

LEAGUE OF NATIONS

FOURTH GENERAL CONFERENCE  
ON COMMUNICATIONS AND TRANSIT

PREPARATORY DOCUMENTS

Volume II.

1. REPORT BY THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS ON ACTION TAKEN ON THE DECISIONS OF PREVIOUS CONFERENCES.
2. MEMORANDUM ON THE PRINCIPAL QUESTIONS DEALT WITH BY THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT SINCE THE THIRD GENERAL CONFERENCE.
3. GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION.

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Geneva, July 14th, 1931.

LEAGUE OF NATIONS

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FOURTH GENERAL CONFERENCE  
ON COMMUNICATIONS AND TRANSIT

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PREPARATORY DOCUMENTS

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Volume II.

Erratum to Volume I.

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Insert after "Finland", page 19 :

FRANCE.

The National Economic Council has been constituted  
the National Committee of Enquiry.

Rapporteur : M. André F. BERTAUT, Member of the Paris  
Chamber of Commerce.

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## 1. REPORT BY THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS ON ACTION TAKEN ON THE DECISIONS OF PREVIOUS CONFERENCES.

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### I. PRESENT SITUATION AS TO SIGNATURES AND RATIFICATIONS OF THE CONVENTIONS DRAWN UP BY THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT AND ACCESSIONS TO THESE CONVENTIONS.

All States Members of the League of Nations receive periodically through the Secretary-General of the League a statement of ratifications of Agreements and Conventions concluded under the auspices of the League of Nations. It is therefore unnecessary to insert a list of such ratifications in the present report. An up-to-date statement will however be submitted at the opening of the Conference.

### II. ACTION TAKEN ON THE RECOMMENDATIONS OF THE THIRD GENERAL CONFERENCE ON THE SUBJECT OF IDENTITY AND TRAVEL DOCUMENTS FOR PERSONS WITHOUT NATIONALITY OR OF DOUBTFUL NATIONALITY.

In accordance with the request of the Advisory and Technical Committee for Communications and Transit, the Secretary-General of the League of Nations on May 9th, 1928, sent the Governments the following circular letter :

“ At the request of the Chairman of the Advisory and Technical Committee for Communications and Transit, I have the honour to ask you to be good enough to inform me what action has been taken in ..... on the recommendations of the Third General Conference for Communications and Transit concerning identity and travelling documents for persons without nationality or of doubtful nationality. At its twelfth session, held in Geneva from February 27th to March 2nd, 1928, the Advisory and Technical Committee for Communications and Transit expressed a desire that the replies to this request should be sent in, if possible, before November 1st, 1928.

“ I venture to remind you that the Assembly, in a resolution adopted on September 26th, 1927, and forwarded on November 2nd, 1927, in C.L.153, asked the Members of the League to give favourable consideration to the recommendations of the Conference.”

The replies to the circular letter (document C.245.M.84.1929.VIII) may be summarised as follows :

The majority of the Governments state that they have already adopted, or are prepared to adopt, the recommendations of the Third General Conference. These are : Australia, Austria, Belgium, Bulgaria, Finland, France, Germany, Great Britain, Greece, Hungary, India, Irish Free State, Italy, Japan, Luxemburg, Norway, Portugal, Union of South Africa, Uruguay, Yugoslavia. Several Governments suggest modifications on points of detail, especially with reference to the period of validity of such documents.

Replies unfavourable to the adoption of identity and travel documents for persons without nationality or of doubtful nationality may be divided into two groups. The first of these comprises the Governments which consider that this question has no longer any practical importance (this is the opinion of Latvia, for example), or which, like Egypt and Roumania, prefer to place such persons on the same footing as their own nationals.

The second group of replies emanates from Governments which, though prepared to grant travel facilities to the persons referred to in the recommendations of the Conference, prefer to continue the various systems in force in their respective countries, which consist in providing such persons with special certificates, foreigners' passports or Nansen passports. This group includes Canada, Denmark, Estonia, the Netherlands, Siam, Sweden, Switzerland, United States of America.

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## 2. MEMORANDUM ON THE PRINCIPAL QUESTIONS DEALT WITH BY THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT SINCE THE THIRD GENERAL CONFERENCE.

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The Transit Committee considered that a full account of the work of the Communications and Transit Organisation since the Third General Conference <sup>1</sup> was unnecessary in view of the fact that the Governments invited to the Conference have already received official documents covering all the work undertaken. With a view, however, to facilitating the discussions of the Fourth General Conference, the following summary is submitted of the principal questions, not placed separately on the agenda of the Conference, discussed by the Committee since the last General Conference or by Conferences whose work has been prepared by the Committee.

### I. *Ports and Maritime Navigation.*

- (a) International Conference for the Unification of Buoyage and Lighting of Coasts.
- (b) Unification of Maritime Tonnage Measurement.
- (c) Penal Consequences of Collision at Sea.
- (d) Coasting Trade.
- (e) The Right to fly a Merchant Flag.

### II. *Inland Navigation.*

### III. *Road Traffic.*

### IV. *Rail Transport.*

- (a) Negotiability of Railway Transport Documents.
- (b) Application of Article 304 of the Treaty of Trianon and of Article 320 of the Treaty of St. Germain.
- (c) Application of Article 107 of the Treaty of Lausanne.
- (d) Railway Organisation at Danzig.

### V. *Air Transport.*

### VI. *Communications of Importance to the League at Times of Emergency.*

- (a) Wireless Station.
- (b) Facilities to be granted to Aircraft and Motor Vehicles, carrying out Transport of Importance to the League.
- (c) Construction of an Aerodrome near the Seat of the League.

### VII. *Communications Questions affecting Relations between Poland and Lithuania.*

### VIII. *Legal Questions.*

- (a) Interpretation of the St. Petersburg Telegraphic Convention.
- (b) Codification of International Law in Matters of Communications and Transit.

### IX. *General Questions.*

- (a) Obstacles to Freedom of Transit : Recommendation adopted by the Third General Conference on the Latvian Delegation's Proposal.
- (b) Unification of Transport Statistics.
- (c) Passports and Identity Documents.
- (d) Transport of Newspapers and Periodicals.
- (e) Competition between Railways and Waterways.
- (f) Adoption of a Standard Horse-power Measurement for Aeroplane and Dirigible Engines.

