“ Recalling its recommendation of July 4th, 1936, and its resolution adopted on October 8th, 1936 :

“ Adopts the foregoing report ; and

“ Decides to set up the committee proposed in this report to study all the proposals which have been, or may be, made by Governments regarding the application of the principles of the Covenant and the problems connected therewith.

“ On the basis of this study, the committee will prepare a report, as soon as possible, indicating the definite provisions, the adoption of which it recommends with a view to giving practical effect to the above-mentioned recommendation of July 4th, 1936.

“ This report shall be submitted to the Governments of the States Members of the League of Nations to serve as a basis for the decisions to be taken in this matter.

“ The committee shall be authorised to propose a special session of the Assembly, should it consider it advisable to do so.”

(Adopted by the Assembly on October 10th, 1936).

INDEX

● ABBREVIATIONS

Ass.	= Assembly	Int.	= International
Cttee.	= Committee	Perm.	= Permanent
Cl.	= Council	Resol.	= Resolution
Del.	= Delegation	U.S.S.R.	= Union of Soviet Socialist Republics
Govt.	= Government		

	Page		Page
Arms and War Material, Prohibition of Supply to Belligerents		Covenant Principles, Application and Problems connected therewith (continued)	
See Belligerents, etc.		Report and resolution of Special Main Cttee.	
Belligerents, Prohibition of Supply to, of Arms and War Material		Discussion, amendments and adoption	18-26
Reference of question to Special Main Cttee. (Ass. resol., Oct. 8, 1936)	8 (text), 28 (text)	Procedure re adoption by Ass.: application of simplified procedure	26-7
Special Cttee., work, suspension of work and replacement by Special Main Cttee.	8 (resol.), 24-5, 28 (resol.), 29	Reservation of Hungarian del.	26
Study of question by Special Main Cttee., see Covenant principles, application, etc.		Text	28-30
Covenant, Harmonisation with Pact of Paris (1928) and Treaty of Non-Aggression and Conciliation (1933)		Report to be prepared by new Cttee. of 28 members	24, 25, 30 (resol.)
Reference of question to Special Main Cttee. (Ass. resol., Oct. 8, 1936)	8 (text), 28 (text)	Sub-Committee of Special Main Cttee.: proposed appointment to study question	14, 15
Study of question by Special Main Cttee., see Covenant principles, application, etc.		Technical Committee: proposal of South African del. re appointment and withdrawal	14, 16
Covenant Principles, Application and Problems connected therewith		Italo-Ethiopian War	
Assembly, future convocation of special session	24, 25, 26, 30 (resol.)	Application of sanctions to Italy.	22, 23
Committee (new) of twenty-eight members (Cl. Members and certain other States)		Non-Aggression and Conciliation, Treaty of, Rio de Janeiro (1933)	
Appointment		Harmonisation of Covenant with Treaty	
Proposal of Swiss delegate, discussion and adoption	10-17	Reference of question to Special Main Cttee. (Ass. resol., Oct. 8, 1936)	8 (text), 28 (text)
Resolution of Special Main Cttee. (Oct. 9, 1936)	30	Study of question by Special Main Cttee., see under Covenant principles, application, etc.	
Chairman, question of election.	27	Pact of Paris	
Composition		Harmonisation of Covenant with Paris Pact	
List of members	18, 29	Reference of question to Special Main Cttee. (Ass. resol., Oct. 8, 1936)	8 (text), 28 (text)
Reservation of Hungarian del.	19, 26	Study of question by Special Main Cttee., see under Covenant principles, application, etc.	
Convocation: question of date and adoption of Chairman's proposal	27	Permanent Delegates	
Number of members and adoption of Chairman's proposal	13-14, 16, 17-18	Right to attend meetings of new Cttee. on application of principles of Covenant	20
Right of every State Member to attend meetings or take part in discussions; perm. delegates' position	14, 19-21, 29 (report)	Reform of Covenant	
Terms of reference	29, 30 (resol.)	See Covenant principles, application, etc.	
Discussion	9, 9-17, 17-18, 18-26, 26-7, 27	Report and Resolution of Special Main Committee	
Documentation and procedure re study	9, 10, 11, 15, 22, 28 (report), 30 (resol.)	See under Special Main Cttee.	
General Commission of all States Members		Sanctions	
Chilian proposal re appointment	10-11, 12 (proposal), 12-17	Views on application in Italo-Ethiopian war	21, 23
Non-Member States: assistance in study of question		Security	
Chilian proposal	9 (proposal), 9, 10, 11, 12, 21-2, 22, 23, 24, 29 (report)	Strengthening of guarantees	12, 21
Procedure, general: proposals of Chairman	8-9		

	Page		Page
Special Main Committee		Special Main Committee (continued)	
Agenda	7	Report and resolution (continued)	
Chairman, appointment	8	Reservation of Hungarian del.	26
Close of session	27	Text	28-30
Constitution: resol. of Ass. (Oct. 8, 1936)	8, 28	Sub-Committee: U.S.S.R. proposal re appointment	14, 15
Members, list of	5-6	Terms of reference: resol. of Ass. (Oct. 8, 1936)	8 (text), 14, 23, 28 (text)
Opening of session	8	Treaty of Non-Aggression and Conciliation (1933)	
Publicity of meetings	8	<i>See</i> Non-aggression, etc.	
Rapporteur, appointment	17	Universality of League as related to Reform of Covenant	
Report and resolution		Chilian proposal 9 (proposal), 11, 12, 13, 21-2, 22, 23, 24, 29 (report)	
Discussion, amendments and adoption	18-26		
Procedure re adoption by Ass.: application of simplified procedure	26-7		

LEAGUE OF NATIONS

INDEX

TO THE

RECORDS

OF THE

**Seventeenth Ordinary Session
of the Assembly (1936)**

**PLENARY MEETINGS
AND COMMITTEES**

GENEVA, 1937

REFERENCES

- P. = Plenary Meetings.
C. = Committee.
S. M. C. = Special Main Committee.

EXAMPLES

- P. : 35 = Records of Plenary Meetings, page 35.
C. V : 40 = Records of Fifth Committee, page 40.

ABBREVIATIONS

- App. = Appointed.
Art. = Article.
Ass. = Assembly.
Cl. = Council.
Comm. = Commission.
Conf. = Conference.
Conv. = Convention.
Cttee. = Committee.
Del. = Delegation.
f. p. = fiscal period.
Govt. = Government.
I. L. O. = International Labour Office.
Int. = International.
Kgd. = Kingdom.
Org. = Organisation.
Perm. = Permanent.
P. M. C. = Permanent Mandates Commission.
Pres. = President.
Qns. = Questions.
Rep. = Representative.
Resol. = Resolution.
S. M. C. = Special Main Committee.
Suppl. = Supplementary.
U. S. S. R. = Union of Soviet Socialist Republics.

Note.—A numerical list of all documents published or mentioned in the Records of the Seventeenth Assembly is appended to this index (see page 39).

INDEX

TO THE

Records of the Seventeenth Ordinary Session of the Assembly

PLENARY MEETINGS AND COMMITTEES

A

- Aa, Simon van der**
See Simon van der Aa
- Abnormal Children** C. V : 27, 30, 33, 34
- Abyssinia**
See Ethiopia
- Accidents, Road Traffic**
 FOREIGN motorists, compensation for persons injured by C. II : 77
 UNIFICATION of statistics C. II : 77, 104
- Accounts of League**
 AUDITED accounts (1935) : 17th f.p. Discussion and adoption by 4th Cttee. C. IV : 7, 14, 37 (*report*), 93 (*resol.*)
 Resol. of Ass. (Oct. 10, 1936) P. : 144
- Adamowicz, Stanisława**
 Substitute delegate of Poland C. II : 5 ; C. V : 6 ; P. : 25
 CHILD welfare C. V : 37-8
 HEALTH Org., work of C. II : 13
 PENAL and penitentiary qns. C. V : 46
 WOMEN and children, traffic in C. V : 22
- Addiction**
See under Opium, etc.
- Adle, Mostafa**
 Delegate of Iran C. I : 7 ; C. III : 6 ; C. V : 6 ; S. M. C. : 5 ; P. : 22
 ARMAMENTS, reduction, etc. C. III : 21
 COMMITTEES of Ass. : amendments proposed C. I : 66, 68, 70
 COURT of Int. Justice : method of election to three vacant seats C. I : 22
 COVENANT of League : application of principles S. M. C. : 13
- Advisory Committee for Protection and Welfare of Children and Young People**
See under Social Questions
- Afghanistan**
 DELEGATION P. : 11
See also Qayum Khan, A.
- Africa**
 MANDATED territories in, *see under* Mandates
 TERRITORIES under British control : statement by Lord Lugard at Royal Institute of Int. Affairs on "open-door" policy and proposed rôle of P. M. C. C. VI : 29, 70 (*text*)
 UNION of South Africa, *see that title*
- Aga Khan**
 Delegate of India C. III : 6 ; S. M. C. : 5 ; P. : 21
 REPORT on work of League 1935/36 P. : 77-8
- Agenda of the Assembly**
 AGENDA Committee
 Chairman, and his appointment as member of General Cttee. C. I : 69 ; P. : 31, 39, 136
 Composition and functions C. I : 62, 69, 82, 84 ; P. : 136 (*resol.*)
 Members, appointment P. : 38-9
 DISTRIBUTION of items among Cttees. P. : 37, 39
 EXAMINATION and adoption P. : 38
 TEXT (adopted by Ass., Sept. 22, 1936) P. : 9-10
 TEXT (circulated to Govts.) P. : 123-8
- Agreements and Conventions**
See under subjects concerned
- Agriculture**
 AGRICULTURAL Mortgage Credit Co., Int. C. II : 46
 INSTITUTE, Int., of Agriculture : co-operation in nutrition qns. C. II : 16, 25, 29, 97 (*resol.*) P. : 133 (*resol.*)
 PRICES of agricultural products and foodstuffs C. II : 14, 16, 19, 20, 21, 24, 26, 28, 29, 30, 33, 50, 56, 57, 96, 97
 SITUATION in various countries C. II : 40, 44, 46, 54, 56, 57, 59, 61, 66, 67, 69
- Air Armaments** . . . C. III : 10, 13, 17, 27 (*report*)
- Air Transport**
 CUSTOMS exemption for liquid fuel employed in : draft Agreement C. II : 78-9, 105
 YELLOW fever, transmission by air. C. II : 8
- Albania**
 DELEGATION P. : 11
See also Aslani, Fuad
- Alcohol**
 ALCOHOLISM and nutrition C. II : 24
 in MANDATED territories, *see* Mandates : Liquor traffic
- Alexandretta**
 REGIME, and position of Turkish minority C. VI : 31, 32, 36-9, 50, 51, 62, 63 (*report*)
- Allocation of Expenses**
See Contributions, etc.
- Alvarez del Vayo, J.**
 Delegate of Spain P. : 17
 SPAIN : situation in, and policy of Spanish Govt. P. : 47-50

America

AMERICAN civilisation, *see that title*
 COLONISATION in C. II : 54, 70-1
 EUROPEAN culture and American
 culture, *see under Culture*
 LATIN America, *see that title*
 UNITED States of America, *see that
 title.*

**American Civilisation : Collection of
 Ethnographical and Historical
 Works (Levillier Proposal)**

DRAFT resol. submitted by Argentine
 del. C. VI : 18-19
 REPORT and resol. of 6th Cttee. C. VI : 38-9 (*adop-
 tion*), 57, 60 (*text*)
 RESOL. of Ass. (Oct. 8, 1936) P. : 139
 STATEMENT by M. Levillier and discus-
 sion C. VI : 16-18, 20, 22, 23-4, 24, 25-6, 26, 27,
 27-8, 29, 38

American Declaration of Aug. 3,
 1932 P. : 119

Andrews, H. T.

Delegate of Union of South Africa C. I : 6 ; C. III : 5 ;
 C. IV : 5 ; S. M. C. : 6 ; P. : 11
 BUDGET of League : 1937 estimates C. IV : 17-18, 38
 REFUGEES : credits for C. IV : 68

Andritch, Ivo

Substitute delegate of Yugoslavia C. II : 6 ; C. IV : 6 ;
 C. VI : 7 ; P. : 30
 INTELLECTUAL Co-operation C. VI : 13

Antonesco, Victor

Delegate of Roumania C. VI : 7 ; P. : 26
 ECONOMIC and financial qns. C. II : 48-50

Apponyi, Countess Albert

Delegate of Hungary C. V : 5 ; P. : 21
 CHILD welfare C. V : 28
 OPIUM, etc., traffic in C. V : 41
 WOMEN and children, traffic in C. V : 22

Arabs

in Palestine, *see Mandates : Palestine :
 Jews and Arabs*

**Argentine Pact of Non-Aggression
 and Conciliation 1933**

See Non-Aggression, etc.

Argentine Republic

DELEGATION P. : 11-12
*See also Cantilo, J. M.
 Levillier, R.
 Pardo, C. A.
 Ruiz Guiñazú, E.
 Saavedra Lamas, C.*
 NATIONAL Cttee. on Intellectual Co-
 operation C. VI : 26

**Armaments, Reduction and Limi-
 tation**

AIR armaments C. III : 10, 13, 17, 27 (*report*)
 CONFERENCE, world
 Bureau
 Convocation proposed by
 French Govt. and date C. III : 9, 11, 11-12,
 13, 14, 15, 16-17, 20, 24-5, 25 (*resol.*), 28
 (*report and resol.*) ; P. : 52, 62, 65, 89-90, 99
 Past and future work ; work of
 3rd Cttee. to be referred to
 Bureau C. III : 10, 11, 13, 14, 15, 16, 17, 20,
 25 (*resol.*), 28 (*resol.*) P. : 136 (*resol.*)
 Committees, Sub-Committees C. III : 10, 17, 18,
 20, 23, 26, 27

**Armaments, Reduction and Limi-
 tation (continued)**

CONFERENCE, world (*continued*)

Non-member States, participa-
 tion in C. III : 10, 18, 28
 President : tribute to memory of
 Mr. Henderson C. III : 10
 Report of President C. III : 9-10, 10, 26
 Suspension of work C. III : 11, 17, 22,
 26 (*report*)
 Work and future C. III : 9-11, 11-21, 22-5,
 26-8 (*report*)

DISCUSSION, general C. III : 9-11, 11-21, 22-5 ;
 P. : 59, 65, 73, 74, 78, 80, 87, 119

DRAFT Conventions C. III : 10, 11, 14, 20

MANUFACTURE, *see that title*

NAVAL armaments : London Conf.
 and agreements C. III : 17, 18, 19

PERMANENT Disarmament Comm. :
 creation and functions C. III : 10, 11, 12, 13, 14,
 15, 17, 18, 19, 20, 21, 27 (*report*)

QUALITATIVE limitation C. III : 12

QUESTION as perm. item of League
 agenda C. III : 11, 14, 26

REARMAMENT

Economic effects C. III : 13, 15, 16, 17-18, 18-
 19, 21, 22, 26 (*report*)

Expenditure on. C. II : 49, 60, 61, 72, 74
 P. : 47

REDUCTION, necessity for co-operation
 REFERRED to 3rd Cttee. : adoption
 of draft resol. of delts. of Denmark,
 Finland, Netherlands, Norway
 and Sweden P. : 102 ; C. III : 9, 26

REPORT of 3rd Cttee.
 Adopted by Ass. P. : 115
 Communicated to Bureau and
 certain countries C. III : 25 (*resol.*), 28 (*resol.*) ;
 P. 136 (*resol.*)

Examination and adoption by
 Cttee. C. III : 22-5

Presentation to Assembly : ap-
 plication of new procedure C. III : 25

Text C. III : 26-8

RESOL. of Ass. (Oct. 10, 1936) P. : 136
 RESOL. of 3rd Cttee. (Oct. 7, 1936) C. III : 25, 28

Armenian Refugees

See under Refugees

**Arms and War Material : Supply to
 Belligerents**

See Belligerents, etc.

Arocha, Manuel

Delegate of Venezuela C. II : 5 ; C. III : 7 ; C. IV : 6 ;
 S. M. C. : 6 ; P. : 30
 SECRETARIAT : recruitment of staff. C. IV : 12

Arrears, Contributions in

See under Contributions

Arts and Letters

ART exhibitions, Int., recommenda-
 tion of Int. Museums Office C. VI : 57 (*report*),
 59 (*resol.*) ; P. : 139 (*resol.*)

COLLECTIONS, *see that title*

COMMITTEE on Arts and Letters
 Members : increase of number and
 supplementary credits C. VI : 11, 19, 39,
 56 (*report*), 59 (*resol.*) ; P. : 138 (*resol.*)
 Work, and programme of work C. VI : 11, 13,
 14, 16, 19, 55, 56-7 (*report*), 58, 59 (*resol.*)

"CONVERSATIONS", *see that title*

PROTECTION of national artistic and
 historic treasures
 Draft Convention C. VI : 10, 24, 55 (*report*)
 in Spain : proposal of Bolivian del. C. VI : 20-1,
 24, 28, 29, 39, 57 (*report*)

TRANSLATIONS, *see that title*

Asia

REPRESENTATION on the Council,
proposals and discussion C. I : 11, 12-13, 17, 18,
19, 20, 74, 75

Aslani, Fuad

Delegate of Albania C. I : 6; C. II : 4; C. III : 5;
C. VI : 5; S. M. C. 5; P. : 11
COUNCIL, composition C. I : 13

Assembly of League

AGENDA, *see that title*

BUDGET estimates for 1937 C. IV : 20-22

COMMITTEES of, *see Committees, etc.*

PRESIDENT

Choice of members of General
Cttee. by, proposed C. I : 63, 65, 67-8
of 17th Session, *see below*

RULES of Procedure, *see that title*

17TH SESSION

Annexes to Minutes: list P. : 7

Close of session P. : 118-21

Convocation (letter of May 7,
1936) P. : 8

Credentials, *see that title*

Delegates, list P. : 11-30

Opening of Ass. and opening
speech of President of Council P. : 33, 33-4

President P. : 31

Election P. : 36

Presidential address P. : 36-7

Speech at close of session P. : 118-21

Tribute to work and acknow-
ledgment P. : 121

Resol. adopted by Ass.

Oct. 1, 1936 P. : 129

Oct. 3, 1936 P. : 130

Oct. 8, 1936 P. : 130-3

Oct. 10, 1936 P. : 134-41, 141-5

Vice-Presidents P. : 31, 42 (election)

18TH SESSION : proposal *re* inclusion
of a question in agenda of P. : 116

VICE-PRESIDENTS, increase in num-
ber proposed and their represen-
tation on the General Cttee. C. I : 65, 68, 69

Assistance, International, to Refugees

See Refugees

Assyrians of Iraq

BUDGET for 1937, *see under* Budget

CONTRIBUTIONS from Govts. of Iraq
and United Kgd., Council resol.
(Sept. 25, 1936) C. IV : 20; P. : 81

PRINCIPLES governing voting of cred-
its for C. IV : 69

PROBLEM compared with that of
refugees from the Saar C. VI : 42, 43, 64, 67

REFERRED to 4th Cttee. P. : 81

Astor, Viscount

Substitute delegate of United Kgd. P. : 13

NUTRITION C. II : 28-30

Audited Accounts

See Accounts, etc.

Australia

DELEGATION P. : 12

See also Bruce, S. M.
McDougall, F. L.
Officer, F. K.
Waterworth, E. A.
Watt, R. G.

Austria

DELEGATION P. : 12

See also Leitmaier, M.
Matsch, F.
Pfügl, E.
Schmidt, G.
Starhemberg, F.

Austro-Hungarian Monarchy, Former

RAILWAYS : disputes relating to
reorg. C. II : 79, 102

Authors' Rights

UNIVERSAL Charter : harmonisation of
Berne and Havana Conventions C. VI : 19,
55-6 (*report*), 60 (*resol.*) ; P. : 140 (*resol.*)

Avenol, Joseph

Secretary-General of the League P. : 31

BUDGET of League : 1937 estimates C. IV : 7-10,
22, 24, 25, 31, 32

COMMITTEES of Assembly : proposed
amendments C. I : 62-4

CORRESPONDENTS and temporary col-
laborators C. IV : 49

COVENANT of League : application of
principles S. M. C. : 15, 26, 27

SECRETARIAT : recruitment of staff. C. IV : 13

Aviation

See Air Transport

Azcarate, P. de

Deputy Secretary-General

RESIGNATION C. IV : 13

B

Balance of Payments C. II : 45, 49, 50, 51, 52, 53, 56,
57, 69, 72, 74, 83, 87

Baluchistan

DISASTER in and aid afforded by Int.
Relief Union C. V : 47

Basdevant, M.

Assistant delegate of France C. I : 7 ; P. : 19

COMMITTEES of Ass. : proposed amend-
ments C. I : 69

COURT of Int. Justice
Method of election to three
vacant seats C. I : 22-3

Participation in elections of
States non-members but par-
ties to Court Statute. C. I : 27

TERRORISM, draft Conv. on C. I : 53, 57

Bassols, Narciso

Delegate of Mexico C. III : 6 ; C. IV : 6 ; C. VI : 6 ;
S. M. C. : 6 ; P. : 23

REPORT on work of League 1935/36 P. : 100-1

Bastid, Paul

Substitute delegate of France C. II : 4 ; C. VI : 6 ;
P. : 19

ECONOMIC and financial qns. C. II : 43-5, 83

HAAS, Robert : tribute to his memory C. II : 76

Beck, Josef

Delegate of Poland C. VI : 6 ; P. : 25

AGENDA Cttee., Chairman P. : 31, 42

GENERAL Cttee., member P. : 31, 43

Begtrup, Mme.

Delegate of Denmark C. II : 31

NUTRITION C. II : 31

Belgium		
DELEGATION	P. : 12	
<i>See also</i> Bourquin, M.		
Carton de Wiart, Count		
Coucke, J.		
Langenhove, F. van		
Rolin, H.		
ECONOMIC and financial situation	C. : II 57-8	
Belligerents, Prohibition of Supply of Arms and War Material to		
APPOINTMENT of Special Main Cttee. Ass. resol. submitted by General Cttee.	S. M. C. : 28; P. : 108-9	
COMMITTEE of Jurists: communication of Chairman and action taken	P. : 81-2	
REFERENCE of question to Special Main Cttee. (Ass. resol., Oct. 8, 1936)	S. M. C. : 8 (<i>text</i>), 28 (<i>text</i>); P. : 108-9	
REPORT of Special Main Cttee. and resol.	S. M. C. : 28-30; P. : 115	
RESOL. of Ass. (Oct. 10, 1936)	P. : 141	
SPECIAL Cttee., activities and replacement by Special Main Cttee.	S. M. C. : 8 (<i>resol.</i>), 24-5, 28 (<i>resol.</i>), 29	
STUDY of question by Special Main Cttee., <i>see</i> Covenant : application of principles		
Benavides, Victor		
Delegate of Uruguay C. II : 6; C. III : 7; C. IV : 6; C. V : 6; C. VI : 7; S. M. C. : 6; P. : 29		
CHILD welfare	C. V : 38	
ECONOMIC and financial qns.	C. II : 74, 84	
HEALTH Org., work of	C. II : 13-14	
INTELLECTUAL Co-operation	C. VI : 24	
NUTRITION	C. II : 34-5	
OPIUM, etc., traffic in	C. V : 17	
WOMEN and children, traffic in	C. V : 22	
Bhadravadi, Luang		
Substitute del. of Siam C. I : 7; C. III : 6; C. IV : 6; C. V : 6; C. VI : 7; S. M. C. : 6; P. : 27		
COUNCIL, composition	C. I : 13	
Bilateral Commercial Agreements C. II : 41, 45, 52, 57, 58, 65, 68, 69, 72, 75, 83		
Biological Standardisation	C. II : 8, 12, 89	
Birth-rates	C. II : 12, 14	
Biswas, Charu Chandra		
Substitute delegate of India C. I : 7; C. II : 5; C. IV : 5; P. : 21		
BRANCH offices in India : amalgamation.	C. IV : 72	
BUDGET of League : 1937 estimates C. IV : 18-19, 22, 23, 30-1, 31		
CONTRIBUTIONS of States to League : allocation	C. IV : 76-7	
CORRESPONDENTS and temporary collaborators	C. IV : 48-9	
DEVALUATION of Swiss franc	C. IV : 56, 57	
ECONOMIC and financial qns.	C. II : 73	
GUARANTEE Fund	C. IV : 45	
REFUGEES : credits for	C. IV : 68	
SECRETARIAT : recruitment of staff.	C. IV : 12	
SUPERVISORY Comm. : composition of	C. IV : 64	
TRANSIT Org. : work of.	C. II : 78	
Blanck, Guillermo de		
Delegate of Cuba C. I : 6; C. II : 4; C. VI : 5; S. M. C. : 5; P. : 16		
COURT of Int. Justice : participation in election of States non-members but parties to Court Statute	C. I : 26	
REPORT on work of League 1935/36	P. : 101-2	
Boetzelaer, E. O. van		
Secretary, delegation of the Netherlands	C. II : 5; P. : 25	
ECONOMIC and financial qns.	C. II : 87	
HEALTH Org., work of	C. II : 9	
TRANSIT Org. : work of.	C. II : 78, 78-9	
Bolivia		
COUNCIL : elected non-perm. member	P. : 57	
DELEGATION	P. : 13	
<i>See also</i> Costa du Rels, A.		
DISPUTE with Paraguay, <i>see</i> Dispute, etc.		
Bonnet, Henri		
Director of Institute of Intellectual Co-operation		
ATTENDED meetings of the 6th Cttee.	C. VI : 7	
INTELLECTUAL Co-operation	C. VI : 28-9, 39	
Bounties, Export	C. II : 55, 56	
Bourquin, Maurice		
Substitute delegate of Belgium C. I : 6; C. III : 5; C. VI : 5; P. : 13		
INTELLECTUAL Co-operation	C. VI : 12-13	
Boy Scout Movement	C. V : 18	
Branch Offices		
AMALGAMATION of I. L. O. Office at Delhi and League Office at Bombay	C. IV : 18, 72	
CORRESPONDENTS at Bombay and Tokio	C. IV : 22, 23	
Bray, Sir Denys		
Delegate of India C. I : 7; C. III : 6; C. VI : 6; S. M. C. : 5; P. : 21		
TERRORISM, draft conv. on	C. I : 48, 52	
Brazil		
RIGHT to elect members of the Court of Int. Justice		
Communication from Govt. C. I : 78, 79 (<i>text</i>)		
Discussion	C. I : 25, 26, 28, 76, 77, 80, 81	
Britain, Great, and Northern Ireland, United Kingdom of		
DELEGATION	P. : 13-14	
<i>See also</i> Astor, Viscount Cranborne, Viscount Eden, Anthony Graves, M. MacDonald, M. J. Malkin, Sir W. Morgan, M. T. Morrison, W. S. Phillips, Sir F. Shakespeare, G. H.		
ECONOMIC and financial situation C. II : 39-41, 55		
LOYALTY towards the League	P. : 45	
PRISONS and penal reforms	C. V : 46, 63	
Broadcasting : Use in Cause of Peace		
CONFERENCE, Int., and proposed convention C. VI : 14, 24, 28, 47, 55 (<i>report</i>), 59 (<i>resol.</i>); P. 63, 139 (<i>resol.</i>)		
<i>re</i> INTELLECTUAL questions : results of "conversations", etc.	C. VI : 14	
<i>re</i> INTERNATIONAL questions : pacific propaganda, etc. C. VI : 14, 16, 20, 24, 25, 28, 47		
PROPOSAL submitted by Swedish Broadcasting Corporation <i>re</i> co-operation between Secretariat and certain organisations C. VI : 14, 47, 59 (<i>resol.</i>); P. 139 (<i>resol.</i>)		
<i>See also</i> League of Nations and modern means, etc.		
Bruce, S. M.		
Delegate of Australia C. I : 6; C. III : 5; C. VI : 5; S. M. C. : 5; P. : 12		
17TH ASSEMBLY, Vice-Pres.	P. : 31	
COVENANT of League : application of principles S. M. C. : 8, 17 (<i>app. rapporteur</i>), 28-30 (<i>report</i>); P. : 115		
ECONOMIC and financial qns.	C. II : 60-2	

