

Geneva, September 23rd, 1933.

**LEAGUE OF NATIONS**

**GRADUAL UNIFICATION OF CRIMINAL LAW AND  
CO-OPERATION OF STATES IN THE PREVENTION  
AND SUPPRESSION OF CRIME**

*Note by the Secretary-General.*

Since the publication on May 30th and on September 19th, 1933, of documents A.7. and A.7(a).1933.V, relating to the above-mentioned question, the following communication has been received from the Royal Government of Hungary by the Secretary-General in reply to the enquiry addressed to the Governments (Circular Letter No. 174.1932.IV).

**Hungary.**

LETTER OF SEPTEMBER 20TH, 1933.

[*Translation.*]

I. The Royal Hungarian Government has made a thorough examination of the report submitted to the League of Nations by the seven organisations consulted.

II. As regards, first, the gradual standardisation of criminal law, the Hungarian Government considers that that object might be achieved by provision, in the international Conventions defending specific international interests, for penalties to be inflicted for offences against provisions of the said Conventions.

It would, however, be difficult to frame an international criminal code defending all acts in the nature of offences which might be declared of an international character; for such acts are defined in various international Conventions in close connection with other provisions from which they could hardly be dissociated.

Consequently, the League's only task, in regard to the standardisation of the rules of criminal law, would be to watch the criminal law provisions to be embodied in future Conventions, and to ensure that they are in harmony with the existing provisions.

No new organisation would be necessary for this work. The Preparatory Committee whose duty it was to draw up the draft Convention to be submitted to the Conference could deal with it. Where desirable, this Committee could include experts in the matter or be authorised to have recourse to the assistance of the international organisations dealing with criminal law which are mentioned in the letter of the Secretary-General of the League of Nations. It would be equally possible to contemplate that representatives of those organisations might be invited to take part in an advisory capacity in the discussion of draft Conventions containing criminal law provisions, with the task of calling the Conference's attention to provisions on matters of criminal law contained in Conventions on other subjects and of seeking to ensure uniformity and concordance between such provisions.

The Hungarian Government sees no reason, at the present juncture, why the League of Nations should go further in the matter of the international standardisation of criminal law.

III. The same considerations apply to the co-operation of States in the prevention and suppression of crime. Here it may be added that the whole question of judicial co-operation in criminal cases (extradition of offenders, transmission of documents relating to criminal justice) is governed, though not by a multilateral Convention, at all events by a series of bilateral treaties. Thus the need for such a multilateral Convention has not really been felt in practice, though standardisation will certainly become desirable in this sphere.

For practical reasons, the first thing would be to regulate, on a wide international basis, the punishment of crimes and offences committed in a foreign country. But the experience acquired in the course of the efforts towards standardisation made by the League of Nations would seem to show that there is little hope of moulding into any single system the often contradictory systems found in the various States in regard to criminal matters; still less

can one expect to reconcile Anglo-American law and the law of the continental European States on the question of the penal qualification of criminal acts committed abroad.

IV. The Royal Hungarian Government ventures further to call attention to the fact that, by the resolutions and recommendations adopted on September 25th, 1931, on the subject of progressive codification of international law, the Assembly has set up a procedure which could be applied to questions of criminal law which are of general international interest, and which permits any State or group of States to propose to the Assembly questions suitable to become the object of a Convention concluded under the auspices of the League of Nations. The Assembly's decision makes provision for all the measures necessary for the examination of such a proposal and for the preparation of draft Conventions by competent experts. It further contemplates the co-operation of scientific international institutions which have specialised in the investigation of the subjects which are to be examined.

---