### X. *Collaboration between the National Government of China and the Communications and Transit Organisation.*

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<sup>1</sup> The Agenda of the Conference includes, *ipso facto*, under Article 8 of the Statute : (a) a report on the work of the advisory and Technical Committee since the last ordinary general Conference.

## I. PORTS AND MARITIME NAVIGATION.

### (a) INTERNATIONAL CONFERENCE FOR THE UNIFICATION OF BUOYAGE AND LIGHTING OF COASTS.

Following the preparatory work of the Technical Committee on Buoyage and Lighting of Coasts, the Council convened an international Conference, which met at Lisbon from October 6th to 23rd, 1930. Thirty-two States were represented.

#### 1. *Agreement concerning Maritime Signals.*

The contracting Governments, in order to unify certain descriptions of maritime signals, undertake that only measures in conformity with the regulations attached to the Agreement will be accepted by the competent authorities in their territories who will communicate to navigators by means of visual signals the information or warnings described. The provisions of these regulations may be departed from only in cases where, owing to local conditions or exceptional circumstances, they cannot well be applied. The Agreement was signed by Belgium, Cuba, Estonia, Finland, France, Germany, Greece, Monaco, Morocco, the Netherlands, Portugal, Spain, Sweden and Tunis.

#### 2. *Agreement concerning Manned Lightships not on Their Stations.*

The contracting parties undertake to unify certain rules in respect of manned lightships not on their stations and to put into force a series of provisions attached to the Agreement, which was signed by Belgium, Cuba, Estonia, Finland, France, Germany, Great Britain and Northern Ireland, Greece, India, Monaco, Morocco, the Netherlands, Portugal, Spain, Sweden and Tunis.

#### 3. *Recommendations on Lighthouse Characteristics and Radio-Beacons.*

These were framed to provide for new lighthouse systems, or to improve existing systems, without laying down absolute rules or necessitating immediate changes in existing systems. It was recommended that radio-beacons should be established throughout the world at all points where they were likely to be useful to maritime navigation.

The recommendations were signed by Belgium, Brazil, China, Cuba, the Free City of Danzig, Estonia, Finland, France, Germany, Great Britain and Northern Ireland, Greece, India, Italy, Japan, Mexico, Monaco, Morocco, the Netherlands, Poland, Portugal, Roumania, Spain, Sweden, Tunis and the United States of America.

#### 4. *Resolution concerning the Continuation of Work relating to the Unification of Buoyage.*

The Conference was unable to establish an Agreement on the unification of buoyage characteristics. Believing that a further discussion would bring about agreement, the Conference adopted a resolution, which was, in part, as follows :

“ Expressing its satisfaction that the work of its Buoyage Committee and of its Drafting Committee has permitted uniform rules to be drawn up regarding a certain number of buoyage questions capable of facilitating the elaboration of a complete international buoyage system, and that these rules have been unanimously agreed upon with a view to the organisation of such a system ;

“ Noting, however, that it hardly seems possible to apply these rules except as part of a sufficiently general agreement dealing with the main questions of buoyage as a whole ;

“ Noting, further, that no immediate agreement seems possible with regard to certain of these important questions, such as the allocation of colours by day and by night of odd and even numbers in the lateral buoyage system ;

“ Believing that further efforts must be made to secure agreement between all the maritime nations of the world before the expediency of examining the possibilities of agreement between certain of these nations only is considered ;

. . . . .

“ Decides to postpone its work on buoyage questions, and expresses the hope that it will be given an opportunity of resuming its work in about a year's time with a view to allowing the Governments concerned to make fresh efforts to reach complete agreement after consideration of the proceedings of the present Conference. ”

. . . . .

### (b) UNIFICATION OF MARITIME TONNAGE MEASUREMENT.

Draft regulations for the tonnage measurement of ships which were drawn up at the beginning of 1931 by a Drafting Committee were examined by the Technical Committee for Maritime Tonnage Measurement in July last. The proposed regulations will be examined later by the Permanent Committee for Ports and Maritime Navigation and the Advisory



and Technical Committee. The draft regulations consist of the following six parts : Administrative Provisions, Determination and Definition of Tonnage, Measurement and Calculation of Gross Tonnage under Rule I, Measurement and Calculation of Deductions under Rule I, Measurement and Calculation of Tonnage under Rule II, and Identification Dimensions. They will serve as the basis of discussion for an International Conference on Maritime Tonnage Measurement, which will probably be convened in 1933.

(c) PENAL CONSEQUENCES OF COLLISIONS AT SEA.

On the proposal of the Permanent Committee for Ports and Maritime Navigation, the Advisory Committee adopted a resolution on the question of the penal consequences of collisions at sea. The Committee did not think it should undertake the examination of this question of international criminal law. Nevertheless, it was of opinion that the following points might with advantage be brought to the attention of the Governments without touching on the legal questions at issue :

“ 1. Strict observance of the International Regulations for the Prevention of Collisions is of the utmost importance to the safety of life and property at sea.

“ 2. Such observance can be best attained without recourse to criminal law by :

“ (a) Establishing and maintaining a high standard of professional skill and conduct among those entrusted with the duties of navigation ;

“ (b) Within the limits recognised by international maritime law, holding the owners of a vessel responsible to other vessels met with in the course of the voyage for loss resulting from the breach of such regulations by those in their employment.

“ 3. It is the duty of each nation to establish and maintain such standards of professional skill and conduct among those it entrusts with the navigation of vessels under its own flag. Apart from the question as to what, if any, may be the conditions under which the criminal jurisdiction of a country may be exercised over the crew of a vessel under another flag, it is desirable that . . . there should be left exclusively in the hands of the nation whose flag the vessel flies the enforcement of disciplinary measures for the purpose of establishing and maintaining such standards of professional skill and conduct, such as suspension of the national certificate of competency given to an officer, or other disciplinary action.

“ 4. International maritime law already provides means by which the owners of vessels may be made responsible to other vessels met with in the course of the voyage for loss resulting from a breach of the collision regulations by those in their employ.

“ The above considerations and recommendations in no way affect the question of collisions due to criminal intention or criminal neglect ; and the Committee is fully aware that the distinction between cases of a disciplinary character and those of a criminal nature may sometimes be difficult to make and, in the rare cases when this question arises, it could only be settled after criminal proceedings had been set on foot.”