Bruce, S. M. (continued)

REFUGEES : credits for and int. assistance to C. IV : 52 ; C. VI : 42
 REPORT on work of League 1935/36 P. : 74-7
 SPECIAL Main Cttee., Chairman P. : 31 ; S. M. C. : 5, 8 (election), 17

Budget of League

ASSYRIANS of Iraq : budget estimates for 1937 (Part VIII)
 Decrease in C. IV : 9
 Report of Supervisory Comm. adopted C. IV : 80
 Reserved C. IV : 34
 1932 BUDGET C. IV : 8
 1935 BUDGET (17th. f.p.)
 Audited accounts, *see* Accounts, etc.
 Financial situation at the end of C. IV : 7-8
 Surplus and disposal C. IV : 9, 14, 43, 54, 55, 72, 87, 91
 1936 BUDGET (18th f.p.)
 Situation during C. IV : 8
 1937 BUDGET estimates (19th f.p.)
 Adopted by the 4th Cttee. C. IV : 72
 Discussion
 Detailed examination C. IV : 20-34, 36-7, 39-42
 General discussion C. IV : 7-12, 15-20
 Statement by Sec.-Gen. C. IV : 7-10
 Final figures C. IV : 91
 Part I, *see below* Secretariat and Special Orgs.
 Part II, *see below* Labour Organisation, Int.
 Part III, *see below* Court of Int. Justice
 Part IV, *see below* Opium Board, Perm. Central
 Part V, *see below* Refugees, Nansen Int. Office for
 Part VI, *see below* Buildings, League
 Part VII, *see below* Pensions
 Part VIII, *see above* Assyrians of Iraq
 Publication in *Official Journal* C. IV : 94 (resol.) ; P. : 144 (resol.)
 Reports of
 Fourth Cttee.
 Adoption C. IV : 80, 94 (resol.) ; P. : 144 (resol.)
 Text C. IV : 87-94
 Supervisory Comm., discussion and adoption C. IV : 13-14, 43-6, 47-9, 71-2
 Suppl. credits
 Child welfare C. IV : 66
 Discussion and adoption C. IV : 71-2
 Intellectual co-operation . C. IV : 51-2, 71
 Refugees C. IV : 51-2, 66-71
 Reports of
 Fourth Cttee. C. IV : 91
 Supervisory Comm., examination and adoption . . C. IV : 66-71
 BUILDINGS at Geneva : budget estimates for 1937 (Part VI)
 Discussion and adoption C. IV : 10, 34
 Report of 4th Cttee. C. IV : 92
 COURT of Int. Justice, Perm. : budget estimates for 1937 (Part III)
 Discussion and adoption C. IV : 36-7, 38
 Increase C. IV : 8
 Report of 4th Cttee. C. IV : 90-1
 DEVALUATION, effect on, *see under* Currency readjustment
 LABOUR Organisation, Int. : budget estimates for 1937 (Part II)
 Adopted C. IV : 37
 Discussion C. IV : 36-7 (statement)
 Increase for 1937 C. IV : 8
 Report of 4th Cttee. C. IV : 90

Budget of League (continued)

OPIUM Board, Perm. Central : budget estimates for 1937 (Part IV)
 Adoption C. IV : 34
 " OVER-BUDGETING ", criticism of C. IV : 9, 15, 19, 44, 87
 PENSIONS : budget estimates for 1937 (Part VII)
 Discussion and adoption C. IV : 39-43
 Reserved C. IV : 34
 Report of 4th Cttee. C. IV : 93
 REFUGEES, Nansen Int. Office for : budget estimates for 1937 (Part V)
 Adoption C. IV : 71
 Decrease C. IV : 8
 Reserved C. IV : 34
 Suppl. credits : request of the 6th Cttee. and report of the Supervisory Comm. C. IV : 51-2, 66-71
 REPORTS of Cttees., *see above under* 1937 Budget
 SECRETARIAT and Special Orgs. : budget estimates for 1937 (Part I)
 Adoption C. IV : 22, 26, 29, 31
 Discussion C. IV : 21-34
 Increase C. IV : 8, 9
 Report of 4th Cttee. C. IV : 89
 Sections, chapters and items
 Assembly sessions C. IV : 20-22
 Child welfare C. IV : 66
 Committees C. IV : 20-22
 Conferences C. IV : 20-22
 Council C. IV : 20-22
 Intellectual co-operation . C. IV : 51-2, 71
 Investigations, enquiries and liaison C. IV : 22-6
 Perm. equipment C. IV : 33
 Profit and loss on exchange . C. IV : 28
 Revenue C. IV : 33-4
 Salaries and general services C. IV : 26-8, 30-1
 Supervision of revenue and expenditure C. IV : 50
 Work covered by special grants C. IV : 28, 31-3
 SUPPL. credits
 1937 Budget, *see that title above*
 Supervisory Comm. to inform 4th Cttee. of consequences of preliminary vote as to principle adopted during discussion of C. IV : 14
 Time-limit for submission of requests for C. IV : 38-9
 SURPLUS and disposal, *see above under* 1935 Budget
 Buenos Aires Conference, 1936
See under Dispute between Bolivia and Paraguay
 Building Industry C. II : 40
 Buildings of the League
 ARCHITECTS' contracts C. IV : 48
 BUDGET estimates for 1937, *see under* Budget
 FUNCTIONS of Supervisory Comm. with regard to : proposal to postpone renewal of members till completion of buildings. *see under* Supervisory Comm. : Members
 LABOUR Office building, new C. IV : 37
 LIBRARY, *see that title*
 OCCUPATION of new buildings, credit for, deleted C. IV : 8, 9, 33, 47
 PART played by 4th Cttee. in erection of, and thanks to all collaborators C. IV : 7
 REPORT of Supervisory Comm. on new buildings : statements and discussion C. IV : 13, 48

Bulgaria	
DELEGATION	P. : 14-15
<i>See also</i> Momtchiloff, N. Stoyanoff, N.	
ECONOMIC situation	C. II : 20-1
Buoyage Rules, Unification of	
DRAFT agreements	C. II : 78, 105
Bureau of World Conference	
<i>See under</i> Armaments : Conference	
Butler, Harold	
Director of I.L.O.	
BUDGET of I. L. O. : 1937 estimates	C. IV : 36-7
C	
Caeiro da Matta, José	
<i>See</i> Matta, José Caeiro da	
Cameroons	
<i>See under</i> Mandates	
Campbell, R. M.	
Substitute delegate of New Zealand	C. II : 5 ; P. : 24
ECONOMIC and financial qns.	C. II : 74
Canada	
DELEGATION	P. : 15
<i>See also</i> King, W. L. Mackenzie Riddell, W. A. Rogers, N. M. Skelton, O. D. Vanier, G. P.	
Cantilo, José Mario	
Delegate of Argentine Republic	C. I : 6 ; C. IV : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 11
COURT of Int. Justice : participation in elections of States non-mem- bers but parties to Court Statute	C. I : 26
COVENANT of League : application of principles	S. M. C. : 12, 22
ECONOMIC and financial qns.	C. II : 83
REPORT on work of League 1935/36	P. : 86-7
Capital	
FREE circulation	C. II : 44, 45, 49, 51, 52, 71, 72, 98, 99, 100 (<i>resol.</i>) ; P. : 142 (<i>resol.</i>)
Capsalis, Demètre	
Substitute delegate of Greece	C. I : 7 ; C. V : 5 ; P. : 20
TERRORISM, draft conv. on	C. I : 55
Carton de Wiart, Count	
Delegate of Belgium	C. I : 6 ; C. III : 5 ; C. IV : 5 ; C. V : 5 ; P. : 12
ARMAMENTS, reduction, etc.	C. III : 20
BUDGET of League : 1937 estimates	C. IV : 15-16, 21-2, 22, 23, 28
CHILD welfare	C. V : 26-7, 31-2
COMMITTEES of Ass. : proposed amend- ments	C. I : 66
CONTRIBUTIONS : member of Special Cttee.	P. 145 ; C. IV : 86
CREDITS for child welfare and sup- pression of traffic in women and children	C. V : 31
PENAL and penitentiary qns.	C. V : 46
SECRETARIAT : recruitment of staff.	C. IV : 11
SUPERVISORY Comm. : composition of.	C. IV : 59-60, 63, 64
TERRORISM, draft conv. on	C. I : 54, 57, 60
WOMEN and children, traffic in	C. V : 31-2
Cassin, René	
Assistant delegate of France	C. I : 7 ; C. III : 5 ; P. : 19
COMMITTEES of Ass. : proposed amendments	C. I : 64
TERRORISM, draft conv.	C. I : 57, 58, 60, 62
Castberg, Frede	
Substitute delegate of Norway	C. I : 7 ; P. : 23
COURT of Int. Justice : participation in elections of States non-mem- bers but parties to Court Statute	C. I : 25
TERRORISM, draft conv. on	C. I : 37-8
Castro e Almeida, Mme. Virginia	
Substitute delegate of Portugal	C. V : 6 ; P. : 26
WOMEN and children, traffic in	C. V : 19
Chaco	
DISPUTE between Bolivia and Paraguay, <i>see that title</i>	
REFUGEES, settlement in, <i>see</i> Refugees : from Saar Territory, etc.	
Chamber of Commerce, International	
WORLD Congress at Washington	C. II : 66
Chari, Sir V. T. Krishnama	
Delegate of India	C. II : 5 ; C. V : 5 ; C. VI : 6 ; P. : 21
BALUCHISTAN disaster	C. V : 47
CHILD welfare	C. V : 37
HEALTH Org., work of	C. II : 7-9
INTELLECTUAL co-operation	C. VI : 24
OPIUM, etc., traffic in	C. V : 10, 42
WOMEN and children, traffic in	C. V : 21-2
Chen Ting, M.	
Assistant delegate of China	C. V : 5 ; P. : 16
OPIUM, etc.	C. V : 43
Cheng Tien-Hsi, M.	
ELECTED Judge at the Perm. Court of Int. Justice P. : 111, 116 (<i>acceptance of election</i>)	
Child Welfare	
ABNORMAL child	C. V : 27, 30, 33, 34
ADVISORY Comm. for the Protection and Welfare of, <i>see under</i> Social Questions	
AGE of marriage and consent in India	C. V : 37
BOARDING-OUT in families	C. V : 24, 25, 27, 29, 32, 34, 38, 59 (<i>report</i>)
BOY Scout movement.	C. V : 18
CHILD Welfare Committee : amalgama- tion with Traffic in Women and Children Cttee., <i>see</i> Social Ques- tions, Advisory Cttee. on	
CINEMATOGRAPH, recreational aspects, <i>see under</i> Cinematograph	
DELINQUENT child and juvenile courts	C. V : 25, 27, 28, 29, 30, 33, 34, 37, 46, 59 (<i>report</i>)
DESERTION, family	C. V : 25, 27, 28, 29, 33, 34, 37, 38, 60 (<i>report</i>)
DISCUSSION	C. V : 23-30, 32-7, 37-9
HEALTH and medical treatment	C. II : 12, 13, 14 ; C. V : 27, 33, 35
<i>See also</i> Nutrition	
HOUSING and child welfare	C. V : 35-6, 58
ILLEGITIMATE child	C. V : 21, 27, 30, 38
ILL-TREATED and neglected child	C. V : 25, 26, 28, 28-9, 29, 30, 33, 34, 35, 37, 38, 39, 59 (<i>report</i>) 60 (<i>report</i>)
INFANTS, <i>see that title</i>	
INFORMATION Centre (Social Ques- tions Section)	C. V : 25, 36, 38, 59 (<i>report</i>)
INTER-SCANDINAVIAN Child Welfare Congress (1936)	C. V : 29
LABOUR, child, and effect of economic depression	C. V : 27, 33, 35
LEGAL status of children	C. V : 30, 38

Child Welfare (continued)

NATIONAL services, future studies by
Social Questions Cttee. C. V : 23, 24, 25, 36-7,
38, 57, 58

NEGLECTED child, *see above* Ill-treated
and neglected child

NORMAL child C. V : 23-4, 26, 30, 34, 35, 58 (report)

NUTRITION, *see that title*

ORGANISATION, general, of child welfare:
study of question proposed
by French del. C. V : 23, 36-7, 37 (draft resol.), 39,
58 (report), 60 (resol.)

PRIVATE organisations C. V : 24, 25, 26, 28, 32, 33,
35, 36, 38, 57, 58

PROSTITUTION among minors . . . C. V : 20, 21, 22

RAPPORTEUR
Appointments C. V : 7-48
Statement by C. V : 23-6

REPORT and resols. of 5th Cttee.
Adoption by Ass., and procedure P. : 115 ;
C. V : 48

Discussion and adoption with
amendments C. V : 48
Text C. V : 50-7

RESOLS. of Ass. (Oct. 10, 1936) . . . 137-8

RURAL areas and smaller urban centres,
child welfare in C. V : 23-4, 25, 26, 28, 30, 32,
33, 34, 38, 39, 58 (report), 60 (re-
port), 61 (resol.) : P : 137 (resol.)

SOCIAL Questions Section as Infor-
mation Centre, *see above* Infor-
mation Centre

SUPPL. credits for C. IV : 66

TRAFFIC in, *see* Traffic in women and
children

Chile

DELEGATION P. : 15
See also Gajardo, E. J.
Garcia-Oldini, F.
Rivas Vicuna, M.

NUTRITION C. II : 20, 91

PENAL legislation C. V : 44

China

COMMUNICATIONS in C. II : 59, 106

CO-OPERATION, technical, with
League C. II : 82, 106 ; P. : 71-2

COUNCIL, claim for representation
on and discussion C. I : 11-12, 13, 15, 16, 18, 20,
21, 73, 74, 75 ; P. : 107-8 (election)

DELEGATION P. : 15-16
See also Chen Ting, M.
King Wunsz, M.
Koo, Dr. V. Wellington
Liang Lone, M.
Liu Chieh, M.
Tsien Tai, M.

DRUG situation in, *see under* Opium, etc.

ECONOMIC and financial situation . . C. II : 59-60

SILVER crisis in C. II : 59

Christiani, R.

Substitute delegate of Denmark C. II : 4 ; C. IV : 5 ;
P. : 17

ECONOMIC and financial qns. C. II : 55, 83

HEALTH Org., work of C. II : 14

TRANSIT Org., work of C. II : 77

Cinematograph

CIRCULATION, int., of educational films:
Int. Conv. C. VI : 55, 60 (resol.) ;
P. : 140 (resol.)

FILMS for pacific propaganda C. VI : 15, 16, 24, 28, 47
See also League of Nations and
Modern Means, etc.

INT. Educational Cinematographic
Institute : resols. *re* work of P. : 140 (Ass.)
C. VI : 60 (6th Cttee.)

RECREATIONAL aspects and co-opera-
tion between Social Questions
Cttee. and Rome Institute C. V : 24, 28, 29, 29-
30, 32, 34, 38, 59 (report)

Clurlionis, Mme. S.

Substitute delegate of Lithuania C. I : 7 ; C. V : 6 ;
P. : 23

WOMEN and children, traffic in C. V : 7 (app.
rapporteur), 18, 41, 41 (app.-rapporteur)
54-7 (report)

Civil War in Spain

PRINCIPLE of non-intervention . . . P. : 51-2, 64, 84

Civilisation, American

See American Civilisation, etc.

Clearing Arrangements

CONVERSION of bilateral arrangements
into system of plurilateral com-
pensation : draft resol. of del. of
Haiti C. II : 52-4, 54 (text), 70, 75, 76, 85, 99

DISCUSSION . . . C. II : 40, 52, 53, 60, 65, 69, 72

Coca Leaf and Cocaine

See under Opium, etc.

Codeine C. V : 9, 12

Collections

IBERO-AMERICAN and Japanese collections C. VI : 29,
55 (report)

of TRANSLATIONS, *see that title*

of WORKS on origins of American
civilisation, *see* American Civi-
lisation

**Collective Security and Disarma-
ment C. III : 24, 27 (report) ; P. : 48**

Colombia

DELEGATION P. : 16
See also Lozano y Lozano, C.
Turbay, G.
Yepes, J. M.

DISPUTE with Peru P. : 104

Colonisation

in AMERICAN countries C. II : 54, 70-1
See also Migration

**Commercial Accessibility of Raw
Materials**

See Raw materials, etc.

Commercial Agreements C. II : 41, 45, 52, 57, 58,
65, 68, 69, 72, 75, 83

Commercial Propaganda

DRAFT Conv. for facilitating C. II : 73

Committees of the Assembly

AGENDA Cttee., *see under* Agenda of
Ass.

CHAIRMEN
Election and list P. : 31, 40, 42

Membership of General Cttee.,
see under General Cttee.

1ST COMMITTEE (constitutional and
legal qns.)
Agenda, text and adoption . C. I : 9, 10 ; P. : 9
C. I : 6
Chairman C. I : 72
Close of session C. I : 6-8
Members C. I : 10
Publicity of meetings
Reports and resolutions, *see*
under subjects concerned

Vice-Chairman, election C. I : 10

Committees of the Assembly (continued)

2ND COMMITTEE (technical orgs.)
 Agenda and adoption . . . C. II : 6, 7 ; P. : 9
 Chairman C. II : 4
 Close of session C. II : 87
 Members C. II : 4-6
 Publicity of meetings C. II : 7
 Rapporteurs, appointment C. II : 7, 36, 37, 71, 86
 Reports and resols., *see the questions concerned*
 Vice-Chairman, election C. II : 7

3RD COMMITTEE (armaments)
 Agenda C. III : 8, 9
 Chairman and election C. III : 5, 9
 Close of session C. III : 25
 Constitution
 Adjournment of question P. : 43
 Discussion C. III : 9, 11, 13, 14, 15, 16, 20, 26
 Proposal of dels. of Denmark, Finland, Netherlands, Norway, Sweden
 Proposal of General Cttee. :
 discussion and adoption P. : 91
 Reference to General Cttee. P. : 66
 Text P. : 66
 Reference of question to General Cttee. P. : 38
 Members C. III : 5-7
 Minutes of meetings, procedure *re* C. III : 13, 20, 25, (resol.), 28 (resol.)
 Programme of work . . . C. III : 9-11 ; P. : 9, 102 (resol.)
 Publicity of meetings C. III : 9
 Rapporteur, appointment C. III : 21
 Report and resols., *see under Armaments*
 Vice-Chairman and election C. III : 5, 9

4TH COMMITTEE (budget and administrative qns.)
 Agenda and adoption . . . C. IV : 7, 82 ; P. : 9
 Chairman C. IV : 5
 Close of session C. IV : 81
 Convocation before opening of the Assembly C. I : 71, 82 ; P. : 135 (resol.)
 Members C. IV : 5-6
 Part played in erection of new buildings C. IV : 7
 Publicity of meetings C. IV : 7
 Rapporteur, appointment C. IV : 39
 Reports and resols.
 See also under subject concerned
 General report on financial questions
 Adoption C. IV : 80
 Text C. IV : 87-95
 Vice-Chairman C. IV : 5, 7

5TH COMMITTEE (humanitarian and general qns.)
 Agenda and adoption C. V : 7, 17 ; P. : 9
 Annexes, list C. V : 4
 Chairman C. V : 5
 Close of session C. V : 49
 Members C. V : 5-6
 Rapporteurs, appointment C. V : 7, 41, 43, 48, 49
 Vice-Chairman and election C. V : 5-7

6TH COMMITTEE (political qns.)
 Agenda and adoption C. VI : 8, 9, 10 ; P. : 9
 Chairman C. VI : 5
 Close of session C. VI : 53
 Documents for : preparation and distribution to members C. VI : 15
 Experts : participation in work of Committee C. VI : 9
 Members C. VI : 5-7
 Publicity of meetings C. VI : 9
 Reports
 See also under the questions concerned
 Procedure for presentation C. VI : 9, 40, 52

Committees of the Assembly (continued)

6TH COMMITTEE (continued)
 Request for suppl. credits
 Intellectual Co-operation . . . C. IV : 51-2, 71
 Refugee questions C. IV : 51-2, 56-71
 Vice-Chairman C. VI : 5, 9
 CONSTITUTION P. : 38
 CREDENTIALS Cttee., *see under Credentials*
 DISTRIBUTION of items of agenda among P. : 37-39
 GENERAL Cttee., *see that title*
 NOMINATIONS Cttee., *see that title*
 PROPOSALS of Assembly Cttees. involving additional expenditure C. IV : 71
 REPORTS and resols. procedure *re* adoption
 Reports examined in accordance with new procedure P. : 111-13, 114, 114-15
 Reports not examined in accordance with new procedure P. : 114, 116-18

SPECIAL Main Committee
 Agenda S. M. C. : 7 ; P. : 10
 Chairman, appointment S. M. C. : 8
 Close of session S. M. C. : 27
 Constitution : resol. of Ass. (Oct. 8, 1936) S. M. C. : 8, 28 ; P. : 108-9
 Members, list of S. M. C. : 5-6
 Opening of session S. M. C. : 8
 Publicity of meetings S. M. C. : 8
 Rapporteur, appointment S. M. C. : 17
 Report and resolution
 Discussion, amendments and adoption S. M. C. : 18-26
 Procedure *re* adoption by Ass. : application of simplified procedure S. M. C. : 26-7
 Reservation of Hungarian del. S. M. C. : 26
 Text S. M. C. : 28-30
 Sub-Committee : U.S.S.R. proposal *re* appointment S. M. C. : 14, 15
 Terms of reference : resol. of Ass. (Oct. 8, 1936) S. M. C. : 8 (text), 14, 23, 28 (text)

Committees of the League

BUDGET estimates for 1937 C. IV : 20-22
 CONSTITUTION, procedure and practice
 Rapporteur, appointment C. II : 71, 86
 Report and resols. of 2nd Cttee.
 Discussion and adoption C. II : 79-82, 86 ; P. : 114
 Procedure *re* adoption by Ass. C. II : 86
 Text C. II : 106-7
 Resol. of Ass. (Oct. 10, 1936) P. : 134-5
 SUPPL. credits for C. IV : 71

Compensation, Plurilateral

See Clearing arrangements : Conversion, etc.

Conchoso, Aurelio Fernández

Delegate of Cuba C. I : 6 ; C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. V : 5 ; C. VI : 5 ; P. : 16
 BUDGET of League : 1937 estimates C. IV : 26

Conciliation

PROPOSALS of Norwegian Govt. P. : 53

Conferences

See also under subjects concerned
 BUDGET estimates for 1937 C. IV : 20-22

Contributions of States to League and Allocation of Expenses

ARREARS, contributions in

- **Committee**
 - Question of current contributions to be considered by, *see below* Committee, Special, on Contributions
 - Reappointment for one year, and composition C. IV : 34, 35
 - Report of
 - Adoption C. IV : 36
 - Discussion C. IV : 9, 34-6
 - Tribute on work of the Cttee., and of its Chairman C. IV : 14, 15, 18, 34
- Countries referred to, and position of**
 - Bulgaria C. IV : 19
 - Poland C. IV : 35
 - Roumania C. IV : 35
- Currency in which arrears should be paid as result of devaluation C. IV : 53**
- General situation C. IV : 17**
- Interest on overdue contributions, question of charging. C. IV : 18**
- Proportion paid in respect of 1935 as against 1934 C. IV : 8**
- Report and resol. of the 4th Cttee.**
 - Adoption C. IV : 80; P. : 118
 - Text C. IV : 86
 - Resol. of Ass. (Oct. 10, 1936) P. : 145

COMMITTEE on Allocation of Expenses

- Composition C. IV : 20
- Extension of term of office for duration of Ass. C. IV : 20, 75, 83
- Reports of Cttee.
 - Discussion and adoption C. IV : 73-80
 - Text C. IV : 83-4

COMMITTEE for Settlement of Arrears, *see above under Arrears.*

COMMITTEE, Special, on Contributions: appointment C. IV : 86; P. : 145 (resol.)