. . . . .

(d) COASTING TRADE.

A preliminary study has been made to enable the Committee for Ports and Maritime Navigation to consider the possibility of an international definition of the term “coasting trade”.

(e) COMPARATIVE STUDY OF NATIONAL LAWS GOVERNING THE GRANTING OF THE RIGHT TO FLY A NATIONAL FLAG.

The Transit Committee examined in March 1930, at the request of the Economic Committee, certain measures studied by that Committee for the suppression of alcohol-smuggling into Finland. The Transit Committee, realising that some of the difficulties arose from the conditions under which the right to a flag was sometimes granted to ships engaged in smuggling, instructed the Secretariat to undertake a comparative study of national laws and practice, which was completed in the early part of 1931.

II. INLAND NAVIGATION.

The Council convened the European Conference for the Unification of River Law, which met at Geneva from November 17th to December 9th, 1930. The Transit Committee had been engaged upon preliminary work for this Conference since 1922, when it secured the co-operation of the River Commissions of the Danube, the Elbe and the Rhine. A Committee of Jurists drew up three draft Conventions for the unification of certain rules of river law applicable to navigation on the main systems of European navigable waterways.

Twenty-two countries were represented at the Conference, as well as the Central Commission for Rhine Navigation, the International Commissions for the Danube, the Elbe and the Oder, the International Maritime Committee (Antwerp), the Institute of Private Law (Rome) and the International Chamber of Commerce.

The Conference adopted :

1. A Convention for the unification of certain rules concerning collisions in inland navigation. It lays down that if the collision is an accident, if due to *vis major*, or if there is doubt as to its causes, the damage shall be borne by the person suffering it. If due to an error on the part of one of the vessels, that vessel shall be liable for compensation for damage ; if caused by two or more vessels, such vessels shall be jointly and severally liable for compensation for damage caused to innocent vessels and to persons and objects on board such vessels. The liability of each vessel is proportionate to the gravity of its error, and arises notwithstanding that the collision may be caused by error on the part of the pilot, even if a pilot be compulsory. The provisions of the Convention do not affect the rules governing the limitation of the liability of owners of vessels laid down in each country or the obligations arising from transport or other contracts.

The Convention was signed by Belgium, Czechoslovakia, Danzig, France, Germany, Hungary, Italy, the Netherlands, Poland, Roumania, Switzerland and Yugoslavia.

2. The Convention on the registration of inland navigation vessels deals with the registration of inland navigation vessels, ownership, mortgages, liens, seizures and enforcement. It is provided that registers for inland navigation vessels shall be established by the parties in accordance with their national laws which shall determine the conditions which a vessel must fulfil in order to be registered. All vessels with a displacement of at least 20 metric tons must be registered if they fulfil the conditions laid down by the laws of one or more parties, but they can only be registered in the territory of a single State to be chosen by the owner of the vessel. A vessel registered in one State cannot be registered in another unless the first registration is cancelled.

The provisions relating to ownership and mortgages lay down generally that the regulations in respect of these matters shall be governed by the law of the country of registration. Certain general provisions, however, secure adequate publicity and a certain degree of uniformity. The provisions relating to liens define the claims which are to be regarded as privileged, establish the priority of such claims among themselves and determine the conditions for their extinction.

The provisions relating to seizure and enforcement lay down that the validity of the effects of these measures shall be governed by the law of the country in which the vessel is seized. The record of the seizure or enforcement must, however, be forwarded to the office of registration, and a certain procedure followed for the publication of the seizure.

The Convention does not apply to vessels exclusively employed in any capacity by the public authorities.

The contracting parties whose laws are not adequate to ensure the execution of the Convention undertake to make the necessary arrangements for the purpose. They agree in particular to communicate to each other through the Secretary-General of the League the legislative provisions or regulations severally adopted to ensure the execution of the Convention, a list of the authorities responsible for keeping the registers and the initial letters used by the registration offices.

The Convention was signed by Belgium, Czechoslovakia, Danzig, France, Germany, Hungary, Italy, the Netherlands, Poland, Switzerland and Yugoslavia.

3. The Convention on administrative measures for attesting the right of inland navigation vessels to a flag provides that a vessel employed in inland navigation may only have the right to a single national flag. The contracting parties reserve their right to prescribe the conditions governing the acquisition and loss of the right to a flag. Vessels must be entered on a special register kept by a competent authority of the State granting the right. A vessel complying with the conditions prescribed by the law of two or more contracting parties may only be entered on the register of one of the parties, to be chosen by the owner of the vessel.

Each party reserves its right to require its nationals to enter on its register vessels of which they own more than one-half, fulfilling the conditions prescribed by two or more States, if such nationals are habitually resident or, in the case of companies, if the chief seat of management of their business is situated in the territory of their home State. For vessels belonging to physical persons similar conditions obtain in respect of nationals not residing habitually in their home territory, if their vessels are used solely for navigation in the waters of that territory. A vessel entered on one register cannot be entered on another, before its name is removed from the first.

The Convention was signed by Belgium, Czechoslovakia, France, Hungary, Italy, Poland and Yugoslavia.

Three recommendations were attached to the Final Act :

1. That countries availing themselves of the reservation to the Convention relating to collisions in respect of waters in which navigation is exclusively reserved for their nationals should bring their laws applicable to these waters into conformity with the provisions of the Convention ;

2. That, pending the conclusion of a Convention on assistance in saving of life and property in river navigation, the laws of every State should impose on the captain or master of each ship involved in a collision the duty of rendering to the other ship and its crew and passengers such assistance as he can without serious danger to his own ship, crew and passengers ;

3. That a Convention should in the near future be concluded on the subject of attachment (*saisie conservatoire*).

The Transit Organisation, in continuation of the work of the unification of river law, is dealing with a number of problems such as assistance and saving of life, and property in river navigation, question of procedure, responsibility in matters of river law, insurance and other technical subjects.

### III. ROAD TRAFFIC.

The Transit Committee for some years had under consideration the framing of agreements to facilitate international road traffic. The Committee on Road Traffic and the Fiscal Committee of the League had considered jointly the taxation of foreign motor vehicles.

The European Road Traffic Conference met in Geneva on March 16th, 1931. In addition to the twenty-four States represented, delegates from international tourist associations and organisations interested in tourist or commercial traffic also attended.

1. The Conference adopted a Convention on the Unification of Road Signals providing for danger signals (triangular) ; signs prohibiting passage (circular) ; and information signs (rectangular).

The Convention was signed by Belgium, Czechoslovakia, Danzig, Denmark, France, Germany, Italy, Luxemburg, Poland, Switzerland and Yugoslavia.

2. The Conference adopted a Convention on the Taxation of Foreign Motor Vehicles. It provides that touring-cars registered in the territory of one of the contracting parties and circulating temporarily in the territory of another contracting party shall be exempt from the taxes and charges levied in the country visited for a period of ninety days in the year. The exemption does not apply to vehicles used commercially for the public conveyance of passengers for payment or for the transport of persons and goods on a commercial basis. Persons claiming exemption will be required to hold a fiscal permit valid for one year from the date of issue. The permit may be issued, not only by the competent authority of the country in which the vehicle is registered, but by any organisation to which this authority has delegated the necessary competence.

The Convention was signed by Belgium, Czechoslovakia, Danzig, Denmark, Great Britain, Luxemburg, the Netherlands, Poland and Switzerland. The French delegate announced that his Government would sign the Convention subsequent to a pending re-organisation of the system of motor-car taxation in France.

3. The Conference approved an Agreement between Customs authorities to facilitate the procedure relating to triptychs. The Agreement is designed to remove certain practical difficulties which have arisen for tourists under the present system.

The Agreement was signed by Belgium, Denmark, France, Germany, Great Britain, Luxemburg, the Netherlands, Switzerland and Yugoslavia.

The Conference adopted a recommendation to the effect that a system of codification should, as soon as possible, be internationally established for signals used by officials directing traffic and by drivers of vehicles.

The Conference, in approving the Convention on the Taxation of Foreign Motor Vehicles, recommended that the contracting parties should endeavour, either through internal legislation or by agreements among themselves, to extend as widely as possible the system of tax exemption laid down in the Convention and to improve the methods of applying it.

The Conference was unable to come to an agreement upon a convention on international commercial motor transport. Owing to the very considerable development of motor traffic during recent years, it was impossible for any of the delegates to appreciate the exact legal consequences of a convention dealing with the matter. The Conference, therefore, decided to suspend its work on the Convention on International commercial motor Transport, but proposed that a future conference should endeavour to find an international solution of the problem, after supplementary investigations into the legislation of the various countries had been made. It recommended that, pending the conclusion of an international convention, separate agreements should be made between States on as liberal a basis as possible.



#### IV. RAIL TRANSPORT.

##### (a) NEGOTIABILITY OF RAILWAY TRANSPORT DOCUMENTS.

The Transit Committee appointed a Special Committee to study the question of the negotiability of railway transport documents which met for the first time in October 1930.

Representatives of the International Chamber of Commerce and the International Union of Railways were present at this meeting in an advisory capacity. These bodies had for some time been studying the question on their own behalf.

The Special Committee noted that the negotiable transport document used in a large number of countries in America and recognised by the legislation of certain European countries is formally prohibited by the International Convention of Berne regulating the transport of goods by railway. The International Convention of Berne recognises only the waybill, which is essentially a different class of transport document, particularly in respect of the right of disposing of the goods in course of consignment.

It was pointed out that persons interested in production and trade have recognised the great utility of negotiable transport documents guaranteeing payment of the goods and enabling them to be sold in course of consignment, delivery being effected by handing over the document to the person acquiring the goods. Such documents also permit credit to be obtained on the goods transported and, in particular, enable the document to be given as security for bills which the bearer of the negotiable document may draw. These credit operations are of special advantage during the present credit crisis. It was observed, on the other hand, that the creation of these negotiable documents would involve a number of difficulties of a legal, administrative and technical character.

The Committee considered that it would be well for the International Chamber of Commerce and the International Union of Railways to continue their study of the question. It decided to meet again, as soon as the two Organisations had communicated the result of their enquiries.

##### (b) APPLICATION OF ARTICLE 304 OF THE TREATY OF TRIANON AND ARTICLE 320 OF THE TREATY OF ST. GERMAIN.

The Committee has, at the request of the Council, considered several requests addressed by railway companies situated in the territories of the Successor States of the former Austro-Hungarian Monarchy for the appointment of arbitrators to decide, under Article 304 of the Treaty of Trianon and Article 320 of the Treaty of St. Germain respectively, upon disputes between the States concerned and the companies. The Council has, on several occasions, adjourned the appointment of arbitrators in the hope that a friendly agreement might be reached between the parties.

In the majority of cases such agreements have been concluded, and the Council, at the request of the railway companies, definitely withdrew from its agenda the relevant requests during its session in May 1931.

In two cases only the Council has appointed arbitrators who, in the absence of any agreement concluded before March 15th, 1931, between the States territorially concerned and the railway companies, have constituted themselves as an arbitral tribunal. Negotiations between the parties concerned have, however, resulted in preliminary agreements, and the arbitral tribunal has adjourned its first meeting to allow of the accomplishment of the formalities necessary to put these agreements into force.

##### (c) APPLICATION OF ARTICLE 107 OF THE TREATY OF LAUSANNE.

At the joint request of the Greek and Turkish Governments, who had concluded a general treaty of arbitration, the services of the League Commissioner in Istanbul were terminated in 1931 by the Council's decision. He had been stationed there since 1925 to see that freedom of transit was maintained on the international railway running from Bulgaria to Istanbul. Both Governments expressed their appreciation of his services.

##### (d) RAILWAY ORGANISATION AT DANZIG.

The Permanent Legal Committee and the administrative section of the Permanent Rail Transport Committee were asked in 1930 to advise the High Commissioner of the League of Nations at Danzig on certain questions concerning railway organisation in the Free City. The question was examined at meetings held in Paris and Geneva with the assistance of a Committee of Enquiry which conducted investigations on the spot. The representatives of Poland and the Free City of Danzig have on several occasions furnished explanations and indicated the views of their Governments. A final report was sent to the High Commissioner on September 29th, 1930.