1935 CONTRIBUTIONS, position C. IV : 8, 35

1936 CONTRIBUTIONS

- Currency in which outstanding contributions should be paid as result of devaluation C. IV : 53, 56, 57, 88**
- Position C. IV : 8, 34**

1937 CONTRIBUTIONS

- Decisions of Cttee. on Allocation of Expenses : discussion and obs. of dels. of**
 - Austria C. IV : 74, 75, 79, 84
 - Belgium C. IV : 79, 84
 - Bulgaria C. IV : 19, 84
 - China C. IV : 11
 - Estonia C. IV : 75, 79-80
 - Finland C. IV : 74-5
 - France C. IV : 79
 - India C. IV : 76-7, 79
 - Latvia C. IV : 80
 - Lithuania C. IV : 79
 - Netherlands C. IV : 75, 79
 - New Zealand C. IV : 76, 79
 - Portugal C. IV : 74, 76, 77, 79
 - Sweden C. IV : 76, 79
 - Union of South Africa C. IV : 18, 79
 - U. S. S. R. C. IV : 17, 76, 78-9
 - United Kingdom, offer to increase contribution C. IV : 74, 76, 78
 - Uruguay C. IV : 77-8
- Effects of devaluation C. IV : 88**
- Scale for 1937-9 : report of 4th Cttee. C. IV : 85; P. : 145 (resol.)**

DISTRIBUTION to I. L. O. and Court of Int. Justice : effects of devaluation C. IV : 50, 53-4

Contributions of States to League and Allocation of Expenses (continued)

- GOLD franc for payment, definition C. IV : 57**
- REPORTS and resol. of 4th Cttee.**
 - on Allocation of Expenses
 - Adoption C. IV : 80; P. : 118
 - Rapporteur's statement P. : 118
 - Text C. IV : 83-5
 - on Contributions in Arrears, *see above under Arrears*
- RESOL. of Ass. on allocation of expenses (Oct. 10, 1936) P. : 145**

Contributions of States non-Members of the League C. IV : 47

Conventions and Agreements

- *See under subjects concerned*

Conventions concluded under the Auspices of the League

- PROCEDURE C. V : 40

"Conversations"

- ACTIVITY of Committee on Arts and Letters
 - C. VI : 11, 13, 14, 16, 19, 55, 56-7 (*report*), 58, 59 (*resol.*); P. : 138 (*resol.*)
- RESULTS of, and communication to different peoples C. VI : 14

Correspondence

- INT. School correspondence, *see under Education*

Cost of Living C. II : 49, 64, 68 ; C. IV : 17, 55

Costa du Reis, Adolfo

- Delegate of Bolivia C. I : 6 ; C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. V : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 13
- INTELLECTUAL Co-operation C. VI : 20-1, 39
- REFUGEES : credits for, and int. assistance C. IV : 67, 70 ; C. VI : 46, 47, 53
- REPORT on work of League 1935/36 P. : 97

Coucke, J.

- Substitute delegate of Belgium C. I : 6 ; C. II : 4 ; C. IV : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 13

COMMITTEES of League : constitution, etc. C. II : 79-80

CONTRIBUTIONS of States to League :

- allocation C. IV : 76
- CRIMINAL Court. Int. : draft conv. C. I : 51
- ECONOMIC and financial qns. C. II : 73-4
- INTELLECTUAL Co-operation C. VI : 26

Council of League

- ASIA, representation on ; discussion C. I : 11, 12-13, 17, 18, 19, 20, 74, 75
- BUDGET estimates for 1937 C. IV : 20-22
- CHINA, claim for representation and result of voting C. I : 11-12, 13, 15, 16, 18, 20, 21, 73, 74, 75 ; P. 107 (*letter*)
- COMPOSITION of
 - Discussion C. I : 10-21, 74-5
 - General principles governing C. I : 13
 - Group system C. I : 14, 18, 19, 20, 73, 74, 75
 - Non-perm. members, increase in number, *see below* Non-perm., etc.
 - Rapporteur, election C. I : 17
 - Report and resol. of the First Cttee.
 - Examination and adoption C. I : 14, 16-17, 18-21, 76 ; P. : 91-2
 - Procedure for adoption by Ass. C. I : 17
 - Text C. I : 75-6

Council of League (continued)

COMPOSITION of (continued)
 Special Cttee. on
 Appointment and convening
 by the Council C. I : 18, 21, 76
 Composition C. I : 73
 Inclusion of question in agenda
 of the 1st Cttee. C. I : 10
 Report of C. I : 11, 18, 73-5 (*text*)
EUROPEAN States, non-grouped :
 representation C. I : 17, 19
NEAR EAST, representation C. I : 15, 18, 19, 20
NON-MEMBER States, representation
 in case of disputes C. I : 21
NON-PERM. Members : election of
 three Members
 c Procedure : Communications by
 President and proposals of
 General Committee P. : 39-40, 44, 56-7
 c Voting and election of Bolivia,
 New Zealand and Sweden P. : 57
NON-PERM. Members, provl. creation
 of two new seats
 Discussion C. I : 11, 13, 16-17, 74-5
 Procedure *re* election P. : 44, 106, 108
 Report of 1st Cttee., *see above*
 under Composition
 Request for candidates P. : 44
 Resol. of Ass. (Oct. 1, 1936) P. : 129
 Resol. of Cl. (Oct. 2, 1936) and
 adoption by Ass. P. : 106
 Voting, and election of China and
 Latvia P. : 108
PERMANENT Members, inclusion in
 the General Cttee. C. I : 65, 66, 67
PRESIDENT : speech at opening of Ass.
 P. : 33-4
RESOLUTIONS, *see under subjects con-*
 cerned
SMALLER States, representation C. I : 13, 15
STATE whose action might threaten
 peace to be excluded from right
 to vote on, French proposal. P. : 52
TERM of office of Members C. I : 12, 13, 16

**Counterfeiting Currency, Conv. for
Suppression of**

PROVISIONS for extradition under C. I : 46

Court of Int. Justice, Permanent

ACCESSION of U. S. A. to
 Protocol concerning C. I : 78
BUDGET
 Estimates for 1937, *see under*
 Budget
 Percentage paid to, in 1936 C. IV : 8
DEVALUATION, effect on C. IV : 38
ELECTION of Judges
 Candidates : method of nomina-
 ting and qualifications C. I : 22, 23
 Difference between open election
 and election to seats vacated C. I : 22
 Election to three vacant seats
 Acceptance of election by
 judges P. : 116
 Procedure P. : 106, 110, 111
 Voting and results P. : 110, 111
 Method of election to three vac-
 cant seats
 Cttee. of Jurists, recommen-
 dations and report C. I : 22, 23, 76-9
 Council resol. C. I : 22 (*text*), 24, 76, 77
 Discussion C. I : 22-34
 Rapporteur, election C. I : 28
 Reference of question to 1st
 Cttee. P. : 50-1
 Report and resol. of the 1st
 Cttee. to the Assembly C. I : 27-8, 34, 80-1;
 P. : 105-6
 Resol. of Ass. (Oct. 3, 1936) P. : 130

Court of Int. Justice, Permanent (continued)

ELECTION of Judges (continued)

Participation in election of judges
 of a State which is not a Mem-
 ber of the League, but is a par-
 ty to the Statute of the Court
 Committee of Jurists, recom-
 mendations and report. C. I : 77, 78-9
 Communications from Govts.
 of Brazil and Japan C. I : 78-9
 Council resol. C. I : 25 (*text*), 27, 77
 Credentials Cttee. : convoca-
 tion. P. : 107
 Discussion C. I : 25-7
 Rapporteur, election C. I : 28
 Referred to 1st Cttee. P. : 51
 Report and resol. of 1st Cttee.
 to the Ass. C. I : 28, 34, 80-1;
 P. : 105-6
 Resol. of Ass. (Oct. 3, 1936) P. : 130
 Provisions in Court statute conc.
 Right of Ass. to admit, by two-
 thirds majority, a State to vote
 in the Council C. I : 25, 26
PENSIONS for members of
 Grant to widow of deceased judge C. IV : 38, 90
 Registrar
 Competence of Ass. to grant
 pensions C. IV : 46
 Regulations for transfer of fu-
 ture Registrars from Judges'
 Pension Fund to League
 Pension Fund, *see under* Pen-
 sion Fund, etc.
 Regulations adopted by, and
 report of the 4th Cttee. C. IV : 91, 92
 Report of Supervisory Comm.,
 discussion C. IV : 13, 37-8
STATUTE
 Article 4 C. I : 27, 78, 79
 Article 9 C. I : 23
 Article 14 C. I : 23
TEMPORARY collaborators : proposal
 that they familiarise themselves
 with the work of the Court C. IV : 38

Covenant of League

APPLICATION of principles, *see* Cove-
 nant : Application, etc. C. I : 21
ARTICLE 4, extension C. I : 14
ARTICLE 5, interpretation C. I : 14
ELIMINATION of certain League acti-
 vities not derived properly speak-
 ing from : proposal of del. of
 Chile C. IV : 16
HARMONISATION with Pact of Paris
 (1928) and Treaty of Non-Aggres-
 sion and Conciliation (1933)
 Referred to S. M. C. (Ass. resol.
 Oct. 8, 1936) S. M. C. : 8, 28
 Study by S. M. C., *see* Covenant :
 application, etc.

**Covenant of League : application of
principles**

See also Official Journal : special
 Supplement no. 154
ASSEMBLY, future convocation of
 special session S. M. C. : 24, 25, 26, 30 (*resol.*)
 P. : 141 (*resol.*)
COMMITTEE to study proposals
 Appointment
 Proposal of Swiss del., dis-
 cussion and adoption S. M. C. : 10-17
 Resol. of Ass. (Oct. 10, 1936) P. : 141
 Resol. of S. M. C. (Oct. 9, 1936) S. M. C. : 30
 Chairman, question of election S. M. C. : 27
 Composition
 Discussion, and Chairman's
 proposals S. M. C. : 13-14, 16, 17-18
 Members S. M. C. : 18, 29
 Reservation of Hungarian del. S. M. C. : 19, 26

Covenant of League : application of principles (continued)

- COMMITTEE to study proposals (continued)**
- Convocation, date, etc. S. M. C. : 27
 - Report to be prepared by S. M. C. : 24, 25, 30 (resol.); P. : 141 (resol.)
 - Right of States Members to attend meetings or take part in discussions; perm. delegates' position S. M. C. : 14, 19-21, 29 (report)
 - Terms of reference S. M. C. : 29, 30 (resol.)
- COMMUNICATION from General Cttee.** P. : 43-4, 141 (resol.)
- DISCUSSION** S. M. C. : 9, 9-17, 17-18, 18-26, 26-7, 27 P. : 61-4, 68-9, 70-1, 72-3, 74, 75-6, 78-80, 80-1, 84, 86, 88, 92-3, 94, 98, 99, 100, 101, 103, 104, 105
- DOCUMENTATION and procedure** *re* study S. M. C. : 9, 10, 11, 15, 22, 28 (report), 30 (resol.)
- GENERAL Comm. of all States Members : Chilian proposal** *re* appointment S. M. C. : 10-11, 12 (proposal), 12-17
- NON-MEMBER States : assistance in study of question : Chilian proposal** S. M. C. : 9 (proposal), 9, 10, 11, 12, 21-2, 22, 23, 24, 29 (report)
- PROCEDURE for discussion** S. M. C. : 8-9; P. : 43-4
- REFERRED to 1st Cttee., Soviet Govt. proposals** P. : 63
- REPORT and resol. of Special Main Cttee.**
- Discussion, amendments and adoption S. M. C. : 18-26; P. : 115
 - Procedure *re* adoption by Ass. S. M. C. : 26-7
 - Reservation of Hungarian del. S. M. C. : 26
 - Text S. M. C. : 28-30
- RESOL. of Ass. (Oct. 10, 1936)** P. : 141
- SPECIAL Main Cttee.**
- Appointment : resol. of General Cttee. P. : 108-9
 - Reports of, *see above*
- TECHNICAL Cttee. : proposal of South African del. *re* appointment and withdrawal** S. M. C. : 14, 16

Cranborne, Viscount

- Substitute delegate of the United Kgd. C. I : 6; C. III : 5; C. VI : 5; S. M. C. : 5; P. : 13
- INTELLECTUAL Co-operation** C. VI : 9, 14, 26, 29, 48, 49
- MANDATES** C. VI : 37-8, 50
- REFUGEES, Int. Assistance to** C. VI : 40, 41-2, 45 (*app. rapporteur*), 46, 63-9 (report)

Credentials of Delegates to Assembly

- COMMITTEE on verification**
- Chairman P. : 31
 - Member of General Cttee. C. I : 68; P. 31, 39, 43
 - Composition : resol. of Ass. P. : 136
 - Convocation for special purpose P. : 107
 - Election P. : 34-5
 - Reports : examination P. : 35-6, 40-2, 109-10
- of ETHIOPIAN del. : validity**
- Discussion, and examination of report of Credentials Cttee. P. 36, 40-2
 - Letter from del. of Panama to Sec.-Gen. (Oct. 2, 1936) P. : 129
 - Voting and results P. : 41

Credits C. II : 45, 50, 51, 56, 60, 69

Cremins, Francis T.

- Delegate of Irish Free State C. I : 7; C. II : 5; C. III : 6; C. IV : 6; C. V : 6; C. VI : 6; S. M. C. : 6; P. : 22
- MANDATES** C. VI : 35
- STAFF Pensions Fund : member of Administrative Board** C. IV : 94; P. : 145

Crimes, Political

DEFINITION C. I : 43, 45

Criminal Court, Int.

CREATION of, *see under* Terrorism

Criminal Law

See under Penal and Penitentiary Questions

Criminal Law, Int. Bureau for Unification of

ENQUIRIES into repression of terrorism C. I : 29

Criminal Police Commission

COLLABORATION with Cttee. on repression of Terrorism C. I : 29

Cuba

DELEGATION P. : 16-17
See also Blanck, G. de.
Concheso, A. F.

Culture

"CONVERSATION" of Buenos Aires *re* effect of intellectual intercourse on relations between Europe and Latin America C. VI : 16, 55, 57 (report), 58 (resol.); P : 138 (resol.)

Currency Readjustment : Devaluation by Various Countries

AUSTRALIA C. II : 61

BELGIUM C. II : 58, 86, 87, 98

DECLARATION by Govts. of France, United Kgd. and U.S.A. (Sept. 26, 1936)

- Discussion, general C. II : 37-8, 47, 48, 50, 51, 52, 55, 57, 59, 60, 61, 62, 67, 68, 69, 70, 71, 72, 73, 87

Draft resol. of French and United Kgd. Govts. C. II : 47

Report and resol. of 2nd Cttee. C. II : 98, 99, 99 (resol.)

Statement by

- French repres. C. II : 43-5
- United Kgd. repres. C. II : 38-41 (*passim*), 42

Text of declaration C. II : 101

DISCUSSION of question in relation to other economic problems C. II : 37-8, 45, 47, 48, 49, 50, 51, 52, 55, 56, 58, 59, 60, 61, 62, 65, 66, 67, 69, 70, 71, 73, 74, 86-7; P. : 99, 117

EFFECT on League finances

- Discussion C. IV : 7, 15, 16, 17, 19, 33, 38, 49-50, 53-7, 87
- Report of Supervisory Comm. C. IV : 53-7, 88-9 (*text*)

EQUALISATION funds C. II : 50

EXCHANGE restrictions, *see that title*

FRANCE C. II : 38, 41, 43-4, 50, 52, 98

ITALY C. II : 66, 70, 98

NETHERLANDS C. II : 38, 41, 50-2, 87, 98

PORTUGAL C. II : 63-4

SWITZERLAND C. II : 38, 41, 50, 51, 67, 70, 98

UNITED KINGDOM C. II : 38, 39, 41, 43, 46, 52, 63, 66, 67, 86

U.S.A. C. II : 43, 46, 52, 66, 86

Customs

- CHINA, smuggling in** C. II : 59-60
- EXEMPTION for liquid fuel employed in air traffic : draft agreement** C. II : 78-9, 105
- TARIFFS, *see* Imports, etc. : Restrictions**

Czechoslovakia

DELEGATION P.: 28
See also Krofta, K.
 • Künzl-Jizerský, R.
 • Laichter, I.
 • Osuský, S.
 • Veverka, F.

D

Dairy Produce (excluding Milk) C. II: 19, 23, 26, 35

Danube, International Commission of C. II: 102

Danzig

SITUATION P.: 61

Debts, Public and Private C. II: 45, 50, 55, 56, 58, 60, 63, 64, 69, 72-3, 98

Delbos, Yvon

Delegate of France C. VI: 6; P.: 18
 COMMITTEE on Credentials, member P. 34, 35 (*elected*)
 REPORT on work of League, 1935/36 P.: 51-2

Delegates and Delegations to the Assembly

CREDENTIALS, *see that title*
 LIST P.: 11-30

Denmark

DELEGATION P.: 17
See also Christiani, R.
 Forchhammer, H.
 Frisch, H.
 Munch, P.
 Scavenius, E. de
 Simonsen, J.
 PENAL legislation. C. V: 44

Depression, World Economic and Financial C. II: 23, 26, 28, 35, 40, 43, 52, 55, 60, 61, 65, 69, 98, 99

Desertion

See under Child Welfare

Devaluation

See Currency readjustment

Diacetylmorphine

See under Opium, etc.

Diphtheria C. II: 12, 17

Disarmament

See under Armaments

Disease

See Health, etc.

Dispute between Bolivia and Paraguay

SETTLEMENT of, and Buenos Aires conf. P.: 36-7, 88, 93, 95-6, 97, 100, 105

Dispute between Colombia and Peru P.: 104

Domestic Economy C. II: 14, 18, 31-2

Dominican Republic

DELEGATION P.: 17
See also Henriquez Ureña, M.

Drugs, Dangerous

See Opium, etc.

Drugs, Pharmaceutical : Control and Standardisation C. II: 8

Dysentery C. II: 12

E

Economic Committee

PUBLICATIONS C. II: 41, 42, 52, 60, 98, 99, 100
 (*resol.*); P: 141 (*resol.*)
 WORK, *see* Economic and financial questions

Economic and Financial Questions

DISCUSSION C. II: 37-47, 48-54, 55-64, 65-71, 71-6, 83-5, 86-7
 DRAFT resols. submitted by dels. of
 France and United Kgd. C. II: 47-8
 Haiti C. II: 54
 Poland C. II: 84 (*text*), 84-5
 United Kgd. C. II: 64-5
 RAPPORTEUR, appointment of C. II: 37
 REPORT and resols. of 2nd Cttee.
 Discussion and adoption C. II: 83-5, 86-7;
 P.: 117
 Procedure *re* adoption by Ass. C. II: 87
 Text C. II: 97-100
 RESOL. of Ass. (Oct. 10, 1936) P.: 141-2
 SECRETARY-General's report, allusions to C. II: 37,
 38, 97, 98

Economic Relations, International

DISCUSSION C. II: 37-47, 48-54, 55-64, 65-71, 71-6, 83-5, 86-7; P.: 47, 52, 60-1, 65, 69, 73-76-7, 80, 117, 120
 DRAFT resol. of French and British dels. C. II: 47-8 (*text*), 83
 ECONOMIC Cttee.'s report, allusions to C. II: 41, 42, 50, 52, 60, 98, 99, 100 (*resol.*); P: 141 (*resol.*)
 REPORT and resol. of 2nd Cttee. (*text*) C. II: 98-9, 99-100 (*resol.*)

Ecuador

DELEGATION P.: 17
See also Zaldumbide, G.
 RELATIONS with Peru: negotiations P.: 105

Eden, Anthony

Delegate of the United Kgd P.: 13
 COMMITTEE on Credentials, member P.: 34, 35
 (*elected*)
 REPORT on work of League 1935/36 P.: 44-7

Education

EDUCATIONAL information centre C. VI: 19
 CONFERENCE on, Geneva, 1936 C. VI: 19-20, 24
 HIGHER int. studies, *see that title*
 HISTORY, teaching of, *see that title and below* Revision of school text-books
 HOLIDAY courses C. VI: 11
 INTERNATIONAL Educational Bureau at Geneva C. VI: 19
 LEAGUE of Nations teaching, *see that title*
 In MANDATED territories, *see under* Mandates
 REVISION of school text-books
 Declaration submitted to Govts. C. VI: 24, 55, 56
 Work of various bodies of intellectual co-operation in certain countries C. VI: 11, 15, 15-16, 20, 22, 24, 28, 56 (*report*)
 SCHOOL correspondence, international C. VI: 11, 19

- Egoriew, V.**
 Assistant Sec.-Gen. : del. of U.S.S.R. C. III : 7 ;
 C. VI : 7 ; P. : 29
 INTELLECTUAL Co-operation C. VI : 26
- Egypt**
 FUTURE Member of the League ;
 agreement between United King-
 dom and Egypt C. VI : 50
- Enquiries**
 BUDGET estimates for 1937 C. IV : 22-6
- Entezam, Nasrollah**
 Assistant delegate of Iran C. I : 7 ; C. II : 5 ;
 C. III : 6 ; S. M. C. : 5 ; P. : 22
 COUNCIL, composition of C. I : 18, 19, 20
 COVENANT of League : application
 of principles S. M. C. : 18, 27
 OPIUM, etc., traffic in C. V : 42
- Epidemiological Intelligence Service**
See under Health
- Equality of Rights of States** C. III : 10, 12
- Equipment, Permanent**
 BUDGET estimate for 1937 adopted C. IV : 33
- Erivan Republic**
 TRANSFER of Armenian refugees to C. VI : 68
- Estonia**
 DELEGATION P. : 18
See also Schmidt, A.
- Ethiopia**
 CREDENTIALS of delegates, *see that
 title*
 DELEGATION P. : 18
See also Taezaz, A. L.
- Ethnography**
 COLLECTION of ethnographical works
 on origin of American civilisa-
 tion, *see American civilisation*
- European Union, Commission of
 Enquiry for**
 RENEWAL of mandate : resol. of
 General Cttee. P. : 113-14
- Exchange, Profit and Loss on**
 BUDGET estimates for 1937 C. IV : 28
- Exchange Restrictions**
 ABOLITION as related to int. economic
 relations
 Discussion C. II : 38, 39, 42, 44, 45, 47, 48, 49,
 51, 53, 55, 56, 57, 58, 60, 61, 63, 64, 65, 66,
 69, 70, 72, 73, 83
 Draft resol. of French and United
 Kgd. Govts. C. II : 48 (*text*), 83
 Report and resol. of 2nd Cttee. C. II : 98, 100
 (*resol.*)
- Exhibitions**
 INTERNATIONAL Art Exhibition :
 recommendation of Int. Mu-
 seums Office C. VI : 57 (*report*), 59 (*resol.*) ;
 P. 139 (*resol.*)
 UNIVERSAL Exhibition, Paris 1937 :
 Intellectual Co-operation month C. VI : 39, 58
 (*report*), 60 (*resol.*) ; P. 140 (*resol.*)
- Expenditure, League**
 PROPOSALS of Ass. Cttees. involving
 additional expenditure C. IV : 71
 SUPERVISION of revenue and expendi-
 ture : budget estimates for 1937 C. IV : 28-30
- Expenditure, National Defence**
See National defence expenditure
- Exports**
See Imports and exports
- Extradition**
 for POLITICAL crimes, *see under Ter-
 rorism, etc.*
 PROVISIONS for, in Conv. on Counter-
 feit Currency C. I : 46
- F**
- Fabra Ribas**
 Delegate of Spain C. I : 8 ; C. II : 5 ; C. V : 6 ;
 C. VI : 7 ; P. : 17
 INTELLECTUAL Co-operation C. VI : 25-6, 39
- Far East**
 GENERAL situation P. : 71-2
- Far-Eastern Bureau at Singapore**
 C. II : 8, 9, 11, 89, 94
- Feldmans, Jules**
 Delegate of Latvia C. I : 7 ; C. III : 6 ; C. IV : 6 ;
 C. VI : 6 ; P. : 22
 COMMITTEES of Ass. : proposed amend-
 ments C. I : 65
 COUNCIL, composition of C. I : 19, 20
 DEVALUATION of Swiss franc C. IV : 56-7
 REFUGEES : credits for C. IV : 52, 71
 SECRETARIAT : recruitment of staff. C. IV : 12
- Fernandez Concheso**
See Concheso, A. F.
- Films**
See under Cinematograph
- Finances of League**
*See also Accounts of League
 Budget of League
 Contributions, etc.
 Expenditure of League
 Financial Regulations
 Guarantee Fund
 Reserve Fund
 Supervisory Comm.
 Working Capital Fund*
 POSITION on Sept. 21, 1936 C. IV : 14
 RAPPOREUR to Ass. : appointment C. IV : 39
 REPORT and resols. of 4th Cttee.
 Adoption of resols. C. IV : 80 ; P. : 118
 Text C. IV : 87-95
 RESOLS. of Ass. (Oct. 10, 1936) P. : 144-5
 STATEMENT by the Sec.-Gen. C. IV : 7-9
- Financial Assistance : Convention
 (1930)** C. III : 12, 16, 24, 27
- Financial Questions**
See ECONOMIC and financial questions

Financial Regulations

- ART. I, *see* Supervisory Commission :
Members : Revision, etc.
- ART. 16(a), amendment C. IV : 14
- ART. 26, interpretation C. IV : 50
- ART. 33(a), amendment, *see* Guarantee
fund : Amendment, etc.

Finland

- DELEGATION P. : 18
See also Hiitonen, E.
Holma, H. G.
Holsti, R.
Martola, H. R.
Voionmaa, V.

Fiscal Questions

- DISCUSSION C. II : 44, 55, 58, 62, 63
- DRAFT resol. of French del. : amend-
ment adopted C. II : 85
- RESOL. of Ass. P. : 142
- RESOL. of 2nd Cttee. C. II : 100

- Fish C. II : 28, 33, 34

Foodstuffs

See Nutrition, etc.

Forchhammer, Mlle. Henni

- Substitute delegate of Denmark C. V : 5 ;
C. VI : 5 ; P. : 17
- CHILD Welfare C. V : 29
- INTELLECTUAL Co-operation C. VI : 24, 47-8

France

- ARMAMENTS : nationalisation of manu-
facture C. III : 12, 17, 23, 27
- DELEGATION P. : 18-20

See also Basdevant, M.

- Bastid, R. M.
- Cassin, R.
- Delbos, Y.
- Grumbach, M.
- Malaterre-Sellier, Mme.
- Mistler, J.
- Paul-Boncour, J.
- Planche, C.
- Queuille, M.
- Réveillaud, J.
- Spinasse, C.
- Vienot, M.

- ECONOMIC and financial situation C. II : 43-5
- FRANCO-SYRIAN Treaty, *see* Man-
dates : Syria and Lebanon :
Emancipation
- PENAL organisation C. V : 44, 46, 63

Frangulis, A. F.

- Delegate of Haiti C. I : 7 ; C. II : 5 ; C. III : 6 ;
C. IV : 5 ; C. V : 5 ; C. VI : 6 ; S. M. C. : 5 ;
P. : 20
- COURT of Int. Justice : participation
in elections of States non-Mem-
bers but parties to Court Statute C. I : 27
- COVENANT of League : application of
principles S. M. C. : 15, 17
- ECONOMIC and financial qns. C. II : 52-4, 75-6
- TERRORISM, draft conv. on C. I : 44

Frias, C. E.