## V. AIR TRANSPORT.

The Eighth Assembly (1927) adopted a resolution urging economic co-operation between air transport undertakings in accordance with a recommendation of the Committee of Experts on Civil Aviation of the Preparatory Disarmament Conference. The Transit Committee referred the question to a Special Committee which was also asked to examine the questions relating to the international organisation of air navigation raised at the Third General Conference. The Air Transport Co-operation Committee held its first session at Geneva in July 1930. It used as the basis of discussion a document prepared by well-known experts which contained the following studies : (1) Present Economic Conditions of Civil Air Navigation ; (2) The Relations between Civil and Military Aviation ; (3) International Commercial Aviation and National Administration ; (4) Principles of Public International Law applicable to Air Transports.

Owing to the complexity of the problems before it, the Committee decided that its first task was to draw up a definite programme of study. The Committee felt strongly that close international co-operation was essential to the real progress of civil aviation.

The Committee, realising the necessity of closer co-ordination between the various organisations dealing with air navigation, requested the Secretariat to submit a report for its next session.

The Committee considered it desirable :

1. That the Governments should request the competent international organisations to find the means of affording greater freedom than is at present enjoyed by regular international air transport.

2. That henceforth :

- (a) The Governments should examine in the most liberal spirit requests for authorisation to fly over their territories submitted to them for the purpose of regular transport by air ;

- (b) The Governments should endeavour to conclude among themselves agreements granting the most favourable treatment possible to regular international air transport.

The Committee further considers it desirable that air navigation undertakings carrying on services in territories other than the national territory should maintain relations of cordial co-operation with the national air organisations of the countries flown over, with a view to ensuring the greatest possible efficiency of the international service.

Believing that the existing " pools " system of co-operation between international aviation undertakings has developed satisfactorily, the Committee :

1. Considers that the present state of legislation, and of economic and political conditions under which civil aeronautics are developing, makes it difficult to reach a more fully developed measure of co-operation ;

2. Recommends the Governments and companies to extend and improve the present system by means of bilateral or multilateral agreements aimed to avoid unnecessary competition, increase the economic efficiency of the international air service and develop among the different undertakings a spirit of friendliness which will prepare the ground for closer co-operation.

The Committee felt that the question of the relations between civil and military aviation lay within the province of the Preparatory Disarmament Commission. The Committee also considered that, in view of the negotiations in progress between the States parties and not parties to the International Air Convention, it would be inadvisable to take any action for the moment regarding the unification of public international law on air navigation.

A programme of study prepared by the Committee included the following subjects, the study of which has been undertaken by qualified experts :

1. The regulations for the registration of aircraft, the administrative formalities to be complied with and the conditions laid down regarding the nationality of aircraft crews, with a view to ascertaining what alterations in existing law would be likely to lead to better international co-operation in air transport.

2. The social insurance of staff employed by air companies on the international lines.

3. Air insurance.

4. The simplification of Customs and statistical formalities in connection with air traffic, particularly as regards the documents and affidavits required by the various national authorities.

5. Special police rules for super-maritime air traffic and assistance in case of distress.

Recognising that the question of postal air transport required immediate attention, the Committee set up a Sub-Committee early in 1931. A questionnaire, which took into account all leading aspects of the problem, was sent to the European States in February 1931, the replies to which will be examined later in the year. The Transit Committee is anxious that this question should be examined from every angle by the various European authorities in the near future.

## VI. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY.

### (a) THE LEAGUE WIRELESS STATION.

The Committee, on the instructions of the Assembly, examined the question of setting up a wireless station at the seat of the League.

The Tenth Assembly (1929) decided to set up a wireless station with a worldwide range, composed of a short-wave station built at the expense of the League, combined with the long-wave station already operated by the Société Radio-Suisse, the whole plant to fall under the sole authority of the League, whenever the Secretary-General notified the Swiss Government that an emergency had arisen.

The Secretary-General on October 4th, 1930, signed four contracts for the purchase of equipment for the League wireless station with the Marconi, Telefunken and Bell Telephone Companies and the Société générale de T. S. F. Under these contracts the cost of equipping the station will be 2,280,264 francs, to which must be added 50,000 francs for additional equipment considered desirable by the experts.

The construction of the buildings, carried out by the Société Radio-Suisse, commenced on April 1st, 1931, was to be completed by July 15th. The purchase of the necessary sites was made during the month of May.

Under the contracts the installation and equipment of the station should be completed by December 1st, 1931. The station will be worked by the Société Radio-Suisse for itself and on behalf of the League of Nations according to the principles laid down in the agreement concluded between the Secretary-General of the League and the Société Radio-Suisse on June 9th, 1930.

### (b) FACILITIES TO BE GRANTED TO AIRCRAFT AND MOTOR VEHICLES CARRYING OUT TRANSPORT OF IMPORTANCE TO THE LEAGUE.

The proposals submitted by the International Air Navigation Commission to the Transit Committee were communicated by the latter to the Committee on Arbitration and Security, in accordance with the resolution of the Tenth Assembly (1929) and the Council's decision. The Transit Committee suggested to the Committee on Arbitration and Security that a draft resolution should be adopted for submission to the Assembly, and it communicated a preliminary text of this draft to the Arbitration Committee.

The Eleventh Assembly (1930) adopted resolutions on the regime applicable to aircraft and that applicable to motor vehicles carrying out transport duties of importance to the League at times of emergency. The Secretary-General has requested the various States to inform him what steps they intend to take to carry out these resolutions. On the basis of the replies received, negotiations will be initiated between the Secretary-General and the Governments concerned.

### (c) CONSTRUCTION OF AN AERODROME NEAR THE SEAT OF THE LEAGUE.

New proposals were submitted by the cantonal authorities of Geneva in March 1931. A new report of the Committee of Experts will be examined by the Twelfth Assembly.

## VII. COMMUNICATIONS QUESTIONS AFFECTING RELATIONS BETWEEN POLAND AND LITHUANIA.

The Council adopted the following resolution in December 1928 on the question of communications between Poland and Lithuania :

“ The Council,

“ Considering that the Covenant of the League of Nations lays down that :

“ “ Subject to, and in accordance with, the provisions on international Conventions existing or hereafter to be agreed upon, the Members of the League will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League; ”

“ Noting, on the other hand, that the documents before the Council mention obstacles in the way of freedom of communications and of transit ;

“ Considering that, by the Assembly’s resolution of December 9th, 1920, the Advisory and Technical Committee for Communications and Transit was charged ‘ to consider and propose measures calculated to ensure freedom of communications and transit at all times ’ :

“ Decided to request the Advisory and Technical Committee for Communications and Transit to present a report to the Council on the practical steps which might be adopted, account being taken of the international agreements in force, in order to remedy the situation above referred to or to lessen its international repercussions ;

“ Instructs the Secretary-General to communicate the present resolution and all the previous documents to the Advisory and Technical Committee for Communications and Transit.”