- Secretary : delegation of Venezuela C. II : 6 ; C. IV : 6 ;
C. V : 6 ; P. : 30
- NUTRITION C. II : 20

Frisch, Hartvig

- Delegate of Denmark C. II : 4 ; C. VI : 5 ; P. : 17
- INTELLECTUAL Co-operation C. VI : 14-15

**Frontier Stations, Legal and Admi-
nistrative Régime C. II : 76, 103-4**

- Fruit C. II : 20-1, 23, 24, 25, 26, 28, 33, 34, 35

Fryllng, Jan

- Substitute delegate of Poland C. II : 5 ; C. V : 6 ;
C. VI : 6 ; P. : 25
- INTELLECTUAL Co-operation C. VI : 11-12, 49
- OPIUM, etc., traffic in C. V : 15
- REFUGEES, Int. Assistance to C. VI : 40

G

Gajardo, Enrique J.

- Substitute delegate of Chile C. I : 6 ; C. IV : 5 ;
C. V : 5 ; P. : 15
- CHILD Welfare C. V : 7 (*app. rapporteur*), 23-6, 38-9,
39, 48 (*app. rapporteur*), 57-61 (*report*)
- COMMITTEES of Ass. : proposed
amendments C. I : 69, 70
- COUNCIL, composition of C. I : 21
- COURT of Int. Justice : participation
in elections of States non-Mem-
bers but parties to Court Statute C. I : 26
- CRIMINAL Court, Int. : draft conv. C. I : 61
- NATIONALITY Conv. 1933 C. I : 72 (*app. rapporteur*),
86 (*report*)
- OPIUM, etc., traffic in C. V : 42
- PENAL and penitentiary qns. C. V : 47

García-Oldini, Fernando

- Substitute delegate of Chile C. IV : 5 ; C. VI : 5 ;
S. M. C. : 5 ; P. : 15
- BUDGET of League : 1937 estimates C. IV : 16, 23, 25,
26, 32, 33
- COVENANT of League : application of
principles S. M. C. : 9, 10, 17, 18, 19, 21-2, 26 ;
P. : 109, 115
- INTELLECTUAL Co-operation C. VI : 27
- REPORT on work of the League
1935/36 P. : 97-8

General Committee of the Assembly

- CHAIRMEN of Agenda Cttee. and Cre-
dentials Cttee. : appointment as
members C. I : 69 ; P. 31, 39, 136
- ELECTION of members C. I : 62-3
- Present method C. I : 82
- French proposal C. I : 63, 65, 66, 67
- Norwegian proposals C. I : 63 ; P. 136
- FUNCTIONS C. I : 63 ; P. 136
- INCLUSION of great Powers perma-
nent members of the Council C. I : 65, 66, 67
- INCREASE in composition : amend-
ments to Rule 7 of Rules of
Procedure C. I : 62-71 ; P. : 31, 43
- Discussion C. I : 62-71 ; P. : 31, 43
- Report and resol. of the 1st
Cttee. C. I : 71
- Procedure for adoption by
Ass. C. I : 83, 83-4
- Text P. : 136
- Resol. of Ass. C. I : 81
- Text of amendment C. I : 64
- POLITICAL character C. I : 64

General Services of League

- BUDGET estimates for 1937 C. IV : 26-8, 30-1

Geography

- TEACHING in a League spirit C. VI : 56

Germany

- REFUGEES from, *see under* Refugees
- REPUDIATION of Locarno Treaty . . . P. : 52, 61
- RIGHT to elect members of the Court C. I : 25, 26, 28,
76, 77, 80, 81
- WITHDRAWAL from League C. VI : 30

Gie, S. F. N.

- Delegate of South Africa C. II : 4 ; C. V : 5 ; P. : 11
- ECONOMIC and financial qns. . . . C. II : 71-2, 85
- HEALTH Org., work of C. II : 13

Gold

- DELEGATION of 1932 C. II : 49
- GOLD standard, restoration C. II : 49, 51, 52, 66, 98
- RESERVES C. II : 49, 50, 53, 57, 64, 75

Gombó, Etienne

- Expert : delegation of Hungary C. II : 5 ; C. IV : 5 ;
P. : 21
- TRANSIT Org. : work of C. II : 76

Goods

- FREE circulation C. II : 39, 44, 45, 46, 56, 65, 73,
98, 99
- TRANSPORT by rail : revision of 1924
Conv. and ratification and appli-
cation of revised Conv. (1933) C. II : 76, 77, 103,
104

Gorgé, Camille

- Substitute delegate of Switzerland C. I : 8 ; C. III : 6 ;
C. IV : 6 ; C. V : 6 ; S. M. C. : 6 ; P. : 28
- COMMITTEES of Ass. : proposed amend-
ments C. I : 66, 71
- COURT of Int. Justice : participation
in elections to, of States non-Mem-
bers but parties to Court Statute C. I : 26
- OPIUM, etc., traffic in C. V : 7 (*app. rapporteur*),
7-9, 41, 42, 43 (*app. rapporteur*), 50-4
(*report*)
- TERRORISM, draft conv. on C. I : 47-8, 53, 57, 60

Gosar, André

- Delegate of Yugoslavia C. II : 6 ; C. V : 6 ; P. : 30
- ECONOMIC and financial qns. C. II : 73
- TRANSIT Org. : work of C. II : 76

Graves, Miss Marjorie

- Substitute delegate of United Kgd. C. V : 5 ; P. : 13
- CHILD Welfare C. V : 34-5, 39
- INDIGENT foreigners C. V : 40-1, 41
- OPIUM, etc., traffic in C. V : 16, 42-3
- PENAL and penitentiary qns. C. V : 46
- WOMEN and children, traffic in C. V : 19-20

Greece

- DELEGATION P. : 20
See also Capsalis, D.
Politis, N.
- ECONOMIC and financial situation . . . C. II : 69
- REFUGEES in C. II : 69

Grumbach, M.

- Assistant delegate of France C. III : 5 ; C. V : 5 ;
C. VI : 6 ; P. : 19
- INTELLECTUAL Co-operation C. VI : 21-2, 39
- MANDATES C. VI : 51
- REFUGEES, Int. Assistance to C. VI : 42-3, 44, 45,
46, 47

Guani, Alberto

- Delegate of Uruguay C. I : 8 ; C. III : 7 ; C. IV : 6 ;
C. VI : 7 ; S. M. C. : 6 ; P. : 29
- 17TH ASSEMBLY, Vice-President P. : 31
- 4TH COMMITTEE : Chairman C. IV : 7 ; P. : 31, 42

Guani, Alberto (continued)

- CONTRIBUTIONS of States to League
Allocation C. IV : 76-7
- Member of Special Cttee. P. : 145 ; C. IV : 86
- GENERAL Cttee., member P. : 31, 43

Guarantee Fund

- AMENDMENT to Art. 33(a) of finan-
cial regulations proposed by del.
of United Kgd.
Cttee. to draft amendment, ap-
pointment and text proposed C. IV : 46, 47
- Discussion and adoption C. IV : 43-6, 47-8
- Report of the 4th Cttee. C. IV : 92
- PURPOSE, constitution and general
discussion C. IV : 10, 14, 37, 43-6, 53, 87

Guiñazú, E. Ruiz

See Ruiz Guiñazú

H

Haas, Robert

- Director of Transit Section : tributes
to his memory C. II : 76 ; P. : 72

Haiti

- DELEGATION P. : 20,
See also Frangulis, A. F.
Mayard, C.

Hambro, G. J.

- Delegate of Norway C. I : 7 ; C. IV : 6 ; C. VI : 6 ;
S. M. C. : 6 ; P. : 23
- BUDGET of League : 1937 estimates C. IV : 17, 40-1
- CONTRIBUTIONS of States to League
Allocation C. IV : 76
- in Arrear C. IV : 34-5, 36
- Member of Special Cttee. C. IV : 86 ; P. : 145
- COUNCIL : opposes increase in number
of seats on P. : 91
- REFUGEES : credits for C. IV : 52, 68, 71
- SECRETARIAT : recruitment of staff. . . C. IV : 10
- SUPERVISORY Comm. : composition of C. IV : 61-2,
64, 71

Hammarskjöld, Åke

- BUDGET of Perm. Court of Int. Jus-
tice : 1937 estimates C. IV : 37-8
- DEVALUATION of Swiss franc C. IV : 53-4
- ELECTED judge at the Perm. Court
of Int. Justice P. : 110, 116 (*acceptance of
election*)

Hansson, Michael

- Acting Pres. of Governing Body of
Nansen Int. Office
- Attended meetings of the 6th Cttee. . . C. VI : 7
- PRESIDENT of Governing Body of
Nansen Office : appointment P. : 118, 144
- REFUGEES : credits for, and int.
assistance C. IV : 69-70, 70 ; C. VI : 43, 44

Health

- of CHILDREN, *see under* Child Welfare
- COMMITTEE, Health
Expiration of term of office . . . C. II : 89, 106
- New regulations *re* C. II : 106
- DIPHTHERIA C. II : 12, 17
- DYSENTERY, inoculation against . . . C. II : 12
- EPIDEMIOLOGICAL Intelligence Service
in Austral-Pacific Zone C. II : 11
- Eastern Bureau at Singapore :
work C. II : 8-9, 11, 89, 94

Health (continued)

- GENERAL Adv. Health Cl. : reorganisation C. II : 106
- HEALTH administrations, public
- India C. II : 7, 8
- U.S.S.R. C. II : 12, 13, 89
- MALARIA and malariology C. II : 8, 9, 12, 25, 26, 89
- in MANDATED Territories, *see under* Mandates
- MATERNAL mortality and morbidity, *see under* Maternity
- NUTRITION, *see that title*
- OFFICE d'Hygiène publique : Consultation on reorg. of Health Org. . . C. II : 79, 106
- ORGANISATION
- Budget : increase in connection with lapse of Rockefeller grants C. IV : 31-3, 90
- Discussion of work C. II : 7-14, 36
- Rapporteur, appointment C. II : 7
- Reorganisation and new statutes
- Approved by Ass. P. : 134
- Report and resol. of 2nd Cttee.
- Discussion and adoption . . . C. II : 79, 86
- Text C. II : 106, 107 (resol.)
- Reservation of Portuguese del. C. II : 79 ; P. : 114
- Report and resols. of 2nd Cttee.
- Discussion and adoption C. II : 36 ; P. : 111
- Procedure *re* adoption by Ass. . . C. II : 36
- Text C. II : 89, 94
- Resol. of Ass. (Oct. 8, 1936) . . . P. : 130-1
- PACIFIC Health Conf., 2nd Int. (1935) and future Confs. C. II : 11, 94
- PAN-AFRICAN Health Conf. (1935) C. II : 8, 13, 94
- PHYSICAL education C. II : 11, 90, 92 (report)
- REPORT and resols. of 2nd Cttee., *see above* Organisation Work
- RICKETS C. II : 15, 29, 35
- RURAL hygiene, *see that title*
- SCARLET fever C. II : 17
- SCURVY C. II : 35
- SINGAPORE Bureau, work C. II : 8-9, 11, 89, 94
- SLEEPING-sickness C. II : 26
- STUDY tours in U.S.A. and U.S.S.R., etc. C. II : 11, 12, 89, 90
- SYPHILIS, *see below* Venereal diseases
- TROPICAL ulcers C. II : 26
- TUBERCULOSIS C. II : 16, 17, 25, 28, 29, 35
- TYPHOID fever C. II : 12, 28
- VENEREAL diseases C. II : 90; C. V : 19, 20, 21, 22, 55
- YELLOW fever C. II : 8, 94

Henderson, Arthur

- President of Conference on Reduction of Armaments : tribute to his memory C. III : 10

Henriquez Urefia, Max

- Delegate of the Dominican Republic C. I : 6 ; C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. V : 5 ; C. VI : 5 ; P. : 17 ; S. M. C. : 5
- INTELLECTUAL Co-operation C. VI : 23-4
- REPORT on work of the League 1935/36 P. : 94-5

Hesselgren, Mlle. Kerstin

- Expert : delegation of Sweden C. I : 8 ; C. V : 6 ; P. : 27
- CHILD Welfare C. V : 35
- INTELLECTUAL Co-operation C. VI : 48
- WOMEN and children, traffic in C. V : 20

Higher International Studies

- CO-ORDINATION Committee C. VI : 19
- PERM. Int. Studies Conference : Madrid session 1936, Paris session 1937 C. VI : 12-13, 13, 16, 19, 28, 56 (report), 58

Hilttonen, Ensio

- Substitute delegate of Finland C. I : 6 ; C. III : 5 ; C. IV : 5 ; S. M. C. : 5 ; P. : 18
- COMMITTEES of Ass. : proposed amendments C. I : 65, 68, 69, 70
- COURT of Int. Justice :
- Method of election to three vacant seats C. I : 24
- Participation in elections to, of States non-Members but parties to Court Statute C. I : 27
- TERRORISM, draft conv. on C. I : 48, 54, 57

Historical Treasures

- PROTECTION, *see under* Arts and Letters, etc.

Historical Works

- on ORIGINS of American civilisation, *see* American civilisation, etc.

History, Teaching of

- TEXT-BOOKS, declaration submitted to Govts. C. VI : 22, 28, 55, 56 (report), 59 (resol.) ; P. : 139 (resol.)

Hoerschelmann, Edouard

- Substitute delegate of U.S.S.R. C. III : 7 ; C. IV : 6 ; P. : 29
- ARMAMENTS, reduction, etc. C. III : 24
- BUDGET of League : 1937 estimates . . C. IV : 34
- COLLECTIVE security C. III : 24
- REFUGEES : credits for C. IV : 66

Holiday Courses

C. VI : 11

Holma, Harri G.

- Substitute delegate of Finland C. II : 4 ; C. IV : 5 ; S. M. C. : 5 ; P. : 18

4TH COMMITTEE

- Appointed rapporteur C. IV : 39
- Report to Ass. C. IV : 87-94

CONTRIBUTIONS of States to League :

- allocation C. IV : 74-5

DEVALUATION of Swiss franc C. IV : 50

FINANCIAL qns., report of 4th Cttee. P. : 118

SUPERVISORY Comm.

- Composition of C. IV : 71, 82-3 (report), 95 (report) ; P. : 114, 118

- Member of Cttee. to consider amendments to Art. I of Financial Regulations C. IV : 81 ; P. : 134

Holsti, Rudolf

- Delegate of Finland C. I : 6 ; C. III : 5 ; C. VI : 6 ; S. M. C. : 5 ; P. 18
- ARMAMENTS and rearmament C. III : 16

Hours of Work on Ships

C. II : 56

Housing

- CHILD Welfare in relation to. C. V : 35-6, 58
- EXHIBITION, Int. Rural Housing (1937) C. II : 10, 11, 93
- WORK of Health Org. and extension of scope of studies
- Discussion C. II : 8, 9-10, 13, 36
- Report and resol. of 2nd Cttee. C. II : 90, 91-2, 93, 94 (resol.)
- Resol. of Ass. (Oct. 8, 1936) P. : 130

Hudson, Manley O.

- ELECTED Judge at the Perm. Court of Int. Justice P. : 110, 116 (acceptance of election)

Humanities

- "CONVERSATION" of Budapest on "Rôle of Humanities in the Training of the Modern Mind" C. VI : 11, 13, 14, 19, 56-7 (report), 58 (resol.) ; P. : 138 (resol.)

- Hungary**
 DELEGATION P. : 21
See also Gombó, E.
 Nickl, A. de
 Ottlik, G. de
 Szent-Istvány, B. de
 Tánczos, G.
 Velics, L. de
 ECONOMIC and financial situation . . . C. II : 56-7
- Hydraulic Works in China** C. II : 59, 106
- I**
- Ibero-American Collection** C. VI : 29, 55
- Illicit Drug Traffic**
See under Opium, etc.
- Imports and Exports**
 BOUNTIES, export C. II : 55, 56
 of MEAT and meat preparations C. II : 74
 RESTRICTIONS (tariffs, etc.) : question
 of abolition . . . C. II : 20, 26, 39, 41, 43, 44, 47,
 48, 51, 52, 55, 56, 60, 61, 63, 65, 66, 68,
 69, 71, 73, 74, 83, 99
See also Quotas
 SITUATION in various countries C. II : 18, 20-1, 40,
 45, 46, 63, 64, 67, 73
- India**
 DELEGATION P. : 21
See also Aga Khan
 Biswas, C. C.
 Bray, Sir D.
 Chari, V. T. K.
 DISASTER in Baluchistan C. V : 47
 DRUG situation in C. V : 10, 12, 13, 42, 43, 50, 51
 HEALTH administration in C. II : 7-8
 MISSION of Mr. Pelt C. IV : 31, 72
 PENAL legislation C. V : 44
 PUBLIC opinion concerning the
 League C. IV : 12, 30
- Indigent Foreigners and Main-
 tenance Orders abroad**
 COLLABORATION with Rome Institute
 on Private Law C. V : 40, 62
 COMMITTEE of experts
 Appointment and activities C. V : 61-2
 Resolution on work of C. V : 63
 CONF. on, proposal and resol. C. V : 40-41, 63
 CONVENTIONS, draft, and replies of
 govts. C. V : 40, 62
 DISCUSSION C. V : 39-41
 HISTORY of question. C. V : 61-2
 RAPPOREUR
 Appointment. C. V : 7
 Statement by C. V : 39-40
 REPORT and resol. of 5th Cttee.
 Adoption C. V : 48 ; P. : 115
 Text C. V : 61-3
 RESOL. of Ass. (Oct. 10, 1936) P. : 137
- Industrial Production**
 SITUATION in various countries C. II : 39-40, 44, 56,
 57, 75
- Infants**
 MORTALITY C. II : 17, 18, 23, 28, 29, 31, 32, 34 ;
 C. V : 32
 NUTRITION, *see* Nutrition : Children,
 etc.
 WELFARE, *see* Child Welfare
- Information Centre**
See under Child Welfare
- Information Section of Secretariat**
 RÔLE as regards propaganda in fa-
 vour of League and information
 on its activities C. VI : 15, 16, 48, 49
 WIRELESS service, weekly C. II : 106
- Inland Navigation, Transport by**
 ENQUIRY C. II : 102
- Insurance**
 MOTORISTS, compulsory insurance of C. II : 77, 104
- Intellectual Co-operation**
See also the subjects concerned
 COMMUNICATION from Latin-Ameri-
 can delegates *re* creation of new
 post, *see under* Latin America
 DISCUSSION C. VI : 10-29
 INSTITUTE, Int., at Paris
 Finances and voluntary contri-
 butions C. VI : 12, 55, 58 (*report*), 59 (*resol.*) ;
 P. : 138 (*resol.*)
 Work, *see above* Discussion and
below Report of 6th Cttee.
 INTELLECTUAL Agreements, bilateral :
 publication C. VI : 11, 12
 INTELLECTUAL co-operation month
 at the 1937 Universal Exhibition,
 Paris C. VI : 39, 58 (*report*), 60 (*resol.*) ; P. : 140
 (*resol.*)
 NATIONAL Committees
 Activities, establishment of new
 committees C. VI : 11, 19, 20, 22, 24, 55
 (*report*)
 2nd General Conference (Paris,
 1937) C. VI : 19, 58, 60 (*resol.*) ; P. : 140 (*resol.*)
 RAPPOREUR : appointment C. VI : 10, 40
 REPORT and resol. of 6th Cttee.
 Discussion and adoption C. VI : 38-9 ; P. : 115
 Procedure concerning adoption
 by Assembly C. VI : 40
 Resol. of Ass. (Oct. 10, 1936) P. : 138-40
 Text C. VI : 55-61
 SUPPL. credits requested : resol. of
 6th Cttee. C. IV : 51, 52, 71 (*adopted*) ; C. VI : 15,
 38
- Intellectual Rights**
See Authors' Rights
- Intellectual Workers**
 UNEMPLOYMENT among ; combating C. VI : 13, 22-3,
 56 (*report*), 59 (*resol.*) ; P. : 139 (*resol.*)
- "Interest Earned"** C. IV : 33
- International Law, Institute of**
 RULE of elimination laid down by C. I : 45
- International Relations**
 DEVELOPMENT of, *see* League of Na-
 tions and Modern Means, etc.
 SCIENTIFIC study of foreign policy :
 work of Permanent Int. Studies
 Conference C. VI : 12-13, 13, 16, 20, 28, 56
 (*report*)
- Investigations**
 BUDGET estimates for 1937 C. IV : 22-6
- Iran**
 DELEGATION P. : 22
See also Adle, M.
 Entezam, N.
 Sayah, F.
 Sepahbodi, A.
 DRUG situation in C. V : 11, 42, 50, 51

Iraq

- ASSYRIANS, *see that title*
 DELEGATION P. : 21
See also Najib, S.
 Noury-al-Said, General
 EMANCIPATION C. VI : 33, 34

Irish Free State

- DELEGATION P. : 22
See also Cremins, F. T.

Islands under Japanese Mandate

See under Mandates

Italy

- * DISPUTE with Ethiopia, *see* War, etc.

J

Jacklin, S.

- Treasurer of the League
 BRANCH offices in India : amalgamation C. IV : 72
 BUDGET of League : 1937 estimates C. IV : 31, 32, 33
 CONTRIBUTIONS in arrear C. IV : 35
 MEMBERS of Section : recruitment and promotion C. IV : 47

Japan

- DRUG situation C. V : 10, 43
 RIGHT to elect members of the Court
 Communication from govt. C. I : 78, 79 (*text*)
 Discussion . . . C. I : 25, 26, 28, 76, 77, 80, 81
 WITHDRAWAL from League C. VI : 30

Japanese Collection C. VI : 29, 55

Jews

- NATIONAL Home, *see under* Mandates : Palestine
 in PALESTINE, *see under* Mandates : Palestine
 in POLAND and attitude of Powers of "Petite Entente" towards Jewish National Home in Palestine C. II : 46 ; C. VI : 32, 33, 35, 38, 50, 51, 62 (*report*)
 REFUGEES from Germany, *see under* Refugees

Jordan, W. J.

- Delegate of New Zealand C. III : 6 ; C. IV : 6 ; C. V : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 24
 CHILD Welfare C. V : 27-8
 COMMITTEE on Credentials, member P. : 34, 35 (*elected*)
 COVENANT of League : application of principles S. M. C. : 24-5
 REPORT on work of the League 1935/36 P. : 78-80

K

Kampe, Andréjs

- Substitute delegate of Latvia C. I : 7 ; C. II : 5 ; C. III : 6 ; P. : 22
 NUTRITION C. II : 21-2

Kaya, Sükrü

- Delegate of Turkey C. I : 8 ; C. II : 6 ; C. VI : 7 ; P. : 28
 REPORT on work of the League 1935/36 P. : 98-9
 TERRORISM, draft conv. C. I : 54

King, W. L. Mackenzie

- Delegate of Canada C. I : 6 ; C. III : 5 ; S. M. C. : 5 ; P. : 15
 REPORT on work of League 1935/36 P. : 67

King, Wunsz

- Delegate of China C. II : 4 ; S. M. C. : 5 ; P. : 15
 COMMITTEES of League : constitution, etc. C. II : 82
 ECONOMIC and financial qns. C. II : 59-60
 HAAS, Robert : tribute to his memory C. II : 76
 HEALTH Org., work of C. V : 9

Klimas, P.

- Substitute delegate of Lithuania C. I : 6 ; C. II : 5 ; C. III : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 23
 COUNCIL, composition C. I : 13

Klötli, Emile

- Substitute delegate of Switzerland C. II : 5 ; C. V : 6 ; P. : 28
 OPIUM, etc., traffic in C. V : 9

Kluyver, Mme. G. A.

- Substitute delegate of the Netherlands C. IV : 6 ; P. : 24
 BUDGET of League : 1937 estimates C. IV : 33
 4TH COMMITTEE : Vice-Chairman C. IV : 7 (*elected*)
 CONTRIBUTIONS of States to League
 Allocation C. IV : 75
 in Arrear C. IV : 34
 MEMBERS of Section : recruitment and promotion C. IV : 47
 SUPERVISORY Comm. : composition of C. IV : 63

Knowles, G. A.

- Adviser : Delegation of New Zealand C. IV : 6 ; P. : 24
 CONTRIBUTIONS of States to League : allocation C. IV : 76

Koht, Halvdan

- Delegate of Norway C. I : 7 ; C. VI : 6 ; P. : 23
 REPORT on work of League 1935/36 P. : 52-4

Kollontai, Mme. Alexandra

- Substitute delegate of U.S.S.R. C. II : 6 ; C. V : 6 ; P. : 29
 HEALTH Org., work of C. II : 12-13
 NUTRITION C. II : 32-4
 OPIUM, etc., traffic in C. V : 14

Komarnicki, Tytus

- Delegate of Poland C. III : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 25
 ARMAMENTS C. III : 22, 23
 COVENANT of League : application of principles S. M. C. : 20
 ECONOMIC and financial qns. C. II : 83, 84, 85, 86, 87
 MANDATES C. VI : 32-3, 51

Koo, V. K. Wellington

- Delegate of China C. I : 6 ; C. III : 5 ; S. M. C. : 5 ; P. : 15
 ARMAMENTS, reduction, etc. C. III : 17-18
 COMMITTEES of Ass. : proposed amendments C. I : 64-5, 68-9, 69
 COUNCIL, composition of C. I : 20
 COURT of Int. Justice
 Method of election to three vacant seats C. I : 24
 Participation in elections to, of States non-Members but parties to Court Statute. C. I : 27
 COVENANT of League : application of principles S. M. C. : 13
 REPORT on work of the League 1935/36 P. : 71

Krofta, Kamil

- Delegate of Czechoslovakia C. III : 5 ; C. VI : 5 ; P. : 28
 REPORT on work of the League 1935/36 P. : 80-1

LEAGUE OF NATIONS

Official Journal

RECORDS

OF THE

SEVENTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

GENEVA, 1937.

Kulski, Wladyslaw

- Substitute delegate of Poland C. I : 7 ; C. II : 5 ;
C. III : 6 ; P. : 25
- ARMAMENTS, reduction, etc. C. III : 24
- COMMITTEES of Ass.: proposed amend-
ments C. I : 64, 69, 70
- COMMITTEES of League: constitution,
practice and procedure C. II : 71 (*app. rappor-
teur*), 79, 80, 82, 86 (*app. rappor-
teur*), 106-7 (*report*)
- COURT of Int. Justice : method of
election to three vacant seats C. I : 24
- CRIMINAL Court, Int. : draft conv. C. I : 61
- FINANCIAL Assistance, Conv. on (1930) C. III : 24
- TERRORISM, draft conv. on C. I : 39-40, 55, 58
- WAR, Conv. on Means of Preventing
(1931) C. III : 24

Künzl-Jizerský, Rudolf

- Delegate of Czechoslovakia C. II : 4 ; C. III : 5 ;
C. IV : 5 ; C. V : 5 ; P. : 28
- INDIGENT foreigners, assistance to C. V : 7 (*app. rap-
porteur*), 39-40, 41, 48 (*app. rappor-
porteur*), 61-3 (*report*)
- OPIUM, etc., traffic in C. V : 42
- REFUGEES : credits for C. IV : 70

L

Labour Organisation, Int.

- BRANCH Offices, *see that title*
- BUDGET for 1937, *see under* Budget
- DISTRIBUTION of contribution to, in
1936 C. IV : 8, 50, 53-4, 87
- LABOUR Office, Int.
Buildings, new C. IV : 37
- Co-operation with Mixed Cttee.
on Nutrition, *see* Nutrition :
Workers, etc.

Labour Questions

- CHILD, *see under* Child Welfare
- CONFS. on assistance to unemployed
and maintenance of rights under
invalidity, etc. C. V : 62
- HOURS of work on board ship C. II : 56
- JEWS in Poland, situation C. II : 46
- in MANDATED territories, *see under*
Mandates
- MIGRATION, *see that title*
- NUTRITION of workers, *see* Nutrition :
Workers' nutrition
- PROSTITUTION in relation to employ-
ment C. V : 19, 21, 22
- UNEMPLOYMENT, *see that title*

Lachkevitch, Georges

- Expert : delegation of U.S.S.R. C. I : 8 ; C. V : 6 ;
P. : 29
- TERRORISM, draft conv. C. I : 57, 60

Laichter, Ivan

- Secretary : delegation of Czechoslo-
vakia C. V : 5 ; P. : 28
- TRANSIT Org. : work of C. II : 77

Land Armaments C. III : 17

Lange, Christian L.

- Substitute delegate of Norway C. I : 7 ; C. III : 6 ;
C. VI : 6 ; S. M. C. : 6 ; P. : 23
- ARMAMENTS, reduction, etc. C. III : 9-11, 21 (*app.
rappporteur*), 22, 23, 24, 24-5, 25, 26-8
(*report*)
- 17TH ASSEMBLY, Vice-President P. : 31

Lange, Christian L. (continued)

- 3RD COMMITTEE : Chairman C. III : 5, 9 (*elected*) ;
P. : 31, 42
- COMMITTEES of Ass. : amendments
proposed C. I : 62, 66-7, 68, 69, 70,
71 (*app. rappporteur*), 82-4 (*report*)
- COUNCIL, composition of C. I : 19, 21
- COVENANT of League : application of
principles S. M. C. : 18, 25
- INTELLECTUAL Co-operation C. VI : 15-16, 26
- MANDATES C. VI : 29-32, 35

Langenhove, F. van

- Substitute delegate of Belgium C. II : 4 ; P. : 13
- 17TH ASSEMBLY, Vice-President P. : 31
- 2ND COMMITTEE, Chairman C. II : 7 ; P. : 31
- ECONOMIC and financial qns. C. II : 57-8
- GENERAL Cttee., member P. : 31, 43
- RURAL Housing Exhibition C. II : 11

Lanshot, G. van

- Delegate of the Netherlands C. I : 7 ; C. II : 5 ; P. : 24
- ECONOMIC and financial qns. C. II : 50-2, 70, 74
- HEALTH Org., work of C. II : 7 (*app. rappporteur*), 36,
89-94 (*report*)
- NUTRITION C. II : 17-19
- RURAL hygiene conf. C. II : 36-7

Latin America

- COMMUNICATION from delegates of
Latin-American countries propos-
ing creation of new post in Intel-
lectual Co-operation Section to
provide contact with Latin-
American countries on that sub-
ject C. IV : 26-8, 49 (*withdrawn*)
- CRITICISM of term P. : 99
- LATIN-AMERICAN Bureau, suppres-
sion and activities C. IV : 23-5
- LIAISON work with the I.L.O. C. IV : 37
- REPRESENTATION on the Secretariat,
Ass. and Cl. C. IV : 23-4, 25

Latvia

- COUNCIL : elected member P. : 108
- DELEGATION P. : 22
- See also* Feldmans, J.
Kampe, A.
Munters, W.

Law, Criminal

See Criminal law

Law, Institute of International

- RULE of elimination laid down by C. I : 45

League of Nations

- BRANCH offices, *see that title*
- CORRESPONDENTS
in India C. IV : 18-19
- Temporary, *see* Officials, etc. :
Temporary, etc.
- ELIMINATION of certain activities not
derived properly speaking from
the Covenant : proposal of del.
of Chile C. IV : 16
- FUTURE membership of
Egypt C. VI : 50
- Syria C. VI : 32, 33, 50
- PROPAGANDA, *see* League of Nations
and Modern, etc. and League of
Nations Teaching
- REPORT on work, 1935/36, *see* Re-
port, etc.
- STATES which have left the League C. VI : 30
- SURVEY on work for, 1935/36 P. 33-4
- UNIVERSALITY, *see that title*

League of Nations and Modern Means of spreading information utilised in the Cause of Peace

DISCUSSION C. VI : 14-15, 16, 24, 25, 26, 27, 28, 29, 47-9

DRAFT Resols. submitted by following delegations

Denmark

Discussion, *see above* Discussion

Texts C. VI : 15, 24, 47

United Kingdom and Denmark : text and adoption C. VI : 49

PLAN of action to be drawn up by Cttee. on Intellectual Co-operation . . . C. VI : 24, 47, 49 (*resol.*), 61 (*resol.*); P. : 140 (*resol.*)

RESOL. of Ass. P. : 140

RESOL. of 6th Cttee. C. VI : 61

ROLE of Information Section C. VI : 15, 16, 48, 49

SECRETARY-GENERAL to report on question C. VI : 24, 47, 49, 61 (*resol.*) P. : 140 (*resol.*)

League of Nations Teaching

ADVISORY Cttee. C. VI : 14, 15, 58, 59

"BULLETIN of League of Nations Teaching" C. VI : 47

DISCUSSION C. VI : 14, 15, 19, 20, 22, 47

REPORT and resol. of 6th Cttee. C. VI : 56, 58, 59

SCHOOL text-books : revision, *see under* Education

Lebanon

See Mandates : Syria and Lebanon

Leisure, Rational Employment of . . . C. II : 11, 92

Leitmaier, Markus

Substitute delegate of Austria C. I : 6 ; C. VI : 5 ; P. : 12

CRIMINAL Court, Int. : draft conv. . . C. I : 50

Leticia Dispute P. : 104

Letters

See Arts and Letters

Level-crossings, Signals at C. II : 77, 104-5

Levillier, Robert

Delegate of Argentine Republic C. I : 6 ; C. V : 5 ; C. VI : 5 ; P. : 11

AMERICAN civilisation : proposal for collection of works on, *see* American, etc.

CHILD Welfare C. V : 28

INTELLECTUAL Co-operation C. VI : 16-19, 27-8

OPIMUM, etc., traffic in C. V : 13-4

REPORT on work of the League 1935/36 P. : 95-7

Liaison

BUDGET estimates for 1937 C. IV : 22-6

Liang Lone, M.

Substitute delegate of China C. IV : 5 ; P. : 15

SECRETARIAT : recruitment of staff. . . C. IV : 11

Liberia

DELEGATION P. : 22

Library, League

REPORT of the 4th Cttee. C. IV : 92

Licensed Houses

See under Prostitution

Limburg, Joseph

Delegate of the Netherlands C. I : 7 ; S. M. C. : 6 ; P. : 24

17TH ASSEMBLY, Vice-President P. : 31

1ST COMMITTEE : Chairman . C. I : 6 ; P. : 31, 42

COMMITTEES of Ass. : amendments proposed C. I : 68, 70, 71

COMMITTEE on Credentials, member P. : 34, 35

COUNCIL : composition of. C. I : 28

COURT of Int. Justice : method of election to three vacant seats C. I : 22, 23

COVENANT : application of principles . S. M. C. : 27

CRIMINAL Court Int. : draft conv. . . . C. I : 51, 61

GENERAL Cttee., member P. : 31, 43

TERRORISM, draft conv. on C. I : 44, 49, 57, 58, 59, 60

Limitation of Armaments

See Armaments, etc.

Liquid Fuel employed in Air Traffic

CUSTOMS exemption : draft Agreement C. II : 78-9, 105

Liquor Traffic

See under Mandates

Lithuania

DELEGATION P. : 23

See also Ciurlionis, S. Klimas, P. Urbšys, J.

Litvinoff, Maxime

Delegate of U.S.S.R. C. I : 8 ; C. VI : 7 ; S. M. C. : 6 ; P. : 29

ARMAMENTS, reduction, etc. C. III : 20-1

COMMITTEE on Credentials, member P. 34, 35 (*elected*)

COVENANT of League : application of principles . . . S. M. C. : 11, 14, 23, 24, 25, 27

REPORT on work of League 1935/36 P. : 61-4

Liu Chieh, M.

Expert : delegation of China . C. VI : 5 ; P. : 16

REFUGEES, Int. Assistance to C. VI : 42

Locarno Treaty

REPUDIATION by Germany P. : 52, 61

Lozano y Lozano, Carlos

Delegate of Colombia C. I : 6 ; C. II : 4 ; S. M. C. : 5 ; P. : 16

REPORT on the work of the League 1935/36 P. : 92-3

Lugard, Lord

RESIGNATION from Perm. Mandates Commission : tribute to his activity C. VI : 29, 35, 37

STATEMENT at Royal Institute of Int. Affairs *re* "open door" policy in Africa, and rôle of P. M. C. . . . C. VI : 29, 70 (*text*)

Luggage, Transport by Rail

REVISION of 1924 Conv. and ratification and application of revised Conv. (1933) C. II : 76, 104

Luxemburg

DELEGATION P. : 23

M

MacDonald, Malcolm J.
 Delegate of United Kgd. C. III : 5 ; S. M. C. : 5 ;
 P. : 13
 ARMAMENTS and rearmament C. III : 18-20, 22, 23
 COVENANT of League : application of
 principles S. M. C. : 12
 THANKS to Pres. of Ass. P. : 121

Maintenance Orders abroad
See Indigent Foreigners, etc.

Malaria and malariology . C. II : 8, 9, 12, 25, 26, 89

Malaterre-Sellier, Mme.
 Technical adviser : delegation of
 France C. V : 5 ; P. : 19
 CHILD Welfare C. V : 36-7, 39
 OPIUM, etc., traffic in C. V : 15
 WOMEN and children, traffic in C. V : 20-1

Malcolm, Sir Neill
 High Commissioner for Refugees
 from Germany
 ATTENDED meetings of the 6th Cttee. C. VI : 7
 REFUGEES, Int. Assistance to C. VI : 46

Malkin, Sir William
 Substitute delegate of the United
 Kgd. C. I : 6 ; C. VI : 5 ; P. : 13
 COMMITTEES of Ass. : proposed
 amendments C. I : 70
 COURT of Int. Justice : method of
 election to three vacant seats C. I : 22
 CRIMINAL Court, Int. : draft conv. C. I : 50, 61
 TERRORISM, draft conv. on C. I : 40-1, 54-5

Manchuria and Jehol
 DRUG situation C. V : 9
 RUSSIAN women in : situation C. V : 18

Mandates
 CAMEROONS under French mandate C. VI : 30
 DISCUSSION C. VI : 29-38, 49-50
 ECONOMIC equality : case of States
 which have left the League C. VI : 30, 34, 51, 62
(report)
 EDUCATION C. VI : 32, 34, 35, 35-6, 51, 62 *(report)*
 HEALTH conditions ; natality and
 mortality C. VI : 35, 36
 ISLANDS under Japanese mandate C. VI : 34
 LABOUR, and forced labour C. VI : 32, 34, 36
 LEBANON, *see below* Syria and Leba-
 non
 LIQUOR traffic C. VI : 32, 34
 MANDATORY Powers : activities, *see*
below Work, etc.
 NON-MILITARISATION of native popu-
 lations C. VI : 36, 51, 63 *(report)*
 PALESTINE
 Arabs : relations with Jews, *see*
below Jews, etc.
 Disturbances : enquiry by Royal
 Commission ; extraordinary
 session of P. M. C. suggested C. VI : 30, 31, 32,
 34, 35, 36, 37, 38, 50, 51, 62 *(report)*, 63
(resol.) ; P. 138 *(resol.)*
 Jews : Immigration, National
 Home, relations with Arabs C. VI : 30, 32, 33,
 34, 35, 38, 49, 50, 51, 62 *(report)*
 PERMANENT Mandates Commission
 Enlargement of Commission C. VI : 33
 Members : tribute to activity of
 Lord Lugard C. VI : 29, 35, 37
 Rôle as regards certain colonies,
see Africa : Territories
 Session, extraordinary, for exa-
 mination of question of distur-
 bances in Palestine, *see above*
 Palestine : Disturbances, etc.
 Work, *see below* Work, etc.

Mandates (continued)

RAPPORTEUR : appointment C. VI : 38, 52
 REFERRED to 6th Cttee., proposal of
 Norwegian del. C. VI : 10, 29, 62 ; P. : 42, 44
 RÉGIME, beneficial character of C. VI : 32
 REPORT and resol. of 6th Cttee.
 Discussion and adoption C. VI : 50-1 ; P. : 115
 Procedure concerning adoption
 by Ass. C. VI : 52
 Text C. VI : 62-3
 RESOL. of Ass. (Oct. 10, 1936) P. : 138
 SECRETARIAT : Mandates Section
 Tribute to Acting Director C. VI : 36
 SLAVERY and forced labour C. VI : 32
 SOUTH West Africa : Status and Com-
 mission of Enquiry ; education,
 etc. C. VI : 35-6, 36, 51, 63 *(report)*
 SYRIA and Lebanon
 Economic equality and public
 works C. VI : 34
 Emancipation and future League
 membership ; Franco-Syrian
 Treaty C. VI : 31, 32, 33, 36, 37, 38, 49, 50, 51,
 62-3 *(report)*, 63 *(resol.)* ;
 P. : 138 *(resol.)*
 Minorities : question of Alexan-
 dretta C. VI : 31, 32, 36-7, 50, 51, 62, 63
(report)
 TANGANYIKA Territory : closer Union
 with Kenya and Uganda, etc. C. VI : 30, 35, 37
 TOGOLAND under British Mandate C. VI : 35
 TOGOLAND under French Mandate ;
 economic equality ; appointment
 of common administration for
 Togoland and Dahomey C. VI : 30
 WELFARE of natives ; position of na-
 tive women, etc. C. VI : 34
 WORK of P. M. C., Council and man-
 datory Powers : approval of
 Assembly C. VI : 29, 33, 50, 62 *(report)*, 63
(resol.) ; P. : 138 *(resol.)*

Manufacture of Dangerous Drugs
See under Opium, etc.

Manufacture of, and Trade in, Arms :
 CONVENTION on Trade in arms (1925) C. III : 13, 20, 21
 FUTURE programme and work of
 Conf. C. III : 10, 12, 13, 14, 15, 16, 17, 18, 19, 20,
 21, 23, 27 *(report)*
 NATIONALISATION in France C. III : 12, 17, 23, 27 ;
 P. : 18-20

Maritime Questions
 BUOYAGE rules, unification of C. II : 78, 105
 CONFERENCE at Geneva (1936) C. II : 56
 HOURS of work on board ship C. II : 56
 POLLUTION of the sea by oil C. II : 78, 105
 PROFITS, shipping C. II : 69

Martola, H. R.
 Secretary-General : delegation of Finland C. V : 5 ;
 P. : 18
 OPIUM, etc., traffic in C. V : 9

Maseng, Einar
 Substitute delegate of Norway C. II : 5 ; C. III : 6 ;
 C. V : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 24
 ARMAMENTS, reduction, etc. C. III : 13-14
 ECONOMIC and financial qns. C. II : 55-6, 83

Maternity
 MORTALITY and morbidity C. II : 12, 13, 14, 26, 89
 NUTRITION as related to C. II : 11-12, 13, 16, 17, 18,
 19, 24, 26, 28, 29, 31, 32, 33, 34, 90, 91, 96
(resol.) ; C. V. : 26, 27, 30, 35, 36, 37, 38,
 39, 60

Matsch, F.
 Assistant delegate of Austria C. III : 5 ; C. IV : 5 ;
 P. : 12
 CONTRIBUTIONS of States to League :
 allocation C. IV : 75
 TRANSIT Org. : work of C. II : 76

Matta, José Caeiro da

Delegate of Portugal C. I : 7 ; P. : 26
 COMMITTEES of Ass. : proposed
 amendments C. I : 65, 67
 COURT of Int. Justice.
 Appointed rapporteur for ques-
 tions *re* C. I : 28
 Method of election to three va-
 cant seats C. I : 34, 80-1 (*report*)
 • Participation in elections to, of
 States non-Members but par-
 ties to Court Statute C. I : 25, 34, 62, 80-1
 (*report*)
 TERRORISM, draft conv. on C. I : 31, 49, 55, 57, 58,
 59, 60, 61

Mayard, Constantin

Delegate of Haiti C. I : 7 ; C. II : 5 ; C. III : 6 ;
 C. IV : 5 ; C. V : 5 ; C. VI : 6 ; S. M. C. : 5 ;
 P. : 20
 REPORT on work of the League 1935/
 36 P. : 87-90

McDougall, F. L.

Delegate of Australia C. II : 4 ; C. III : 5 ; P. : 12
 ECONOMIC and financial qns. C. II : 84, 85
 HEALTH Org., work of C. II : 11
 NUTRITION C. II : 22, 24-7

Meat

EXPORTS and imports of meat and
 meat preparations C. II : 74
 NUTRITIONAL aspects C. II : 13, 18, 23, 28, 33, 35

Members of Section

See under Officials, etc.

Men, Free Movement of

See Migration

Mexico

DELEGATION P. : 23
See also Bassols, N.
 Tello, M.
 Villa Michel, P.

Michel, P. Villa

See Villa Michel

Migration

AMERICAN countries, possibilities of
 immigration and colonisation C. II : 54, 70-1
 FREE movement of labour : pro-
 gramme of I.L.O. and Migration
 Commission
 Discussion C. II : 39, 44, 45, 46, 54, 56, 69-70,
 70-1, 72, 73
 Draft resol. of Polish del. C. II : 84 (*text*), 84-5
 Report and resol. of 2nd Cttee. C. II : 98, 99, 100
 (*resol.*)
 Resol. of Ass. P. : 142
 JEWISH immigration into Palestine,
see Mandates ; Jews, etc.

Milk

ACTION taken in various countries *re*
 control, distribution, etc. C. II : 16-17, 18, 19,
 20, 21-2, 23-4, 25, 28, 33, 34, 35, 90, 95
 GENERAL study of question C. II : 17, 26, 27, 31, 91,
 95, 96 (*resol.*) ; P. : 133 (*resol.*)

Minorities

in ALEXANDRETTA, *see that title*
 APPLICATION of Covenant principles
re P. : 59-60

Mistler, Jean

Substitute delegate of France C. VI : 6 ; P. : 19
 INTELLECTUAL Co-operation C. VI : 13-14

Modzelewski, Jan de

Substitute delegate of Poland C. IV : 6 ; P. : 25
 BUDGET of League : 1937 estimates C. IV : 16-17, 27,
 33
 GUARANTEE Fund C. IV : 45
 MEMBERS of Section : recruitment and
 promotion C. IV : 47
 REFUGEES : credits for C. IV : 66
 SUPERVISORY Commission : compo-
 sition of C. IV : 61

Momtchloff, Nicolas

Delegate of Bulgaria C. II : 4 ; C. III : 5 ; C. IV : 5 ;
 S. M. C. : 5 ; P. : 14
 ECONOMIC and financial qns. C. II : 72
 NUTRITION C. II : 20-1

**Monetary and Economic Conference
 (1933)**

. C. II : 48, 49, 60-1, 66, 75

Monteiro, A.

Delegate of Portugal P. : 26
 REPORT on work of League 1935/36 P. : 83

“Monthly Summary”

DEVELOPMENT, as a means of inform-
 ing public opinion on int. ques-
 tions C. VI : 24, 47

Monuments

PROTECTION, *see under* Arts and
 Letters

Moral Disarmament.

. C. III : 14, 16 ;
 C. IV : 14, 20, 28, 47, 48 ; P. : 53, 66

Morgan, M. T.

Adviser : delegation of United Kgd. C. II : 4 ; P. : 14
 TRANSIT org., work of C. II : 78, 79

Morphine

See under Opium, etc.

Morrison, W. S.

Substitute delegate of United Kgd. C. II : 4 ; C. IV : 5 ;
 P. : 13
 BUDGET of League : 1937 estimates C. IV : 15, 32, 38,
 41, 43, 46
 DEVALUATION of Swiss franc C. IV : 54, 55
 ECONOMIC and financial qns. C. II : 38-43
 GUARANTEE Fund C. IV : 43-4, 45
 PENSIONS Fund, Staff : election of
 members C. IV : 80
 REFUGEES : credits for C. IV : 51, 52, 66, 71
 SUPERVISORY Comm. : member of
 Cttee. to consider amendments
 to Art. I of Financial Regula-
 tions C. IV : 81 ; P. : 134

Mortality

MATERNAL, *see under* Maternity
 RATES C. II : 17, 18, 23, 28, 29, 31, 32, 34, 35, 89

Most-favoured-nation Clause C. II : 41, 73

Motorists

CIVIL liability and compulsory
 insurance C. II : 77, 104

Motta, G.

Delegate of Switzerland C. III : 6 ; C. VI : 7 ;
 S. M. C. : 6 ; P. : 28
 17TH ASSEMBLY, Vice-President P. : 31
 6TH COMMITTEE, Chairman C. VI : 9 ; P. : 31, 42
 COVENANT of League : application
 of principles S. M. C. : 10, 13, 16, 19, 20, 22-3,
 24, 25, 27
 GENERAL Cttee., member P. : 31, 43
 INTELLECTUAL Co-operation C. VI : 39

Munch, P.

Delegate of Denmark C. III : 5 ; C. VI : 5 ; P. : 17
REPORT on work of League 1935/36 . . . P. : 64

Munters, W.

Delegate of Latvia C. III : 6 ; C. VI : 6 ; P. : 22
COURT of Int. Justice : method of
election to three vacant seats . . . C. I : 22
MANDATES C. VI : 38 (*app. rapporteur*), 50, 51, 52
(*app. rapporteur*), 62-3 (*report*)
REFUGEES, Int. Assistance to . . . C. VI : 44

**Museums : Int. Museums Office . . . C. VI : 29, 39,
57, 59 ; P. : 139**

N

Najib, Sabih

Delegate of Iraq C. I : 7 ; C. III : 6 ; C. VI : 6 ;
S. M. C. : 5 ; P. : 21
MANDATES C. VI : 49-50

Nansen Office

See under Refugees

**National Defence Expenditure :
Publicity**

WORK of Conf. and future pro-
gramme C. III : 10, 12, 14, 15, 16, 17, 19,
20, 21, 23-4, 27 (*report*)

**Nationalisation of Armament Indus-
try in France C. III : 12, 17, 23, 27**

**Nationality Convention, signed Dec.
26th, 1933, at the 7th Int. Conf.
of American States**

RAPPOREUR, appointment C. I : 72
RATIFICATIONS : Conv. open to acces-
sion by all States, resol. C. I : 72, 86
REPORT of 1st Cttee.
Adopted by Ass. P. : 115
Procedure for adoption by As-
sembly C. I : 72
Text C. I : 86
RESOL. of Ass. (Oct. 10, 1936) P. : 136

Naval Armaments, Limitation of

LONDON Conf. and Agreements . . C. III : 17, 18, 19

Netherlands

DELEGATION P. : 24-5
See also Boetzelaer, E. O. van
Kluyver, Mme. C. A.
Lanschot, G. van
Limburg, J.
Rappard, C. van
Rutgers, V. H.
ECONOMIC and financial situation . . C. II : 50-2, 70

New Guinea

NUTRITION and health among natives. . . C. II : 25

New Zealand

COUNCIL : elected non-perm. Member . . . P. : 57
DELEGATION P. : 24
See also Campbell, R. M.
Jordan, W. J.
Knowles, C. A.
Parr, Sir J.

Nickl, Alfred de

Substitute delegate of Hungary C. II : 5 ; P. : 21
ECONOMIC and financial qns. C. II : 56, 83

**Nominations Committee of the As-
sembly**

COMPOSITION and functions : text of
regulations C. I : 71 ; P. 136 (*resol.*)
DISCUSSION C. I : 62, 64, 66, 67, 69-71
METHOD of application of States for
representation on C. I : 66
NORWEGIAN proposals C. I : 82 (*text*)
REPORT and resol. of the 1st Cttee. . . . C. I : 84

**Non-Aggression and Conciliation
Treaty, Rio de Janeiro (1933) :
Harmonisation of Covenant with**

REFERENCE of question to Special
Main Cttee. (Ass. resol., Oct., 8,
1930) S. M. C. : 8 (*text*), 28 (*text*)
STUDY of question by Special Main
Cttee., *see under* Covenant of
League : application of principles.

Norway

DELEGATION P. : 23-4
See also Castberg, F.
Koht, H.
Hambro, C. J.
Lange, C. L.
Maseng, E.
Reutz, Mlle. J.
Skylstad, R.
Sundby, J.

Noury-al-Said, General

Delegate of Iraq C. I : 7 ; C. VI : 6 ; D. : 21
COUNCIL, composition C. I : 13

Nutrition

See also the foodstuffs required

ADV. Cttee. on Social Qns. : collabo-
ration in C. VI : 60-1 (*resol.*) ; P. : 137-8
(*resol.*)
ALCOHOLISM as obstacle to progress in . . . C. II : 24
of CHILDREN, infants and mothers C. II : 11-12, 13,
16, 17, 18, 19, 21, 24, 25-6, 28, 29, 31, 32,
33, 34, 90, 91, 96 (*resol.*) ; C. V. : 25, 26, 27,
28, 29, 30, 32, 33, 34, 35, 36, 38, 39, 60
(*report*) 60-1 (*resol.*) ; P. : 133 (*resol.*),
137-8 (*resol.*)
CHILE, popular nutrition in C. II : 20, 21
DESTRUCTION C. II : 19, 52, 79
DISCUSSION C. II : 7, 8, 9, 10, 11, 12, 13, 14-23, 23-7 ;
27-36
DISEASES caused by or related to
malnutrition C. II : 16, 17, 25, 28, 29, 35
EXPENDITURE on studies : estimates
for 1937 and request for credits C. II : 30, 36, 96 ;
C. IV : 66
FAR-EASTERN countries, study of
question by Conf. on Rural
Hygiene (1937) C. II : 7, 8, 9, 29-30, 96, 97
(*resol.*) ; P. : 133 (*resol.*)
HEALTH Org.'s work : review C. II : 10, 11, 32, 34,
90-1, 96, 96 (*resol.*), 97 (*resol.*) ;
P. : 132-3 (*resol.*)
INFANTS' nutrition, *see above* Child-
ren, etc.
INSTITUTE, Int., of Agriculture :
co-operation in C. II : 16, 25, 29, 97 (*resol.*) ;
P. : 133 (*resol.*)
LABOUR Organisation, Int., work,
see below Workers' nutrition
MIXED Committee
Continuation of work C. II : 16, 22, 36, 97
(*resol.*) ; P. 112-3, 133 (*resol.*)
Credits for work (1937) : request
to Chairman of Supervisory
Comm. C. II : 36

Nutrition (continued)

MIXED Committee (continued)

Work and prelim. report
 Discussion C. II : 14-23, 23-7, 27-36
 Reports and resol. of 2nd
 Cttee. C. II : 90-1, 95-7

of MOTHERS, *see above* of Children, etc.