The Transit Committee arranged for an economic and technical survey of the situation by a Committee of Experts in 1929 and also for a study of the juridical scope of the agreements in force. The report was communicated to the Council in September 1930, which invited the two Governments to present their observations.

As no agreement could be reached at the Council, the following resolution was adopted on January 24th, 1931 :

“ The Council

“ Requests the Permanent Court of International Justice to give an advisory opinion under Article 14 of the Covenant on the following question :

“ ‘ Do the international engagements in force oblige Lithuania in the present circumstances — and if so, in what manner — to take the necessary measures to open for traffic, or for certain categories of traffic, the Landwarow-Kaisiadorys railway sector ? ’

“ The Secretary-General is authorised to submit this request to the Court, to give all necessary assistance in the examination of the question and, if necessary, to make arrangements to be represented before the Court.

“ The Advisory and Technical Committee for Communications and Transit is requested to provide the Court with any assistance it may need for the examination of the question submitted to it.”

At the Committee’s meeting in May-June 1931, the Chairman was instructed to give the Permanent Court of International Justice such assistance as it may desire.

## VIII. LEGAL QUESTIONS.

### (a) INTERPRETATION OF THE ST. PETERSBURG TELEGRAPHIC CONVENTION.

The Permanent Legal Committee was instructed by the Council in January 1930 to examine the question of the interpretation of the St. Petersburg Telegraphic Convention of 1875, and of the Washington Radiotelegraphic Convention of 1927 from the point of view of the exchange of facsimiles of telegrams despatched in connection with the smuggling of opium and other dangerous drugs.

The Committee reached the conclusion that neither the St. Petersburg Convention with its International Service Regulations, which are of equal validity with the Convention itself, nor the Washington Radiotelegraphic Convention, admit of an interpretation permitting the contracting Governments to comply with Resolution IV adopted by the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs in 1928. Article 2 of the St. Petersburg Convention formally engages the contracting States to ensure absolute secrecy for international telegrams, and Article 74 of the Service Regulations emphasises the peremptory nature of Article 2 of the Convention by authorising the production of the originals or copies of telegrams only to the sender or the addressee, subject, moreover, to special guarantees. The Permanent Legal Committee nevertheless added certain suggestions. It concurred with the view which is at the root of Resolution IV of the Advisory Committee on the Traffic in Opium in thinking that international co-operation, the development of which is one of the cardinal principles of the Covenant of the League, is no longer compatible with the entire secrecy of international telegraphic correspondence. The Committee recognised that the judicial authorities of a country should, in certain circumstances to be determined, be able to obtain originals or copies of international telegrams which are in another country, and that this right should not be confined to cases in which there are criminal proceedings for traffic in narcotics.

### (b) CODIFICATION OF INTERNATIONAL LAW ON COMMUNICATIONS AND TRANSIT.

The Permanent Legal Committee has dealt with the question of the codification of international law on communications and transit, in virtue of a resolution adopted by the Assembly on September 24th, 1929, and also of a decision taken by the Transit Committee at its fourteenth session.



The Committee has made certain proposals for determining what precisely are the texts in force of important conventions and which are the States that are parties thereto, not only in the case of conventions concluded under League auspices, but also in the case of multilateral conventions in force not so concluded. It also contemplates a study of the question of the possibility and desirability of publishing classified indexes of treaties, conventions or agreements concerning communications and transit, including provisions inserted in bilateral conventions regarding communications and transit.

The Committee has instructed the Secretariat, with qualified experts, to make a comparative study of the principles of the most important conventions covering the various fields of communications. This survey should comprise both multilateral conventions in force as well as bilateral conventions of special interest, more particularly commercial treaties.

## IX. GENERAL QUESTIONS.

### (a) OBSTACLES TO FREEDOM OF TRANSIT : RECOMMENDATION ADOPTED BY THE THIRD GENERAL CONFERENCE ON THE LATVIAN DELEGATION'S PROPOSAL.

A draft recommendation of the Latvian delegation at the Third General Conference, as amended by the French delegation, was adopted by the Conference. The recommendation read as follows :

“ The Conference,

“ Noting that, by Article 23(e) of the Covenant of the League of Nations, every Member of the League has undertaken to secure and maintain freedom of communications, transit and international commerce ;

“ Considering that this is a primary duty of the Organisation for Communications and Transit and one which quite recently has been emphatically endorsed by the World Economic Conference ;

“ Recognising that, wherever freedom of communications and international transit is still obstructed by circumstances of an international character, this situation is calculated to paralyse and impoverish economic life :

“ Hopes that, thanks to efforts instinct with the spirit of the League of Nations, the near future will see the removal from international traffic of such obstacles to freedom of transit and of international commerce ;

“ And recommends that the Advisory and Technical Committee for Communications and Transit should closely examine the situation created by such obstacles, wherever these are still to be met, and its effect upon international traffic and commerce.”

At its twelfth session in February-March 1928, the Transit Committee, acting on this recommendation, adopted the following resolution :

“ The Advisory and Technical Committee,

“ Having noted the recommendation adopted by the Third General Conference on Communications and Transit, in which the Advisory and Technical Committee was asked to examine closely the situation created by obstacles to freedom of communications and transit, wherever these were still to be met, and its effect upon international traffic and commerce :

“ Notes that, in pursuance of the Assembly's resolution of December 9th, 1920, it is its duty ‘to consider and propose measures calculated to ensure freedom of communications and transit at all times’ ;

“ Considers that it is therefore entitled to examine, according to the methods it deems most suitable, any situation created by obstacles to the freedom of transit and brought to its attention by a Government, by the Council or Assembly, or by one of its members, without prejudice to the general enquiries entrusted to it in pursuance of the resolutions of the Genoa Conference, and independently of the cases calling for the application of the definite procedure laid down in the Statute of the Organisation for Communications and Transit with regard to the settlement of disputes.