NATIONAL Committees and national
 work C. II : 7, 8, 12, 13, 15, 16, 17, 18, 19, 20,
 21, 24-5, 27, 29, 31, 33-4, 95 (*report*),
 96 (*report*), 97 (*resol.*) ; P. : 112, 133
 (*resol.*)

"PHYSIOLOGICAL Bases of Nutrition",
see above Mixed Cttee. : Work

PRICES C. II : 14, 16, 19, 20, 21, 24, 26, 28, 29, 30,
 33, 50, 56, 57, 96, 97

PROPAGANDA and promotion of edu-
 cation in popular nutrition C. II : 19, 20, 21, 22,
 27, 31, 96 (*resol.*) ; P. : 132 (*resol.*)

PUBLICATIONS

Labour Office report ("Workers'
 Nutrition and Social Policy") C. II : 14, 24, 25,
 27, 35

Mixed Cttee.'s report, *see above*

Mixed Cttee. : Work
 "Nutrition and Public Health" C. II : 90

Report by Drs. Burnet and
 Akroyd C. II : 11, 25

RAPPORTEUR

Appointment C. II : 7, 36

Preliminary statement by C. II : 14-16

REPORTS and resol. of 2nd Cttee.
 Comments of rapporteur P. : 111-13

Discussion and adoption C. II : 27-36 ; P. : 111-
 13

Text C. II : 90-1, 95-7

RESOLS. of Ass. (Oct. 8 and 10, 1936) P. : 132-3,
 137-8

SOCIAL aspect C. V : 60 (*resol.*) ; P. : 137 (*resol.*)

in SCHOOLS, *see above* Children, etc.

STATISTICS of foodstuffs C. II : 14, 16, 20, 25, 36, 97
 (*resol.*) ; P. 133 (*resol.*)

TECHNICAL Commission: work . . . C. II : 23, 24, 29

TROPICAL countries, situation C. II : 17, 26, 96, 97
 (*resol.*) ; P. : 133 (*resol.*)

of UNEMPLOYED C. II : 23, 28, 33, 96 (*resol.*) ;
 P. : 133 (*resol.*)

WORKERS' nutrition and work of
 I.L.O. C. II : 14, 15, 16, 18, 21, 23, 24, 25, 26,
 27, 28, 29, 33, 35-6, 96 (*resol.*), 97 (*resol.*) ;
 P. : 132, 133 (*resol.*)

O

Obscene Publications

ANNUAL reports of Govts. and rati-
 fication of 1923 Conv. C. V. : 18, 19, 28, 54, 55

Office international d'Hygiène pu-
 blique C. II : 79, 106

Officer, F. K.

Adviser, delegation of Australia C. I : 6 ; C. VI : 5 ;
 P. : 12

COMMITTEES of Ass. : amendments
 proposed C. I : 70

COUNCIL, composition of C. I : 19

CRIMINAL Court, Int. : draft conv. . . C. I : 50, 62

REFUGEES, Int. Assistance to C. VI : 45

TERRORISM, draft conv. on C. I : 42, 55, 61

Officials of League Organisations

DECLARATION of loyalty to be made
 by C. IV : 10

HIGHER officials
 Principles governing appoint-
 ment C. IV : 11-12, 12-13

Political pressure brought to
 bear on C. IV : 10-11, 89

**Officials of League Organisations
 (continued)**

MEMBERS of Section, rules for re-
 cruitment and promotion : dis-
 cussion, and adoption of report
 of Supervisory Comm. C. IV : 13, 47

PENSIONS Fund, *see that title*

PRINCIPLES governing recruit-
 ment and appointment of C. IV : 10-13, 25

ROCKEFELLER staff, inclusion in the
 establishment of the League
 requested C. IV : 36

SALARIES, *see that title*

TEMPORARY correspondents and col-
 laborators C. IV : 13, 18, 19, 22-3, 25, 4-9
 (*rules*)

TRAVELLING expenses, *see that title*

Oil Pollution of the Sea C. II : 78, 105

Opium and Other Dangerous Drugs

ADDICTION and propaganda against C. V : 15, 43, 53
 (*report*)

ADVISORY Committee : work . . . C. V : 8-9, 15, 50

CENTRAL Opium Board, Perm.
 Budget for 1937, *see under* Bud-
 get

Work C. V : 41, 50

CHINA, situation in C. V : 9, 11, 13, 16, 17, 43, 50, 53
 (*report*)

COCA leaf

Chewing of leaves in certain
 countries and use of subst. C. V : 13-14, 14,
 17, 52

Cultivation : Study of, and disso-
 ciation from work on opium
 poppy C. V : 9, 13, 14, 16, 17, 42, 50

COCAINE C. V : 8, 9

CODEINE C. V : 9, 12

CONSUMPTION of drugs C. V : 8, 9, 10, 13

CONVENTIONS, International

1912 Convention (Hague) C. V : 8, 11, 15, 53

1925 Convention (Geneva) C. V : 8, 11, 15, 50, 53

1931 Agreement (Bangkok) . . . C. V : 8, 10, 11

1931 Convention (Geneva) C. V : 8, 9, 11, 13, 14,
 15, 50, 53

1936 Convention, *see below under*
 Illicit traffic

CULTIVATION of opium poppy and
 coca leaf, *see above* Coca leaf
 and *below* Opium poppy

DIACETYLMORPHINE C. V : 8, 9, 12

DISCUSSION C. V : 7-9, 10-17, 41-2, 42-3

DRIED poppy straw, extraction of
 morphine from C. V : 41

ILLICIT traffic

Campaign against and countries
 concerned in C. V : 8, 9, 10, 11, 13, 15, 16, 17

Conf. and Conv. on Suppression
 of Traffic (1936) : question of
 ratification C. V : 9, 10, 11, 13, 15, 16, 17, 53
 (*report and resol.*) ; P. 132 (*resol.*)

Penalties for offences C. V : 15, 16

IMPORTS and exports C. V : 8, 9, 10, 11, 12, 51

INDIA, situation in C. V : 10, 12, 13, 42, 43, 50, 51

INDIAN hemp C. V : 14

IRAN, situation in C. V : 11, 42, 50, 51

JAPAN, traffic with other countries . C. V : 10, 43

LEGITIMATE requirements C. V : 10, 11, 13, 14, 17, 50

MANCHURIA and Jehol C. V : 9

MANUFACTURE

Clandestine C. V : 9, 13, 15, 41, 50, 53

Convention, 1931 : ratification
 and application C. V : 8, 9, 11, 13, 14, 15,
 50, 53

Legitimate C. V : 8, 9, 10, 11, 12, 14, 15, 16,
 50, 52

MATÉ as substitute for coca leaves . . C. V : 14, 52

MONOPOLIES C. V : 12, 14, 42, 51, 52 (*resol.*) ;
 P. : 132 (*resol.*)

MORPHINE C. V : 8, 9, 11, 12

Opium and Other Dangerous Drugs
(continued)

- OPIUM** poppy, cultivation of
 Conference and prelim. Confs.
 on limitation and control ;
 preparatory work and Prepa-
 ratory Cttee. C. V : 9, 10-13, 13, 14, 15, 16,
 17, 42, 43, 50-2 (*report*), 52-3 (*resol.*) ;
 P. : 131-2 (*resol.*)
 Countries engaged in C. V : 10, 11, 13, 14, 16, 17,
 41, 42, 51, 52, 53
 Land tenure systems as related
 to question C. V : 12, 51
 for Seed or oil production C. V : 16, 41, 42, 51
OPIUM-SMOKING
 Bangkok Agreement (1931) .. C. V : 8, 10, 11
 Prepared opium, *see below*
POPPY, opium, *see above* Opium
 poppy
PREPARED opium C. V : 11, 50, 51
PROPAGANDA against abuse of drugs,
see above Addiction
RAPPORTEUR, appointments C. V : 7, 43
RAW materials, *see above* Coca leaf
and Opium poppy
RAW opium : world requirements . . C. V : 11, 50
REPORT and resol. of 5th Cttee.
 Discussion and adoption C. V : 41-2, 42-3 ;
 P. : 111
 Procedure *re* adoption by Ass. . . C. V : 43
 Text C. V : 50-4
RESOL. of Ass. (Oct. 8, 1936) P. : 131-2
SEIZURES
 Countries referred to C. V : 10, 14
 Sub-Committee : work C. V : 9, 16
STATISTICS C. V : 11, 50
STOCKS C. V : 9, 11, 50, 51
SUPERVISORY Body : work C. V : 41, 50
 U.S.S.R., situation in C. V : 14, 52

Ossorio y Gallardo, Angel

- Delegate of Spain C. I : 8 ; C. III : 6 ; S. M. C. : 6 ;
 P. : 17
REPORT on work of League 1935/36 . . P. : 103-4
TERRORISM, draft conv. on C. I : 48

Osuský, Stefan

- Delegate of Czechoslovakia C. I : 6 ; C. III : 5 ;
 C. IV : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 28
AUDITED accounts for 1935 C. IV : 14
BUDGET of League : 1937 estimates . C. IV : 31, 33-4
COMMITTEE on Credentials, member P. : 34, 35
 (*elected*)
CONTRIBUTIONS : member of Special
 Cttee. C. IV : 86 ; P. : 145
COVENANT of League : application
 of principles S. M. C. : 13-4
DEVALUATION of Swiss franc C. IV : 49, 50, 53, 55,
 56, 57
MANDATES C. VI : 35
SECRETARIAT : recruitment of staff C. IV : 11-12, 12
SUPERVISORY Comm. : work of C. IV : 13-14, 34

Ottawa Agreements C. II : 40

Ottlik, Georges de

- Substitute delegate of Hungary C. IV : 5 ; P. : 21
BUDGET of League : 1937 estimates . C. IV : 25-6
CONTRIBUTION of States to League
 Allocation C. IV : 74
 in Arrear C. IV : 35-6
REFUGEES : credits for C. IV : 52, 67
SUPERVISORY Comm. : composition of C. IV : 58-9
 62-3, 63, 64-5, 81

"Over-budgeting"

- CRITICISMS** of C. IV : 9, 15, 19, 44, 87

Oyarzabal de Palencia, Mme. I.

- Substitute delegate of Spain. C. V : 6 ; P. : 18
CHILD Welfare C. V : 32-3

P

Pacific Health Conference (1935) . . C. II : 11, 94

**Pact of Paris : Harmonisation of
 Covenant with**

- REFERENCE** of question to Special
 Main Cttee. (Ass. resol., Oct. 8,
 1936) S. M. C. : 8 (*text*), 28 (*text*)
STUDY of question by Special Main
 Cttee., *see under* Covenant prin-
 ciples, application, etc.

Palencia, Mme. I. Oyarzabal de

- See* Oyarzabal de Palencia, Mme I.

Palestine

- See under* Mandates

**Pan-African Health Conference
 (1935)** C. II : 8, 13, 94

Panama

- DELEGATION** P. : 24
See also Solis, G.

Pan-American Conferences

- ALLUSIONS** to C. II : 8, 13, 94 ; C. V : 17 ; P. : 119
CONV. adopted by 1933 Conf., *see*
under Nationality

Pan-American Union P. : 94

Paraguay

- DESPATCH** of Saar refugees to, *see*
 Refugees : from Saar territory
DISPUTE with Bolivia, *see* Dispute, etc.

Pardo, Carlos Alberto

- Secretary, delegation of Argentine
 Republic C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. VI : 5 ;
 P. : 12
BUDGET of League : 1937 estimates C. IV : 26-7, 28,
 37
INTELLECTUAL Co-operation : propo-
 sal of Argentine del. C. IV : 49
SUPERVISORY Comm., composition . . C. IV : 61

Parr, Sir James

- Delegate of New Zealand C. I : 7 ; C. II : 5 ; P. : 24
NUTRITION C. II : 23-4

Parra-Pérez, C.

- Delegate of Venezuela C. I : 8 ; C. III : 7 ; C. IV : 6 ;
 C. V : 6 ; C. VI : 7 ; S. M. C. : 6 ;
 P. : 29
BUDGET of League : 1937 estimates . C. IV : 24-5
CRIMINAL Court, Int. : draft conv. . . C. I : 61
INTELLECTUAL Co-operation C. VI : 10 (*app. rap-
 porteur*), 26, 38, 39, 40 (*app. rapporteur*),
 49, 55-61 (*report*)
NATIONALITY Conv. 1933 C. I : 72
PENAL and penitentiary qns. C. V : 45-6
RELIEF Union, Int. C. V : 47, 48 (*app. rapporteur*),
 61 (*report*)
REPORT on work of the League 1935/
 36 P. : 99

Passengers, Transport by Rail

- REVISION** of 1924 Conv. and ratifi-
 cation and application of revised
 Conv. (1933) C. II : 104

Passports

Use of forged passports by terrorists . . . C. I : 29

Paul-Boncour, J.

Delegate of France C. I : 7 ; C. III : 5 ; S. M. C. : 5 ;
P. 18
ARMAMENTS, reduction, etc. . . C. III : 16-17, 23, 25
CRIMINAL Court, Int. : draft conv. . . . C. I : 50
TERRORISM, draft conv. on C. I : 41-2

Payments, Balance of C. II : 45, 49, 50, 51, 52, 53,
56, 57, 69, 72, 74, 83, 87

Fella, V. V.

Substitute delegate of Roumania C. I : 7 ; C. III : 6 ;
C. V : 6 ; C. VI : 7 ; P. : 26
CHILD Welfare C. V : 28-9
COMMITTEES of Ass. : proposed
amendments C. I : 65-6, 71
CRIMINAL Court, Int. : draft conv. C. I : 51-2, 52
PENAL and penitentiary qns. C. V : 7 (*app. rapporteur*), 43-5, 49 (*app. rapporteur*), 63-5
(*report*)
TERRORISM, draft conv. on C. I : 28-31, 44-7, 52, 56
(*app. rapporteur*), 57, 58, 59, 60, 61, 72,
84-5 (*report*)

Penal and Penitentiary Questions

BÉRENGER Law, application C. V : 44
BUREAU Int., for unification of Penal
law
Activities C. V : 45, 60, 64
Memo. on repatriation of foreign-
ers convicted of an offence
against the ordinary law C. V : 65-7
CHILDREN'S courts, *see* Child Wel-
fare : Delinquent Children
CONFERENCE for Unification of Penal
Law (1933) : Question on agenda
CRIMINAL law C. V : 29
CRIMINAL Police Commission, Int. . . C. V : 43
CRIMINAL Police Commission, Int. . . C. V : 45, 64
DEPRIVATION of liberty, consequences
DISCUSSION C. V : 44
EXTRADITION Treaties C. V : 43-47
HOWARD League for Penal reform,
work of C. V : 66-7
ILL-TREATMENT of prisoners C. V : 44, 64
MILITARY courts, judgments by C. V : 44
ORGANISATIONS, int. technical
See also various organisations
Reports on activities, and colla-
boration with the League. C. V : 46
PENAL Law Association, Int., acti-
vities C. V : 45, 64
PENAL and Penitentiary Commission,
Int.
Activities C. V : 43, 46, 47, 64
Enquiry into numbers of prison-
ers in various countries to be
undertaken by C. V : 44, 45, 46, 64, 65 ; P. : 137
(*resol.*)
Memo. on repatriation of foreign-
ers convicted of an offence
against the ordinary law C. V : 65-7
PERSONS detained for physical or
mental unfitness C. V : 49
PRISON staff, training C. V : 45
PRISONERS
Definition of term. C. V : 49
Standard minimum rules, *see*
that title below
Statistics of, *see above* Penal and
Penitentiary Comm. : Enquiry,
etc.
PSYCHOLOGICAL examination of pri-
soners C. V : 45
RAPPORTEUR
Appointment C. V : 7, 49
Statement by C. V : 43-5

Penal and Penitentiary Questions

(*continued*)
REFORMS in various countries, *see*
below Standard Rules
RELIGIOUS freedom for prisoners . . . C. V : 44
REPATRIATION in absence of an
extradition treaty, enquiry made
by Venezuelan Govt., and reply C. V : 45, 64,
65-7
REPORT and resol. of 5th Cttee.
Discussion and adoption C. V : 48-9 ; P. : 115
Procedure *re* adoption by Ass. C. V : 40
Text C. V : 63-5
RESOL. of Ass. (Oct. 10, 1936) P. : 137
SOUTENEURS, conv. for punishment . . C. V : 45
STANDARD minimum rules for treat-
ment of prisoners : Information
from govts. conc. their appli-
cation and Assembly resol. C. V : 43-4, 45
(*resol.*), 63, 64
TERRORISM, prevention and punish-
ment C. V : 45
WOMEN, detention in prisons C. V : 44

Pensions Fund for Staff of League Organisations

ADMINISTRATIVE Board
Members
Election of C. IV : 80, 94 (*resol.*) ; P. : 145
(*resol.*)
Tributes to the memory of
Prof. Friedli C. IV : 39, 40, 41, 42
6th Report and suppl. report
Discussion and adoption C. IV : 39-43
Report and resol. of 4th Cttee. C. IV : 93, 94
BUDGET estimates for 1937, *see under*
Budget
CONTRIBUTION of League to C. IV : 14, 18 ; P. : 144
(*resol.*)
DISCUSSION and general situation C. IV : 14, 17, 18,
39-43
INTEREST, rate earned and examina-
tion by the Supervisory Com-
mission C. IV : 40, 93
LIABILITIES : question whether their
payment should be made in gold
francs or Swiss francs C. IV : 56, 57
MEDICAL requirements of candidates C. IV : 39, 93
QUESTION of officials having left the
Secretariat, and returned C. IV : 39, 41
QUESTION of persons being pensioned
and receiving a salary from the
League C. IV : 39, 41, 42, 43 ; P. : 144 (*resol.*)
REGISTRARS of Court of Int. Justice :
transfer from Pensions fund for
judges to League Pensions fund C. IV : 46, 92
REGULATIONS
Art. 1, *see above* Medical Require-
ments
Art. 19, *see above* Question of
persons, etc.
REPORTS of
Administrative Board, *see above*
under Administrative Board
4th Cttee. C. IV : 93, 94 (*resol.*)
RESOL. of Ass. (Oct. 10, 1936) P. : 144
VALUATION by Consulting Actuary C. IV : 39, 93 ;
94 (*resol.*) ; P. : 144 (*resol.*)

Pensions of Members of the Court

See under Court of Int. Justice, Perm.

Permanent Delegates to the League

RIGHT to attend meetings of new
Cttee. on application of princi-
ples of Covenant S. M. C. : 20.

**Permanent Disarmament Commis-
sion**

QUESTION of creation and functions C. III : 10, 11, 12,
13, 14, 15, 17, 18, 19, 20, 21, 27 (*report*)

Peru

- DELEGATION P. : 25
See also Tudela, F.
 DISPUTE with Colombia P. : 104
 RELATIONS with Ecuador : negotia-
 tions P. : 105

"Petite Entente"

- ATTITUDE towards League reform P. : 80-1

Pflügl, Emerich

- Delegate of Austria C. III : 5 ; C. VI : 5 ; S. M. C. : 5 ;
 P. : 12
 COVENANT of League : application of
 principles S. M. C. : 12

Phelan, E.

Int. Labour Office

- DEVALUATION of Swiss franc C. IV : 54

Phillips, Sir Frederick

- Adviser : delegation of United Kgd. C. IV : 5 ; P. : 14
 CONTRIBUTIONS of States to League
 Allocation C. IV : 73-4, 80, 80 (*app. rapporteur*)
 83-5 (*report*) ; P. : 118
 in Arrears C. IV : 80, 86 (*report*) ; P. : 118
 Member of Special Cttee. C. IV : 86 ; P. : 145
 ECONOMIC and financial qns. C. II : 85
 GUARANTEE FUND C. IV : 47

Phonograph Discs

- PROPOSED use for publicity *re* inter-
 national affairs C. VI : 20, 28

Photographs

- for PACIFIC propaganda C. VI : 15, 16, 24, 28, 47

Physical Education C. II : 11, 90, 92 (*report*)

Planche, Camille

- Assistant delegate of France C. I : 7 ; C. III : 5 ;
 C. V : 5 ; P. : 19
 PENAL and penitentiary qns. C. V : 46

Poland

- DELEGATION P. : 25-6
See also Adamowicz, S.
 Beck, J.
 Fryling, J.
 Komarnicki, T.
 Kulski, W.
 Modzelewski, J. de
 Rose, A.
 Trębicki, K.

- ECONOMIC and financial situation C. II : 45, 46, 86, 87
 JEWISH population, *see under* Jews
 PRISON statistics C. V : 46

Police

- CRIMINAL Police Comm., Int. C. V : 45, 64
 WOMEN C. V : 18, 20-1, 22

Political Problems

- ECONOMIC situation as related to
 settlement C. II : 50, 59, 37, 38, 44-6, 48, 60, 70,
 71, 72, 85, 99 (*report*)

Politis, Nicolas

- Delegate of Greece C. I : 7 ; C. III : 5 ; C. VI : 6 ;
 P. : 20

- ARMAMENTS and rearmament C. III : 22, 23, 24
 COMMITTEES of Ass. : proposed
 amendments C. I : 68, 69, 70, 71
 COUNCIL, composition of C. I : 18, 21
 COURT of Int. Justice
 Method of election to three va-
 cant seats C. I : 22, 23
 Participation in election of jud-
 ges to, of States non-Members
 of League but parties to Court
 Statute C. I : 26

Politis, Nicolas (*continued*)

- CREDENTIALS of delegates
 Member of Cttee. P. : 34, 35 (*elected*)
 Report P. : 35-6, 109-10
 ECONOMIC and financial qns. C. II : 69

Pollution of the Sea by Oil C. II : 78, 165

Portugal

- DELEGATION P. : 26
See also Castro e Almeida, v.
 Matta, J. C. da
 Monteiro, A.
 Silva, F. E. da
 Vasconcellos, A. de
 ECONOMIC and financial situation C. II : 28, 62-4

Potemkine, Vladimir

- Delegate of U.S.S.R. C. I : 8 ; C. II : 6 ; P. : 29
 COMMITTEES of Ass. : proposed
 amendments C. I : 65
 TERRORISM, draft conv. on C. I : 34-5, 55

Prepared Opium

- See under* Opium, etc.

President of Assembly

- See under* Assembly

Prices and Price-levels

- AGRICULTURAL prices ; foodstuffs C. II : 14, 24, 26,
 28, 30, 33, 50, 56, 57, 96, 97
 PROBLEM as allied to other economic
 questions C. II : 38, 39, 44, 49, 51, 55, 57, 60,
 63, 64, 67, 72, 73, 75, 83, 98, 99

Principal Officers

- See* Officials of League Organisations :
 Higher Officials

Private Law, Unification of

- INSTITUTE and Bureau, Int. C. II : 77 ; C. V : 38, 40,
 62

Procedure of Assembly

- RAPPORTEUR, appointment. C. I : 71
 REPORT of 1st Cttee.
 Adopted C. I : 71 ; P. : 114
 Procedure for adoption by Ass. C. I : 71
 Text C. I : 82-4
 RESOL. of Ass. (Oct. 10, 1936) P. : 135-6
 RULE 5, amendment to C. I : 69 ; P. : 136 (*text*)
 RULE 7, amendment to
 Adoption by Cttee. C. I : 69
 Discussion C. I : 63-71
 Report of the 1st Cttee. C. I : 82-4
 Texts C. I : 81-2 ; P. : 136
See also General Cttee.
 RULE 7(a), *see* Agenda Cttee.
 RULE 7(b), *see* Nominations Cttee.

Prosperity, Promotion of World

- QUESTION as related to certain eco-
 nomic problems
 Discussion C. II : 38, 39, 40, 41, 44, 47, 49, 51,
 56, 58, 59, 61, 65, 67, 69, 70, 71, 72, 85
 Report and resol. of 2nd Cttee. C. II : 98, 100
 (*resol.*) ; P. : 141 (*resol.*)

Prostitution

- EXPLOITATION, suppression of : draft
 Conv. C. V : 20, 21, 22, 55 (*report*)
 ILLEGITIMATE child as cause of C. V : 2
 LICENSED houses, abolition of C. V : 18, 19, 20, 21, 2
 among MINORS C. V : 20, 21, 2
 REHABILITATION of adult prostitutes C. V : 18, 19, 2
 21, 22, 55 (*report*)
 of RUSSIAN women in the Far East,
see under Traffic in women, etc.
 VENEREAL diseases C. V : 19, 20, 21, 22, 5

Public Works, National

ENQUIRY of Transit Org., etc. C. II : 79, 103
 in PORTUGAL C. II : 28, 63

Publication

of ECONOMIC Cttee., *see that title*
 on NUTRITION, *see that title*
 SALE of C. IV : 31

Publicity, Budgetary

See National defence expenditure

Q

Qayum Khan

Secretary : del. of Afghanistan C. I : 6 ; S. M. C. 5 ;
 P. : 11
 COUNCIL, composition C. I : 13

Queuille, M.

Assistant delegate of France C. II : 4 ; P. : 19
 HEALTH Org., work of C. II : 10-11
 NUTRITION C. II : 7 (*app. rapporteur*), 14-16, 22, 36,
 95-7 (*report*) ; P. : 112-13

Quotas : Abolition as related to Int.

Economic Relations

DISCUSSION C. II : 38, 39, 43, 44, 45, 46, 47, 48, 49,
 51, 52, 55, 56, 58, 60, 61, 63, 65, 66, 67, 68,
 69, 70, 72, 74, 83
 DRAFT resol. of French and United
 Kgd. dels. C. II : 48 (*text*), 83
 REPORT and resol. of 2nd Cttee. C. II : 98, 100 (*resol.*)

R

Railways

AUSTRO-Hungarian railways (of former
 monarchy) : disputes *re* re-
 organisation C. II : 79, 102
 in CHINA. C. II : 59
 CO-ORDINATION of road and railway
 transport C. II : 77-8
 FRONTIER stations and frontier
 junction stations : legal and
 administrative regime C. II : 76, 103-4
 LEVEL-CROSSINGS, signals at . . . C. II : 77, 104-5
 TARIFF discrimination . . . C. II : 77, 78, 102, 103
 TRANSPORT of goods, passengers and
 luggage : revision of 1924 Conv.
 and ratification and applica-
 tion of 1933 Conv. C. II : 76, 104

Rappard, C. van

Delegate of the Netherlands C. VI : 6 ; P. : 24
 INTELLECTUAL Co-operation C. VI : 48
 MANDATES C. VI : 33-5

Rappard, William

Delegate of Switzerland C. IV : 6 ; C. VI : 7 ; P. : 28
 BUDGET of League : 1937 estimates C. IV : 22, 26, 31,
 32, 33, 34, 39-40, 43
 BUILDINGS, League C. IV : 48
 4TH COMMITTEE : right to supervise
 League expenditure C. IV : 71
 DEVALUATION of Swiss franc C. IV : 49-50, 50, 55, 57
 GUARANTEE Fund C. IV : 45
 REFUGEES : credits for C. IV : 71
 STAFF Pensions Fund : member of
 Administrative Board C. IV : 94 ; P. : 145
 SUPERVISORY Comm.
 Composition of C. IV : 60-1, 63
 Member of Cttee. to consider
 amendments to Art. 1 of the
 Financial Regulations C. IV : 81 ; P. : 134

Rapporteurs

*See under Cttees. and subjects con-
 cerned*

**Raw Materials, Commercial Acces-
 sibility of**

ENQUIRY proposed by United Kgd.
 del. : Cttee. to study question :
 appointment and composition
 Discussion C. II : 41-3 (*statement*), 43, 46, 52,
 57, 65, 69, 70, 72, 73, 83-4
 Draft resol. of British del. C. II : 64-5 (*text*), 83-4
 Report and resol. of 2nd Cttee. C. II : 98, 100
 (*resol.*)
 Resol. of Ass. (Oct. 10, 1936) . . . P. : 141-2

Rearmament

See under Armaments

Recovery, Economic

See Prosperity, etc.

Reform of Covenant

See Covenant of League : application
 of principles, etc.

Refugees

ARMENIAN . . . C. VI : 68 (*resol.*) ; P. 143 (*resol.*)
 ASSYRIAN, from Iraq, *see* Assyrians,
 etc.
 COMMITTEE for Int. Assistance to :
 report examined by 6th Cttee. C. VI : 63 (*report*)
 68 (*resol.*) ; P. : 142 (*resol.*)
 CONV. of Oct. 28, 1933, *see below* Legal
 Status, etc.
 DISCUSSION C. VI : 40-3, 43-5, 46-7
 EXPULSION of C. VI : 69 (*resol.*) ; P. : 144 (*resol.*)
 FRANCO-Belgian Agreement (June 30,
 1928) : application . . . C. VI : 69 (*resol.*) ;
 P. 143 (*resol.*)

from GERMANY (Jewish and others)

Adv. Cttee. and Liaison Cttee. C. VI : 45, 46,
 64, 66, 69 (*resol.*) ; P. : 144 (*resol.*)
 Countries of refuge : attitude of
 certain countries and negotia-
 tions C. VI : 40, 44, 65, 68 (*resol.*), 69 (*resol.*) ;
 P. : 142 (*resol.*) ; 144 (*resol.*)

High Commissioner

Appointment, functions, cre-
 dits, etc. C. IV : 51, 52, 71 ; C. VI : 41, 44,
 45, 46, 53, 64, 65, 65-6, 69 (*resol.*) ;
 P. : 144 (*resol.*)
 Council to appoint . . . C. VI : 69 (*resol.*) ;
 P. : 144 (*resol.*)
 Liquidation of office . . . P. : 143 (*resol.*)

Report by Sir Neill Malcolm,
 tribute to his activity C. VI : 40, 45, 64, 65,
 67, 68 (*resol.*) ; P. : 142 (*resol.*)

Legal status : Prov. agreement of
 July 4, 1936 C. VI : 40, 41, 44, 61-2 (*decree*),
 65, 68 (*resol.*), 69 (*resol.*) ; P. 142 (*resol.*) ;
 143 (*resol.*)

Report and resol. of 6th Cttee. C. VI : 64,
 65, 65-6, 68, 69
 Resol. of Ass. P. : 142, 143

in GREECE C. II : 69

LEAGUE principle with regard to
 settlement and relief of C. IV : 66, 67, 68 ;
 C. VI : 40, 41, 42, 64, 65, 68 ; P. : 142-3 (*resol.*)

LEGAL status
 Conv. of Oct. 28, 1933 C. VI : 40, 41, 42, 43, 65,
 68 (*resol.*) ; P. : 142 (*resol.*)

of Refugees from Germany, *see*
above

MISSION to Far East, credits for, and
 rejection of proposal C. IV : 51, 52 ; C. VI : 40,
 41, 42, 44-5, 46 (U.S.S.R. *declaration*), 52,
 64, 66-7 (*report*)

NANSEN Int. Office

Budget for 1937, *see under* Bud-
 get
 Budgetary situation and suppl.
 credits ; representation allow-
 ance of President of Governing
 Body C. IV : 51, 52, 66-71 ; C. VI : 44, 45, 52,
 53, 64, 65, 66, 67, 69 (*resol.*) ; P. 143 (*resol.*)

Refugees (continued)

NANSEN Int. Office (continued)

- Functions P. : 54
- Liquidation C. IV : 69, 70 ; C. VI : 41, 43, 63, 64, 65, 66, 68 (resol.) ; P. : 143 (resol.)
- Mission in Far-East, *see above*
- President of Governing Body
 - Appointment of M. Hansson C. VI : 53, 68, 69 (resol.) ; P. : 144 (resol.)
- Credits, *see above* Budgetary situation, etc.
- Report of Acting President : examination by 6th Cttee. C. VI : 40, 63, 64, 66, 67, 68 (resol.) ; P. : 142 (resol.)
- Report, annual, of Governing Body C. VI : 64 ; P. : 144 (resol.)
- Report and resol. of 6th Committee C. VI : 64, 65, 66-7, 68-9
- Tribute to activity of M. Hansson and Major Johnson C. VI : 45, 68 (resol.) ; P. : 142 (resol.)

NATURALISATION and absorption of refugees in countries in which they have been resident for many years C. VI : 69 (resol.) ; P. : 143 (resol.)
See also above Jewish and others, etc. : Countries of refuge

POSTAGE stamps, surcharged C. VI : 69 (resol.) ; P. : 144

PROPOSALS of Norwegian del. P. : 53-4

PROTECTION by certain countries of their nationals abroad C. VI : 65, 68 (resol.) ; P. : 143 (resol.)

PROVISIONAL Arrangement, July 4, 1936, *see above under* from Germany

RAPPORTEUR, appointment. C. VI : 45

REPORT and resol. of 6th Cttee.

- Amendment in view of decisions adopted by 4th Cttee. C. VI : 52-3
- Discussion and adoption C. VI : 40-3, 43-5, 46-7 P. : 117-18

- Procedure for adoption by Ass. C. VI : 53
- Text C. VI : 63-9

RESOL. of Ass. (Oct. 10, 1936) P. : 142-4

RUSSIAN refugees in Far-East

- Mission to study problem, *see above* Mission, etc.

- Situation C. V : 18, 19, 20, 22, 56 (report) ; C. VI : 41, 42, 44, 53, 67

SAAR refugees : settlement in Paraguay

- Attitude of Bolivian Govt. C. VI : 46 (statement), 46-7, 47

- Credits : qn. of League's responsibility C. IV : 51, 52, 66-8 ; C. VI : 40, 42, 43, 44, 45, 52, 53, 64, 67, 69 (resol.) ; P. : 143 (resol.)

- Report and resol. of 6th Cttee. C. VI : 64, 67, 69

SUB-COTTEE. of 6th Cttee.

- Addition of Portuguese member C. VI : 10

- Constitution, members, chairman C. VI : 10, 40

- Report and resol.

- Examination of chapters and adoption C. VI : 43-5, 46-7

- General discussion C. VI : 40-3

Regional Pacts P. : 46, 52, 59, 62, 65, 69, 78, 81, 87, 93, 94

Relations, International

See International Relations

Relief Union, International

- DISCUSSION C. V : 47
- EXECUTIVE Cttee. : activities C. V : 47, 61 (resol.) ; P. : 138 (resol.)
- FINANCES : accounts ; subsidies C. V : 47, 61 (resol.) ; P. : 138 (resol.)
- INCLUSION of question in agenda (proposal of Venezuelan del.) C. V : 17

Relief Union, International (continued)

- PRIVATE Organisations, Agreements with C. V : 61 (resol.) ; P. : 138 (resol.)
- RAPPORTEUR, appointments C. V : 48
- REFERENCE to 5th Cttee. : draft resol. of Venezuelan delegation and adoption P. : 50, 56
- REPORT and resol. of 5th Cttee.
 - Adoption with amendments C. V : 48 ; P. : 113
 - Procedure *re* adoption by Ass. C. V : 48
 - Text C. V : 61
- RESOL. of Ass. (Oct. 10, 1936) P. : 138

Rents C. II : 55

Reports of Committees

See under subjects concerned

Report on Work of League in 1935/36

DISCUSSION P. : 44-50, 51-6, 57-66, 67-73, 74-81, 82-90, 92-7, 97-102, 102-5

SPEECHES by delegates

- Argentine Republic (Cantilo, Levillier) P. : 86-7, 95-7
- Australia (Bruce) P. : 74-7
- Austria (Schmidt) P. : 70-1
- Bolivia (Costa du Rels) P. : 97
- Canada (Mackenzie King) P. : 67-70
- Chili (Garcfa-Oldini) P. : 97-8
- China (Koo) P. : 71-3
- Colombia (Lozano y Lozano) P. : 92-3
- Cuba (de Blanck) P. : 101-2
- Czechoslovakia (Krofta) P. : 80-1
- Denmark (Munch) P. : 64-6
- Dominican Republic (Henriquez Ureña) P. : 94-5
- Ecuador (Zaldumbide) P. : 104-5
- Ethiopia (Taezaz) P. : 82-3
- France (Delbos) P. : 51-2
- Haiti (Mayard) P. : 87-90
- Hungary (Tanczos) P. : 57-61
- India (Aga Khan) P. : 77-8
- Mexico (Bassols) P. : 100-1
- New Zealand (Jordan) P. : 78-80
- Norway (Koht) P. : 52-4
- Panama (Solls) P. : 54-6
- Peru (Tudela) P. : 105
- Portugal (Monteiro ; de Vasconcellos) P. : 83-6, 93
- Spain (Alvarez del Vayo ; Ossorio y Gallardo) P. : 47-50, 103-4
- Sweden (Undén) P. : 74
- Turkey (Kaya) P. : 98-9
- U.S.S.R. (Litvinoff) P. : 61-4
- United Kgd. (Eden) P. : 44-7
- Venezuela (Parra-Pérez) P. : 99-100

Reserve Fund C. IV : 17, 44, 87

Resolutions

See under subjects required

Restrictions

- CUSTOMS, *see* Imports, etc. : Restrictions
- EXCHANGE restrictions, *see that title*

Reutz, Mlle. Johanne

- Substitute delegate of Norway C. II : 5 ; C. V : 6 ; P. : 23
- CHILD Welfare C. V : 30

Réveillaud, Jean

- Assistant delegate of France C. IV : 5 ; P. : 19
- ASSYRIANS of Iraq : report of Supervisory Comm. C. IV : 80
- BUDGET of League : 1937 estimates C. IV : 15, 19-20, 22, 24, 27-8, 32, 42, 43, 46 C. IV : 48
- BUILDINGS, League C. IV : 48
- 4TH COMMITTEE : right to supervise League expenditure C. IV : 71

Réveillaud, Jean (continued)

- CONTRIBUTIONS of States to League :
allocation C. IV : 78-80
- GUARANTEE Fund C. IV : 44, 45-6, 48
- REFUGEES : credits for C. IV : 52, 66, 68-9
- SUPERVISORY Comm. : composition of C. IV : 64
- 1935 SURPLUS : disposal C. IV : 72

Revenue

- BUDGET estimates for 1937 C. IV : 33-4
- SUPERVISION of revenue and expenditure, budget estimates for 1937 C. IV : 28-30

Revision of Treaties P. : 86-7

Ribas, Antonio Fabra

See Fabra Ribas

Rickets C. II : 16, 29, 35

Riddell, W. A.

- Substitute delegate of Canada C. II : 4 ; C. V : 5 ;
P. : 15
- NUTRITION C. II : 35-6

Rivas Vicuña, M.

- Delegate of Chile. C. I : 6 ; C. VI : 5 ; P. : 15
- SPEECH at opening of Ass. P. : 33-4

Road Traffic

- ACCIDENTS : unification of statistics C. II : 77, 104
- CHINA, roads in C. II : 59, 106
- CO-ORDINATION of road and railway transport C. II : 77-8, 102-3 (report)
- LEVEL-CROSSINGS, signals at C. II : 77, 104-5
- MOTORISTS : civil liability and compulsory insurance C. II : 77, 104
- SIGNALLING, road and mechanical light signals C. II : 77, 104, 105

Rockefeller Grants

- EFFECT of withdrawal on the Health Organisation C. IV : 31-3, 90

Rogers, N. M.

- Delegate of Canada C. V : 5 ; C. VI : 5 ; P. : 15
- OPIUM, etc., traffic in C. V : 10

Rolin, Henri

- Substitute delegate of Belgium C. I : 6 ; P. : 12
- COUNCIL, composition of C. I : 19, 20, 21, 75-6 (report)

COURT of Int. Justice

- Method of election to three vacant seats C. I : 22
- Participation in election of judges of States non-Members but parties to Court Statute C. I : 25-6
- CRIMINAL Court, Int. : draft conv. C. I : 52
- TERRORISM, draft conv. C. I : 31-3, 42-4, 45, 46, 52

Rose, Adam

- Delegate of Poland. C. II : 5 ; P. : 25
- ECONOMIC and financial qns. C. II : 45-6

Rosenblum, Boris

- Expert : delegation of U.S.S.R. C. II : 6 ; C. IV : 6 ;
P. : 29
- BUDGET of League : 1937 estimates C. IV : 17
- CONTRIBUTIONS of States to League :
allocation C. IV : 76
- DEVALUATION of Swiss franc C. IV : 55-6
- ECONOMIC and financial qns. C. II : 75, 83, 84, 85
- REFUGEES : credits for C. IV : 52
- SUPERVISORY Comm. : composition of C. IV : 46, 59,
63, 64

Roumania

- DELEGATION P. : 26-7
- See also Antonesco, Victor
Pella, V. V.
Vacaresco, Mlle. Hélène

Ruiz Guñazú, Enrique

- Delegate of Argentine Republic C. I : 6 ; C. II : 4 ;
C. III : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 12
- ARMAMENTS C. III : 20
- TERRORISM, draft conv. on C. I : 42

Rules of Procedure

See Procedure

Rural Housing

See Housing, etc.

Rural Hygiene

- AMERICAN countries, future Conf. on
Rural Hygiene
Proposal by dels. of fifteen
countries : text and adoption C. : II 36-7
- Report and resol. of 2nd Cttee. C. II : 93, 94
(resol.)
Resol. of Ass. (Oct. 8, 1936) P. : 131
- DISCUSSION C. II : 7, 8, 9, 10, 12, 13,
29-30
- EUROPEAN Conference, 1931 C. II : 10, 36, 92, 93
- FAR Eastern Conf. in Java (1937)
and preparatory work C. II : 8, 9, 10, 29-30, 37,
93 (report)
- REPORT and resol. of 2nd Cttee. C. II : 92-3, 94 (resol.)
in U.S.S.R. C. II : 13

Rüstü Aras, Tevfik

- Delegate of Turkey C. I : 8 ; C. VI : 7 ; S. M. C. : 6 ;
P. : 28
- COUNCIL, composition of C. I : 20
- COMMITTEE on Credentials, member P. : 34, 35
(elected)
- COVENANT of League : application of
principles S. M. C. : 23-4
- MANDATES C. VI : 33

Rutgers, V. H.

- Substitute delègate of the Netherlands C. III : 6 ; C. V : 6 ; P. : 24
- ARMAMENTS and rearmament. C. III : 12-13, 21
- CHILD Welfare C. V : 33-4
- PENAL and penitentiary qns. C. V : 47
- WOMEN and children, traffic in C. V : 22

S

Saar Refugees

See under Refugees

Saavedra Lamas, Carlos

- Delegate of Argentine Republic P. : 11
- 17TH ASSEMBLY
President P. : 31, 35, 36 (election)
- Presidential address P. : 36-7

Sadak, Necmeddin

- Substitute delegate of Turkey C. I : 8 ; C. II : 6 ;
C. III : 6 ; C. IV : 6 ; C. VI : 7 ; S. M. C. : 6 ;
P. : 28
- 3RD COMMITTEE : Vice-Chairman C. III : 9 (election)
- COUNCIL, composition of C. I : 18
- COURT of Int. Justice : method of
election to three vacant seats C. I : 22
- MANDATES C. VI : 51

Salaries of League Officials

- BUDGET estimates for 1937 : Discussion and adoption C. IV : 26-8, 30-1
 COMPARISON between 1932 and 1937 C. IV : 9
 EFFECT of devaluation on C. IV : 55
 REDUCTION in budget for C. IV : 19

Sanctions

- FAILURE of application in Italo-Ethiopian war C. VI : 13 ; S. M. C. : 21, 23

Sandler, R. J.

- Delegate of Sweden C. II : 5 ; C. III : 6 ; C. VI : 6 ; P. : 27
 ARMAMENTS and rearmament C. III : 14-16

Sanjak of Alexandretta

See Alexandretta

Sayah, Mme. Fatmah

- Assistant delegate of Iran C. III : 6 ; C. VI : 6 ; P. : 22
 CHILD Welfare C. V : 38, 39
 INTELLECTUAL Co-operation C. VI : 22-3
 WOMEN and children, traffic in C. V : 18-19

Scarlet Fever C. II : 17

Scavenius, Erik de

- Delegate of Denmark C. I : 6 ; C. III : 5 ; C. VI : 5 ; P. : 17
 ARMAMENTS C. III : 11-12
 FINANCIAL Assistance, Conv. on (1930) C. III : 12
 WAR, Conv. on Means of Preventing (1931) C. III : 12

Schmidt, August

- Delegate of Estonia C. I : 6 ; C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. V. : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 18
 17TH ASSEMBLY, Vice-President P. : 31
 5TH COMMITTEE, Chairman C. V : 7 ; P. : 31, 42
 CONTRIBUTIONS of States to League : allocation C. IV : 75
 GENERAL Cttee., member P. : 31, 43

Schmidt, Guldo

- Delegate of Austria C. II : 4 ; P. : 12
 REPORT on the work of the League 1935/36 P. : 70-1

Schools

- HYGIENE, school C. II : 13
 NUTRITION of school-children, see Nutrition
 SCHOOL correspondence, see under Education
 TEXT-books, revision, see under Education

Sciences

- 7TH AMERICAN Scientific Congress C. VI : 25
 COMMITTEE of Scientific Experts C. VI : 19, 57, 59
 "CONVERSATION" concerning physics : proposed by Professor Brajlobrzeski C. VI : 11
 PERM. Scientific Cttee. : establishment and supplementary credits C. VI : 19, 57 (report), 59 (resol.) ; P. : 139 (resol.)
 SCIENTIFIC study of foreign policy, see under International relations

Scurvy C. II : 35

Secretariat

- BUDGET for 1937, see under Budget
 EXPENDITURE up to Aug. 31, 1936 C. IV : 8
 REPRESENTATION of various countries
 China C. IV : 11
 India C. IV : 30-1
 Latin-America C. IV : 23-4, 25
 Portugal C. IV : 25
 Report of the 4th Cttee. C. IV : 89
 Venezuela C. IV : 12
 STAFF, see Officials, etc.

Security and Collective Security C. II : 48, 49, 50, 74 ; C. III : 10, 16, 19, 24 ; S. M. C. : 12, 21

Sepahbodi, Anochirevan Khan

- Delegate of Iran C. I : 7 ; C. VI : 6 ; P. : 22
 MANDATES C. VI : 33

Shakespeare, G. H.

- Substitute delegate of United Kgd. C. II : 4 ; P. : 13
 HEALTH Org., work of C. II : 36
 NUTRITION C. II : 16-17

Siam

- DELEGATION P. : 27
 See also Bhadravadi, Luang

Signalling, Road

See under Road traffic

Signals at Level-crossings C. II : 77

Silva, Emygdio da

- Substitute delegate of Portugal C. II : 5 ; P. : 26
 COMMITTEES of League : constitution, etc. C. II : 79
 ECONOMIC and financial qns. C. II : 62-4, 83-4
 NUTRITION C. II : 27-8

Silver Crisis in China C. II : 59

Simon van der Aaa

- Sec.-Gen. of Int. Penal and Penitentiary Comm.
 PENAL and Penitentiary qns C. V : 47, 48-9

Simonsen, Jesper

- Substitute delegate of Denmark C. I : 6 ; C. III : 5 ; C. V : 5 ; P. : 17
 TERRORISM, draft conv. on C. I : 40, 55

Singapore Bureau

See under Health : Epidemiological Service

Skelton, O. D.

- Substitute delegate of Canada C. I : 6 ; C. IV : 5 ; S. M. C. : 5 ; P. : 15
 COMMITTEES of Ass. : proposed amendments C. I : 68
 CONTRIBUTIONS in arrear C. IV : 36
 TERRORISM, draft conv. on C. I : 55

Skylstad, R. I. B.

- Substitute delegate of Norway C. I : 7 ; C. III : 7 ; C. IV : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 24
 CRIMINAL Court, Int. : draft conv. C. I : 50
 INTELLECTUAL Co-operation C. VI : 39, 48-9
 MANDATES C. VI : 50-1
 REFUGEES, Int. Assistance to C. VI : 40, 44, 46, 53
 TERRORISM, draft conv. on C. I : 54, 57, 58, 59, 61

Sleeping-sickness C. II : 26

Social Questions, Advisory Committee on

- CONSTITUTION, composition and representation of Govts. and Orgs. C. IV : 21 ; C. V : 19, 22, 26, 32, 54
 CO-OPERATION with other bodies C. V : 28, 39, 58 (report), 60 (resol.), 61 (resol.) ; P. : 137 (resol.)