“ To this effect, in order to assist the Committee in the performance of its duties, and to supplement, if need be, the information of all kinds already at the disposal of the members of the Committee, the Chairman of the Committee shall forward to the members of the Committee for their personal information the communications received by him or by the Secretariat which in his opinion may contain information likely to be regarded by the members of the Committee as worthy of the Committee's attention.

“ The questions mentioned in the present resolution shall not be considered, as to their substance, by the Advisory and Technical Committee until the proposal for placing them on the agenda has been notified to the Government or Governments concerned, and until the latter have had an opportunity of submitting any observations they may desire to make.”

(b) UNIFICATION OF TRANSPORT STATISTICS.

A draft Convention on the statistics relating to the transport of goods, together with regulations to be applied to statistics covering maritime, inland navigation and railway transport, has been established by the Drafting Committee for the Committee for the Unification of Transport Statistics. Under this Convention the statistics compiled would include, for each of the three methods of transport, annual statements of the transports effected from one territory to another and within a single territory. For maritime navigation they would also include an annual statement of the movements of maritime shipping. For the establishment of transport statistics the territories of the States concerned would be divided into districts, this division being made principally on economic and technical grounds without being necessarily governed by administrative boundaries.

The draft Convention will be submitted to the Committee for the Unification of Transport Statistics for approval, and subsequently to the Transit Committee. It will serve as a basis of discussion for an International Statistical Conference, which will probably meet in 1933.

The Transit Committee considered a report drafted by the International Institute of Statistics, which was asked to co-ordinate the work undertaken. This report fully confirms the conclusions reached by the Committee for the Unification of Transport Statistics, and the recommendations of the Joint Committee of the two bodies reproduce almost in their entirety those which were formulated by the Unification Committee.

(c) PASSPORTS AND IDENTITY DOCUMENTS.

Following two Conferences held in 1920 and 1926 respectively, and the work of the Third General Conference on International Passport Regulations and Kindred Questions, a European Conference on Cards for Emigrants in Transit met at Geneva in June 1929. It resulted in the conclusion of an Agreement abolishing visas for emigrants in transit, these visas being replaced by cards issued by shipping companies. The Agreement was signed by Belgium, France, Great Britain and Northern Ireland and the Saar. It was signed *ad referendum* by the Free City of Danzig, Finland, Greece, Hungary, the Netherlands, Poland, Roumania and Switzerland. The number of signatures obtained enabled it to come into force in September 1929, without the usual ratifications.

(d) TRANSPORT OF NEWSPAPERS AND PERIODICALS.

A European Conference on the Circulation of Newspapers and Periodicals met at Geneva in November 1929, following a Conference of Press Experts held in August 1927. The Conference advocated the use of the speediest form of rail transport, and the application to newspapers of the regulations applied to goods traffic, particularly with regard to the abolition of Customs formalities. The Transit Organisation will later take up the question of defining the term "periodical" as opposed to "newspaper" with a view to extending similar facilities to the carriage of periodicals. Steps have also been taken to see whether the circulation of newspapers can be relieved from fiscal, Customs and other duties. The Conference studied the question of dropping parcels of newspapers from aircraft in flight.

At its session of May-June 1931, the Transit Committee requested the Secretary-General to communicate to the Governments invited to this Conference the text adopted by the International Railway Union regarding the transport of newspapers and periodicals. The Committee also requested the Governments concerned to consider as quickly as possible the introduction of measures to permit of the application in their territories of the regulations adopted by the International Railway Union.

(e) COMPETITION BETWEEN RAILWAYS AND WATERWAYS.

Following Mr. Walter D. Hines' mission to the Danube and the Rhine, the Transit Committee referred the question of competition between railways and waterways raised in Mr. Hines' report to a special Sub-Committee under the chairmanship of Professor Heckscher. Its report, containing a statistical enquiry and an examination of the general conditions under which, in its opinion, tariff policy should comply, could serve as a basis for any subsequent studies to be undertaken by the Committee.

(f) ADOPTION OF A STANDARD HORSE-POWER MEASUREMENT FOR AEROPLANE AND DIRIGIBLE ENGINES.

In accordance with a resolution of the Council on January 24th, 1931, a Committee of Experts appointed by the Chairman of the Transit Committee met in Geneva in April 1931, to study the fixing of rules for the adoption of a standard horse-power measurement for aeroplane and dirigible engines in preparation for the Disarmament Conference to be called in 1932. The Committee sought a simple formula which would not result in an appreciable distortion of engine design. The Committee decided to combine the formulæ suggested on the weight of the power unit and the "volume swept".

## X. COLLABORATION BETWEEN THE NATIONAL GOVERNMENT OF CHINA AND THE COMMUNICATIONS AND TRANSIT ORGANISATION.

On the invitation of the Chinese Government, and on the authority of the Council in January 1931, the Director of the Communications and Transit Section went on mission to China in connection with problems of inland navigation and land reclamation. At its session in May-June 1931, the Transit Committee expressed its gratification that it has been considered possible to establish practical co-operation between the Chinese Government and the Communications and Transit Organisation of the League.

The Chairman of the Transit Committee is authorised to forward to a Committee of Enquiry, which will study the training of public works engineers, all questions submitted by the Secretary-General of the Transit Committee concerning the organisation of the civil engineering field station. All questions raised between the Transit Organisation and the Chinese National Economic Council concerning the establishment of a programme of public works and technical equipment should similarly be forwarded to another Committee of Enquiry which will deal with public works.

The Chairman of the Transit Committee will ensure co-ordination between the work of these two Committees.

The Chairman of the Transit Committee is authorised to name the experts appointed to give opinions to the Chinese Government concerning the scheme for the development of the Hwai River ; such experts will also be responsible for the other duties mentioned in the correspondence between the Chinese Government and the Director of the Transit Section. The Chairman of the Transit Committee is further authorised to furnish any other experts whose services may be required.

The Chairman of the Transit Committee may apply to one or more members of that Committee to assist him in these duties.