- Social Questions, Advisory Committee-on (continued)**
- CREDITS (1937) and request for increase**
 Discussion C. IV : 21-2 ; C. V : 26-7, 36, 38
 Draft resol. of Belgian del. C. V : 31 (*text*)
 Draft resol. and Annex of Sub-Cttee. : text and adoption C. V : 31-2, 58-9
 Report by 5th Cttee. C. V : 58-9
 Sub-Committee of 5th Cttee.
 Appointment C. V : 31
 Draft resol., *see above*
- PROGRAMME of work C. V : 19, 23, 24, 25, 36, 37, 54**
(report), 57 *(report)*, 60 *(resol.)* ; P. : 137 *(resol.)*
- Social Questions Section of Secretariat.** C. V : 25, 36, 38, 59
- Söderblom, S. J.**
- Secretary : delegation of Sweden C. IV : 6 ; C. VI : 7 ; P. : 27
- CONTRIBUTIONS of States to League :**
 allocation C. IV : 76
- INTELLECTUAL Co-operation C. VI : 14**
- SUPERVISORY Comm. : composition of C. IV : 62**
- Solfs, Galileo**
- Delegate of Panama C. I : 7 ; C. III : 6 ; C. IV : 6 ; C. VI : 6 ; S. M. C. : 6 ; P. : 24
- COVENANT of League : application of principles S. M. C. : 14**
- REPORT on work of League 1935/36 P. : 54-6**
- Soubbotitch, Ivan**
- Delegate of Yugoslavia C. I : 8 ; C. II : 6 ; C. III : 7 ; C. VI : 7 ; S. M. C. : 6 ; P. : 30
- COMMITTEES of League : constitution, etc. C. II : 81-2, 82, 86**
- COUNCIL, composition of C. I : 18, 19**
- COVENANT of League : application of principles S. M. C. : 20**
- HAAS, Robert: tribute to his memory. C. II : 76**
- PENAL and penitentiary qns. C. V : 46**
- TRANSIT Org., work of C. II : 7 (app. rapporteur), 76, 77, 79, 86 (app. rapporteur), 101-6 (report)**
- South Africa, Union of**
- DELEGATION P. : 11**
See also Andrews, H. T.
 Gie, S. F. N.
 Water, C. T. te
- South West Africa**
See under Mandates
- Spain**
- CIVIL war : principle of non-intervention P. : 51-2, 64, 84**
- DELEGATION P. : 17-18**
See also Alvarez del Vayo, J.
 Fabra Ribas, A.
 Ossorio y Gallardo, A.
 Oyarzabal de Palencia, Mme. I.
- PROTECTION of artistic treasures, see under Arts and Letters : Protection, etc.**
- SITUATION and constitution P. : 103-4**
- Special Grants, Works covered by**
- BUDGET for 1937 C. IV : 28, 31-3**
- Special Main Committee**
See under Committees of Assembly
- Spinasse, Charles**
- Delegate of France C. II : 4 ; P. : 18
- ECONOMIC and financial qns. C. II : 37 (app. rapporteur), 85, 87, 97-100 (report) ; P. : 117**
- Sport C. VI : 15**
- Staff, League**
See Officials, etc.
- Staff Pensions Fund**
See Pensions Fund, etc.
- Standard of Living**
- IMPROVEMENT and situation in certain countries C. II : 17, 23, 30, 33, 47 (draft resol.), 58, 61, 63, 65, 69, 98, 99, 100 (resol.) ; P. : 141 (resol.)**
- Starhemberg, Mme. Fanny**
- Substitute delegate of Austria C. I : 6 ; C. V : 5 ; P. : 12
- CHILD Welfare C. V : 35**
- 5TH COMMITTEE, Vice-Chairman. C. V : 7**
- OPIUM, etc., traffic in C. V : 15**
- WOMEN and children, traffic in C. V : 21**
- States non-members of the League**
- COLLABORATION with the League : proposal of del. of Chile P. : 98**
- CONTRIBUTION to Secretariat budget C. IV : 47**
- PARTICIPATION in election of Judges of the Court, see under Court of Int. Justice**
- Statistics**
- of **DANGEROUS drugs C. V : 11, 50**
- of **FOODSTUFFS from nutritional aspect C. II : 14, 16, 20, 25, 36, 97 (resol.) ; P. : 133**
- of **PRISONERS, enquiry to be undertaken by Int. Penal and Penitentiary Comm. C. V : 44, 45, 46, 64, 65**
- of **ROAD accidents C. II : 77, 104**
- Stein, Boris**
- Delegate of U.S.S.R. C. III : 7 ; C. IV : 6 ; C. VI : 7 ; S. M. C. : 6 ; P. : 29
- REFUGEES, Int. Assistance C. VI : 41, 46**
- SUPERVISORY Comm., appointed member P. : 134 ; C. IV : 81**
- Stockenström, B. H. von**
- Substitute delegate of Sweden C. II : 5 ; P. : 27
- ECONOMIC and financial qns. C. II : 46-7**
- HEALTH Org., work of C. II : 9-10**
- Stoppani, P.**
- Director of Section on Economic Relations
- ECONOMIC and financial qns. C. II : 84**
- Stoyanoff, Nicolas**
- Assistant delegate of Bulgaria C. IV : 5 ; P. : 14
- BUDGET of League : 1937 estimates C. IV : 19**
- Stoykovitch, Slavko**
- Expert : delegation of Yugoslavia C. I : 8 ; C. II : 6 ; S. M. C. : 6 ; P. : 30
- TERRORISM, draft conv. on C. I : 35-7 ; 53, 57, 60**
- Straits Convention**
- REVISION P. : 62**
- Stucki, Walter**
- Delegate of Switzerland C. II : 5 ; C. V : 6 ; P. : 28
- ECONOMIC and financial qns. C. II : 66, 76**
- Sugar C. II : 28, 33**
- Sundby, Jon**
- Delegate of Norway C. II : 5 ; P. : 23
- NUTRITION C. II : 19-20**
- Supervision of Revenue and Expenditure**
- BUDGET estimates for 1937 C. IV : 28-30**

Supervisory Committee

MEMBERS

- Election of additional member : amendment proposed by del. of U.S.S.R. C. IV : 46, 57-65, 81, 83, 94-5 (resol.) ; P. : 114 (election)
- Revision of Art. 1 of Financial Regulations on renewal of members
Committee on : election and functions C. IV : 29, 81, 83, 95 (resol.) ; P. : 114
- Discussion and Hungarian proposal C. IV : 28-9, 57-65, 71
- Report and resol. of 4th Cttee. C. IV : 71, 82-3 (text) ; P. : 114, 118
- Resol. of Ass. (Oct. 10, 1936) P. : 134
- TRIBUTE to the work of C. IV : 18
- WORK of : 1st and 2nd reports C. IV : 13-14, 43-6, 92 (adoption)

Supplementary Credits

- See Budget : 1937 Budget : Suppl. Credits and Budget : Suppl. Credits

Surplus

- See under Budget : 1935 Budget

Sweden

- COUNCIL : elected non-perm. Member P. : 57
- DELEGATION P. : 27-8
- See also Hesselgren, Mlle. K.
- Sandler, R. J.
- Söderblom, S. J.
- Stockenström, B. H. von
- Undén, B. Ö.
- FINANCIAL situation. C. II : 46-7

Switzerland

- DELEGATION P. : 28
- See also Gorgé, C.
- Klöti, E.
- Motta, G.
- Rappard, W.
- Voirier, H.
- ECONOMIC and financial situation C. II : 67-8
- THANKS to govt. for decoration of room in new buildings C. IV : 7

Syria and Lebanon

- EMANCIPATION . C. VI : 63 (resol.) ; P. : 138 (resol.)
- POSITION of Armenian refugees in Syria C. VI : 68
- See also under Mandates

Szent-Istvány, Béla de

- Substitute delegate of Hungary C. I : 7 ; C. VI : 6 ; S. M. C. : 5 ; P. : 21
- COUNCIL, composition C. I : 21
- CRIMINAL Court, Int. : draft conv. C. I : 49
- TERRORISM, draft conv. C. I : 52

T

Taezaz, Ato Lawrence

- Delegate of Ethiopia C. II : 4 ; C. III : 5 ; C. IV : 5 ; C. V : 5 ; C. VI : 5 ; S. M. C. : 5 ; P. : 18
- COMMITTEE on Credentials : election P. : 34
- REPORT on work of League 1935/36 P. : 82-3

Tahir, N.

- Delegate of Turkey C. V : 6
- OPIUM, etc., traffic in C. V : 16-17

Tanczos, General Gabriel

- Delegate of Hungary C. II : 5 ; C. VI : 6 ; S. M. C. : 5 ; P. : 21
- 3RD COMMITTEE of Ass. : refusal of Hungarian del. to take part in work of P. : 91
- COVENANT of League : application of principles S. M. C. : 9, 19, 26
- REPORT on work of League 1935/36 P. : 57-61

Tanganyika Territory

- See under Mandates

Tariffs, Customs

- See Imports, etc. : Restrictions

Taxation

- See Fiscal questions

Tello, Manuel

- Substitute delegate of Mexico C. I : 7 ; C. II : 5 ; C. III : 6 ; C. IV : 6 ; C. V : 6 ; C. VI : 6 ; P. : 23
- INTELLECTUAL Co-operation C. VI : 24-5

Temporary Correspondents and Collaborators

- See under Officials, etc.

Terrorism, Int. Repression of

- CIVIL war, exclusion from operation of conv. C. I : 30-1, 38
- COLLABORATION of int. organisations C. I : 29
- COMMITTEE of Experts
 - Activities and proposals C. I : 29-30, 36, 47
 - Appointment C. I : 29, 36
 - Further work C. I : 41, 43, 53, 54, 84
- CONFERENCE, diplomatic
 - Proposals and discussion C. I : 30, 35, 37, 39, 40, 41, 42, 43, 44, 48, 50, 52, 53, 56
 - Request for credits for C. I : 56 ; C. IV : 66
- CONVENTION, draft, for Prevention and Punishment of Terrorism
 - Council resol. C. I : 35-6
 - Discussion C. I : 28-33, 34-49
 - French proposals C. I : 29
 - Provisions C. I : 29-30, 40
- COUNCIL resol. of Dec. 10, 1934 C. I : 53-4
- CRIMINAL Court, Conv., draft, for establishment of
 - Discussion C. I : 28, 39-40, 41, 42, 43, 49-52
 - French proposals C. I : 29
 - Individuals to be tried by C. I : 29
 - Resol. of Ass. P. : 135
- DEFINITION of the term C. I : 32, 37, 48
- EXCHANGE of information between States conc. persons guilty of acts of terrorism C. I : 29
- EXTRADITION for acts of C. I : 33, 37, 38, 39, 40, 41, 42-3, 44, 45, 46, 47, 48, 51, 54, 59
- FREEDOM of opinion, suppression on the pretext of suppressing terrorism C. I : 38
- NON-INTERVENTION of States in the political life of a foreign State C. I : 42, 57-8, 85
- PASSPORTS, forged : prevention of use. C. I : 29
- POLITICAL crimes, definition of C. I : 43, 45
- RAPPORTEUR, appointment. C. I : 56
- REPLIES of govts. on proposals C. I : 28, 29, 30, 35
- REPORT and resol. of 1st Cttee.
 - Adoption. C. I : 72 ; P. : 114
 - Examination C. I : 52-6, 56-62
 - Procedure for adoption by Assembly C. I : 72
 - Text C. I : 84-5
- RESOL. of Ass. (Oct. 10, 1936) P. : 135

Titulesco, Nicolas

- ILLNESS and message of sympathy from Ass. P. : 37

- Tobacco in Bulgaria** C. II : 20
- Togoland**
See under Mandates
- Tourist Traffic** . . . C. II : 38, 64, 67, 68, 75
- Town and Country Planning** C. II : 10, 92
- Trade**
OBSTACLES to int. trade, *see*
 Economic relations, int.
 Exchange restrictions
 Imports, etc. : Restrictions
 Quotas
SITUATION in various countries C. I : 18, 20-1, 40, 45,
 46, 63, 64, 67, 73
- Trade in Arms : Regulation**
See under Armaments
- Traffic in Opium, etc.**
*See Opium and other dangerous drugs,
 traffic in*
- Traffic in Women and Children**
ANNUAL reports of Govts. . C. V : 18, 22, 55 (*report*)
**COMMITTEE on, amalgamation with
 Child Welfare Cttee., *see* Social
 Questions, Advisory Cttee. on**
**CONFERENCE of Central Authorities
 in the Far East (Java, 1937) :**
 Agenda, date, Govts. and Orgs.
 participating in C. V : 18, 20, 21-2, 22, 56-7
 (*report and resol.*) ; C. VI : 44, 67 ; P. : 131
**CONVENTION, draft, on Exploitation
 of Prostitutes, *see under* Prostitu-
 tion**
**CONVENTIONS, Int. (1904, 1910, 1921,
 1933) : ratification, etc.** C. V : 18, 19, 20, 21, 28,
 54 (*report*)
RESOL. of Ass. (Oct. 8, 1936) P. : 131
DISCUSSION C. V : 18-22
**LEGISLATION, int., *see above* Convs.
 int. : ratification**
MINORS, protection C. V : 20, 21, 22
PROSTITUTION, *see that title*
RAPPORTEUR, appointment C. V : 7, 41
REPORT and resols. of 5th Cttee.
 Adoption C. V : 41 ; P. : 111
 Procedure *re* adoption by Ass. C. V : 41
 Text C. V : 54-7
**RUSSIAN women refugees in the Far
 East, *see under* Refugees**
SOCIAL workers and welfare services C. V : 18, 19, 20,
 21, 55
WOMEN police C. V : 18, 20-1, 22
- Transit and Communications**
ADVISORY and Technical Cttee.
**Activities, *see below* Work of
 Organisation :**
 Composition and functions C. II : 81
BARCELONA Conf. (1921) C. II : 81
CHINA : technical collaboration with C. II : 79, 106
**DISPUTES, inter-State and rôle of
 Advisory Cttee.** C. II : 80, 81
**PRIVATE Law Institute at Rome, col-
 laboration with** C. II : 77
**REMOVAL of obstacles to communica-
 tions : draft resol. of French and
 United Kgd. dels.** C. II : 47-8 (*text*), 83, 100
 (*resol.*) ; P. : 141 (*resol.*)
**SECTION of Secretariat : tribute to
 memory of M. Robert Haas** C. II : 76
- Transit and Communications (*continued*)**
STATUTES of Organisation : reform
 Reports of 2nd Cttee. C. II : 79-82, 86, 102,
 107 (*text*)
 Resol. of Ass. (Oct. 10, 1936) P. : 135
 Resol. of 2nd Cttee. C. II : 80 (*draft*), 107
WORK of Organisation
 Discussion C. II : 76-8, 78-9
 Rapporteur C. II : 7, 86
 Report and resol. of 2nd Cttee.
 Adoption C. II : 86 ; P. : 114
 Procedure *re* adoption by Ass. C. II : 86
 Text C. II : 101-6
 Resol. of Ass. (Oct. 10, 1936) P. : 135
- Transport, Co-ordination of** C. II : 77-8
- Translations**
COLLECTIONS of C. VI : 11, 17, 21, 22, 26, 29
**CO-ORDINATION work : rôle of Insti-
 tute of Intellectual Co-operation** C. VI : 14, 22, 29
**IBERO-AMERICAN and Japanese collec-
 tions** C. VI : 29, 55
 "INDEX translationum" C. VI : 22, 29
- Travelling Expenses of League Offi-
 cials**
BUDGET C. IV : 31
- Treaties**
See also under subjects concerned
**PROCEDURE for conventions concluded
 under auspices of League** C. V : 40
REVISION of P. : 86-7
- Trebicki, Kazimierz**
 Expert : delegation of Poland . C. II : 5 ; C. III : 6
 S. M. C. : 6 ; P. : 25
**COMMITTEES of League : constitu-
 tion, etc.** C. II : 80-1
- Tsien Tai, Dr.**
 Substitute delegate of China C. III : 5 ; C. V : 5 ;
 S. M. C. : 5 ; P. : 15
OPIUM, etc., traffic in C. V : 13, 17
- Tuberculosis** C. II : 16, 17, 25, 28, 29, 35
- Tudela, F.**
 Delegate of Peru C. III : 6 ; C. IV : 6 ; C. VI : 6 ;
 P. : 25
**COMMITTEE on Credentials, member
 and Chairman** P. 31, 34, 35, 43
GENERAL Cttee., member P. : 31, 43
REPORT on work of the League 1935/36 P. : 105
- Turbay, G.**
 Delegate of Colombia C. III : 5 ; C. VI : 5 ;
 S. M. C. : 5 ; P. : 16
 6th CTTEE., Vice-Chairman C. VI : 9 (*elected*), 10, 29
- Turkey**
DELEGATION P. : 28-9
See also Kaya, S.
 Rüstü Aras, Tevfik
 Sadak, N.
REPRESENTATION on Council C. I : 20
**TURKISH minority at Alexandretta,
*see Alexandretta***
- Typhoid Fever** C. II : 12, 28
- U**
- Undén, B. Östen**
 Substitute delegate of Sweden C. I : 8 ; C. VI : 7 ;
 S. M. C. : 6 ; P. : 27
CRIMINAL Court, Int. : draft conv. C. I : 50
REPORT on the work of the League 1935/36 P. : 74
TERRORISM, draft conv. on C. I : 38-9, 52, 61

Unemployment

- of INTELLECTUAL workers, *see that title*
- NUTRITION of unemployed C. II : 23, 28, 33, 96
(*resol.*); P. : 133 (*resol.*)
- PROSTITUTION as related to C. V : 19, 22
- PUBLIC works in relation to,
see Public works, national
- SITUATION in various countries C. II : 23, 28, 33, 40,
45, 52, 60, 61, 64, 65, 75

Union of South Africa

See South Africa

Union of Soviet Socialist Republics

- DELEGATION P. : 29
See also Egoriew, V.
Hoerschelmann, E.
Kollontai, Mme. A.
Lachkevitch, G.
Litvinoff, M.
Potemkine, V.
Rosenblum, B.
Stein, B.
- DRUG situation C. V : 14, 52
- ECONOMIC and financial situation C. II : 75
- HEALTH and study tours in. C. II : 12, 13, 89
- PRISONERS, treatment of C. V : 44

United Kingdom

See Britain, etc.

United States of America

- CO-OPERATION with League. P. : 64
- HEALTH and study tours in C. II : 11, 89
- RIGHT to elect members of the Court C. I : 25

Universality of League as related to Reform of Covenant

- CHILIAN proposal S. M. C. : 9 (*proposal*), 11, 12,
13, 21-2, 22, 23, 24, 29 (*report*)
- DISCUSSION C. III : 16; C. VI : 13; P. : 45, 63, 64,
69, 74, 75, 76, 85, 86, 88, 89, 93, 94, 98

University Information Centres C. VI : 28, 56

Urbšys, Juozas

- Delegate of Lithuania C. I : 7; C. II : 5; C. III : 6;
C. IV : 6; C. V : 6; S. M. C. : 6; P. : 23
- CTTEES. of Ass. : proposed amend-
ments C. I : 66

Ureña, M. Henriquez

See Henriquez Ureña

Uruguay

- DELEGATION P. : 29
See also Benavides, V.
Guani, A.

V

Vacaresco, Mlle. Hélène

- Substitute delegate of Roumania C. V : 6;
C. VI : 7; P. : 26
- CHILD Welfare C. V : 37
- INTELLECTUAL Co-operation C. VI : 10-11, 21
- OPIUM, etc., traffic in C. V : 17

Vanier, George P.

- Technical adviser, delegation of Cana-
da C. II : 4; C. IV : 5; P. : 15
- TRANSIT Org. : work of C. II : 78, 79

Vasconcellos, A. de

- Delegate of Portugal C. III : 6; C. IV : 6; C. V : 6;
S. M. C. : 6; P. : 26
- ARMAMENTS C. III : 24
- BUDGET of League : 1937 estimates C. IV : 25, 27

Vasconcellos, A. de (continued)

- CONTRIBUTIONS of States to League : allocation
C. IV : 74, 77
- COVENANT of League : application of
principles S. M. C. : 10, 15, 23, 24
- HEALTH Org. : reservation P. : 114
- OPIUM, etc., traffic in C. V : 10-13, 17, 41, 43
- REPORT on work of the League 1935/
36 P. : 93-4
- SECRETARIAT : recruitment of staff C. IV : 11
- SUPERVISORY Comm. : composition
of C. IV : 59, 63

Vegetables C. II : 13, 18, 19, 21, 25, 26, 28, 33, 34, 35

Velics, László de

- Delegate of Hungary C. IV : 5; C. VI : 6; S. M. C. : 5;
B. : 21
- INTELLECTUAL Co-operation C. VI : 13

Venereal Diseases C. II : 90; C. V : 19, 20, 21, 22, 55

Venezuela

- DELEGATION P. : 30
See also Arocha, M.
Frias, C. E.
Parra-Pérez, C.
- ENQUIRY conc. repatriation in absence
of an extradition treaty, and re-
ply C. V : 64, 65-7

Veverka, Ferdinand

- Delegate of Czechoslovakia C. I : 6; C. II : 4;
C. VI : 5; P. : 28
- 2nd COMMITTEE, Vice-Chairman C. II : 7 (*election*)
- ECONOMIC and financial qns. C. II : 65
- TERRORISM, draft conv. on C. I : 38, 55
- TRANSIT Org. : work of C. II : 77-8

Vice-Presidents

See under Assembly

Vienot, M.

- Substitute Delegate of France C. III : 5; C. IV : 5;
C. VI : 6; S. M. C. : 5; P. : 19
- COVENANT of League : application of
principles S. M. C. : 12, 15-16, 20, 22, 25
- MANDATES C. VI : 36-7
- REFUGEES : credits for C. IV : 70

Villa Michel, Pirmo

- Delegate of Mexico C. I : 7; C. II : 5; S. M. C. : 6;
P. : 23
- CTTEES. of Ass. : proposed amendments C. I : 66, 70

Vitamins

- NUTRITION, *see that title*
- STANDARDS, int., *see* Biological stan-
dardisation

Volonmaa, Väinö

- Delegate of Finland C. II : 4; C. III : 5; P. : 18
- NUTRITION C. II : 24

Voirier, Henri

- Secretary : delegation of Switzerland C. V : 6;
C. VI : 7; P. : 28
- INTELLECTUAL Co-operation C. VI : 19-20

W

Wages C. II : 23, 33, 36, 49, 55, 63, 68, 75

Water Supplies C. II : 18, 28

**War, Convention on Means of pre-
venting (1931) : Ratification C. III : 12, 24, 27**

War between Ethiopia and Italy

- ALLUSIONS to. P. : 61, 88
APPLICATION of sanctions C. VI : 13; S. M. C. : 22, 23
FAILURE of League in : causes of P. : 45
WIRELESS communications *re* C. II : 106

Water, Charles Theodore te

- Delegate of Union of South Africa C. I : 6; C. III : 5;
C. VI : 7; S. M. C. : 6; P. 11
COVENANT of League : application of
principles S. M. C. : 14, 16
MANDATES C. VI : 35, 35-6, 51

Waterworth, Mrs. E. A.

- Substitute delegate of Australia C. II : 4; C. V : 5;
P. : 12
CHILD Welfare C. V : 29-30
HEALTH Org., work of C. II : 11-12
NUTRITION C. II : 31-2

Watt, Raymond G.

- Delegate of Australia C. IV : 5; C. V : 5; C. VI : 5;
P. : 12
BUDGET of League : 1937 estimates. C. IV : 31
INTELLECTUAL Co-operation C. VI : 20
REFUGEES : credits for C. IV : 67

Westman, K. G.

- Substitute delegate of Sweden C. I : 8; C. III : 6;
C. IV : 6; P. : 27
COMMITTEES of Ass. : proposed amendments C. I : 65
COUNCIL, composition of C. I : 19
COURT of Int. Justice : method of
election to three vacant seats C. I : 24, 34

Wireless Station, League

- ACTIVITIES during 1935 C. II : 105-6

Working Capital Fund C. IV : 44

Women and Children, Traffic in

See Traffic, etc.

Women, Status of

- COMMUNICATION from Women's Con-
sultative Committee on Nationa-
lity (Sept. 30, 1936) : inclusion
in Ass. agenda : proposal P. : 116

Wunsz King

See King, Wunsz

Y

Yepes, Dr. J. M.

- Legal adviser : delegation of Colombia C. I : 6;
C. II : 4; C. III : 5; P. : 16
ECONOMIC and financial qns. C. II : 70

Yellow Fever C. II : 8, 94

Yugoslavia

- DELEGATION P. : 30
See also Andritch, I.
Gosar, A.
Soubotitch, I.
Stoykovitch, S.

Z

Zaldumbide, Gonzalo

- Delegate of Ecuador C. VI : 5; P. : 17
INTELLECTUAL Co-operation C. VI : 38-9
REPORT on work of the League 1935/
36 P. : 104-5

NUMERICAL LIST OF DOCUMENTS

PUBLISHED OR MENTIONED IN

THE RECORDS OF THE SEVENTEENTH ASSEMBLY

Document number	Sales number	Volume and page	Document number	Sales number	Volume and page
Agenda of Assembly			Credentials of Delegates		
A.2(1).1936.	1936. Gen.3(a)	P. : 38, 123	A.41.1936	—	P. : 40
			A.58.1936.VII	—	P. : 129
Armaments			Economic and Financial Questions		
A.31.1936.VII.	1936.VII.9	C. : III : 16	A.6(a).1936	1936.Gen.7	P. : 34
A.64.1936.IX.	—	C. : III : 26 ; P. : 115, 136	Annex II		
C.418.1936.IX.	—	C. III : 11	A.79.1936.II.B.	—	C. II : 97 ; P. : 117
Conf.D./160(1).*	1935.IX.3	C. III : 10, 21	C.375.M.155.1931.	1931.II.A.13	C. II : 46
Conf.D./168.	1935.IX.6	C. III : 10, 15, 17	II.A.		
Conf.D./171(1).	1936.IX.3	C. III : 9, 14	C.271.M.138.1935.	1935.II.B.9	C. II : 73
Conf./Series A, Vol. I	1932.IX.60	P. : 88	II.B.		
Conf./Series B., Vol. III	1936.IX.1	C. III : 10	C.343.M.173.1935.	1935.II.B.12	C. II : 74
Conf./Series C., Vol. II	1936.IX.2	C. III : 10, 21	II.B.		
			C.377.M.248.1936.	1936.II.B.8	C. II : 76
			II.B.		
			C.378.M.249.1936.	1936.II.B.7	C. II : 38, 42 ; P. : 47, 52, 61, 141
			II.B.		
			C.379.M.250.1936.	1936.II.B.9	C. II : 41
			II.B.		
			C.395.M.251.1936.	1936.II.A.17	P. : 60
			II.A.		
Child Welfare			European Union		
A.6.1936.	1936. Gen. 5	C. V : 59	A.60.1936.VII.	—	P. : 113
A.12(b).1936.II.B.	1936.II.B.5	C. V : 35			
A.67.1936.IV.	—	C. V : 57 ; P. : 115			
C.204.M.127.	1936.IV.3	C. V : 24, 29, 33, 34, 38, 59			
1936.IV.					
Committees of the League			Finances and Administration of the League		
A.77.1936.	—	C. II : 106 ; P. : 114	A.9.1933.	—	C. IV : 56
C./93rd Session/ P.V.4.	—	C. II : 106	A.15.1935.X	—	C. IV : 18
			A.3.1936.X	1936.X.1	C. IV : 14 ; 39 ; P. : 127
Council of League			A.3(a).1936.X	—	C. IV : 14 ; P. : 127
A.48.1926.VII.	—	C. I : 11	A.3(b).1936.X	—	C. IV : 14 ; P. : 127
A.9.1936.V.	1936.V.3	C. I : 10, 11, 17, P. : 125, 129	A.3(c).1936.X	—	C. IV : 14 ; P. : 127
(C.E.C.C.7(1))			A.4.1936.I	—	C. IV : 9, 20, 30, 39 ; P. : 127
A.9.1936.V.	1936.V.3	C. I : 73	A.4(a).1936.X	—	C. IV : 36 ; P. : 127
[C.E.C.C.7(1)]			A.4(b).1936.X	—	C. IV : 37 ; P. : 127
(Extract)			A.4(c).1936.X	—	P. : 127
A.15.1936.	—	P. : 124	A.4(d).1936.X	—	C. IV : 71
A.16.1936.V	—	C. I : 10 ; P. : 125	A.5.1936.X	—	C. IV : 13, 14, 19, 20, 31, 34, 37, 43, 46, 47, 48, 72, 92 ; P. : 127
A.48.1936	—	C. I : 75 ; P. : 91			
A.53.1936	—	P. : 107	A.5(a).1936.X	—	C. IV : 13, 14, 18, 20, 38, 39, 40, 41, 43, 44, 46, 47, 48, 49, 53, 71, 91, 92
Court of Int. Justice			A.5(b).1936.X	—	C. IV : 46, 66, 67, 71, 80, 91, 92
A.42.1936.V	—	C. I : 76	A.10.1936.II.A.	—	C. IV : 18, 73, 77, 78, 83 ; P. : 127
A.49.1936.V	—	C. I : 80 ; P. : 105	A.11.1936.X	—	C. IV : 39 ; P. : 127, 144
A.51.1936.V	—	P. 106, 110	A.11(a).1936.X	—	C. IV : 39, 42 ; P. : 127, 144
C.293.M.178.	—	C. I : 78 ; P. 124	A.13.1936	—	C. IV : 39 ; P. : 127, 144
1936.V.					
Covenant of the League			A.29.1936.X	—	C. IV : 9, 18, 34 ; P. : 145
A.31.1936.VII	1936.VII.9	S. M. C. : 15, 28	A.30.1936.X	—	C. IV : 8, 14
A.65.1936	—	S. M. C. : 8	A.30(a).1936.X	—	C. IV : 8, 14
A.83.1936.VII	1936.VII.13	S. M. C. : 28 ; P. : 115, 141	A.66.1936.XII	—	C. IV : 51
C.376.M.247.1936.	1936.VII.8	S. M. C. : 15, 28			
VII					
C.L.124.1936	—	S. M. C. : 28			

*Read Conf. D./C.G.160(1).