The Transit Committee provided for the constitution of the two Committees of Enquiry by the adoption of the following resolutions :

### “ A.

“ The Advisory and Technical Committee,

“ Considering it desirable to study the methods of training public works engineers in order to be able to comply more easily with requests for opinions such as that submitted by the Chinese Government ;

“ Being of opinion that such study should be entrusted to a special body consisting of persons in touch with a number of the principal institutions for the training of public works engineers :

“ Requests its Chairman to take the necessary steps without delay, with a view to the creation of a Committee of Enquiry to study questions relating to the training of public works engineers.”

### “ B.

“ The Advisory and Technical Committee,

“ Being anxious to be able to comply more easily with requests for opinions on general questions relating to public works and national technical equipment such as that submitted by the Chinese Government ;

“ Considering it advisable to have at its disposal for this purpose the services of a Committee of Enquiry, composed as far as possible, of experts already belonging to the permanent Committees of the Advisory and Technical Committee :

“ Requests its Chairman to take the necessary steps without delay with a view to the creation of a Committee of Enquiry to study general questions relating to public works.”

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## 3. GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION.

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On August 29th, 1927, the Third General Conference on Communications and Transit adopted the following recommendation on the Hungarian delegation's proposal :

“ The Conference,

“ Recognising how extremely important it is that freedom of transit should not be interfered with by the effects of grave occurrences of a general character affecting routes of communication ;

“ And considering that the Advisory and Technical Committee for Communications and Transit has been entrusted with the duty of studying and proposing suitable measures for securing freedom of communications and transit *at all times* :



“ Recommends that the Advisory and Technical Committee for Communications and Transit should make an exhaustive study of the best means of ensuring as far as possible, in the event of grave occurrences of a general character affecting routes of communication, the maintenance of international transit by the preconcerted utilisation of auxiliary routes capable of being used temporarily in place of the routes through any country in which transit has been interrupted.”

In accordance with this recommendation, the Advisory and Technical Committee for Communications and Transit made a study of the entire question. As a result of the suggestion made by a small Committee, the composition of which is given, together with its report, in Annex 1, and of a report by the Permanent Committee on Transport by Rail, the text of which is also annexed (see Annex 2), the Advisory and Technical Committee, after a very detailed discussion at its twelfth, thirteenth and fourteenth sessions, adopted the following resolution on March 15th, 1930 :

“ The Committee considers that the question of the steps to be taken in case of grave occurrences of a general character affecting routes of communication would be better dealt with in the form of a recommendation than in the text of a convention.

“ It nevertheless resolves to forward to the Fourth General Conference the annexed draft recommendation and draft Additional Protocol (see Annex 3) to the Convention on the International Regime of Railways, which have been framed to carry out the resolution of the Third General Conference.”

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### Annex 1.

The small Committee, consisting of M. SINIGALIA, President of the Advisory and Technical Committee, M. DIETRICH VON SACHSENFELS, member of the Permanent Committee on Inland Navigation, M. HEROLD, President of the Permanent Committee on Transport by Rail, and M. René MAYER, member of the Permanent Legal Committee, made a preliminary survey of the question from December 13th to 15th and drew up the following report, which was submitted to the Advisory and Technical Committee :

#### TEXT ADOPTED BY THE SMALL COMMITTEE.

The main purpose of the recommendation adopted by the Third General Conference on Communications and Transit, on the Hungarian delegation's proposal, seems to have been to facilitate the execution of the provisions of Article 7 of the Convention on the International Regime of Railways, and particularly to guarantee international traffic in cases where that traffic is impeded over a large area — possibly an entire State.

It would seem that the first steps to be considered for the practical application of this resolution should be in relation to railways. The development of wireless telegraphy and the greater ease with which telegraphic and telephonic communications can be diverted to another route make enquiry into telegraph and telephone communications less urgent. The part that road transport might play in international traffic under the circumstances referred to in the recommendation gives rise to problems which are mainly legal. Facilities would be required in respect of Customs and frontier police control, but these have no direct connection with the special difficulties which the Committee is considering.

As regards railways, two solutions can be considered. They are not of equal value, but for various reasons they both deserve the attention of the Advisory and Technical Committee. Both contemplate the conclusion of a convention between States which would complete the provisions of Article 7 of the Geneva Convention.

According to the first solution, the new contractual undertaking would merely lay down general rules which, however, would involve a more definite obligation than has yet been accepted, since it would provide that States, whose territory adjoined the territory in which traffic was for the moment blocked, should give effective assistance in re-establishing international traffic. The following text gives some idea of this first solution :

“ Should a grave occurrence of a general character totally or partly interrupt international traffic through the territory of any State, those of the contracting States whose lines could be of help in re-establishing the interrupted traffic, undertake, each in their respective territories, and under the conditions laid down in the Convention on Freedom of Transit, to co-operate in the re-establishment of such traffic.

“ Subject to the provisions of international undertakings concerning transport by rail, the transport of passengers and mails will be provided for by the shortest and speediest route and transport of goods by the most economical route. In all cases, traffic will be made to rejoin its normal route as close as possible to the point at which it has had to be diverted.”

According to the second solution, the Convention would include an annex containing a certain number of examples of hindrances to traffic affecting the principal routes of international



concern. For the moment such example would only be given for Europe ; mention would also be made of the various auxiliary routes which the contracting States would undertake to offer for transport of passengers and goods.

This second solution might be expressed as follows :

“ Should a grave occurrence of a general character totally or partly interrupt international traffic on the main routes enumerated in the annex attached to the present Convention, the contracting States undertake, in their respective territories and under the conditions laid down in the Convention on Freedom of Transit, to ensure the re-establishment of traffic by offering the use of the auxiliary lines mentioned in the annex.”

The Advisory and Technical Committee will realise that the second solution is the only one which fully meets the intentions of the authors of the Hungarian resolution, proposed at the Third General Conference on Communications and Transit. In this case previous technical investigations would, however, be necessary so as to determine whether it would be possible in practice to draw up such an annex in view of the number of different examples to be given and of solutions to be proposed. Such an annex would naturally have to be revised periodically and kept up to date by the organisation responsible for the application of the new Convention.

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## Annex 2.

The Permanent Committee on Transport by Rail, having noted the report prepared by the small Committee on the question of serious occurrences of a general character affecting routes of communication, adopted the following resolution at its seventh session held at Geneva from March 13th to 15th, 1929 :

“ The Permanent Committee for Transport by Rail, after examining the Memorandum by the Secretary-General of the Committee on the question of serious occurrences of a general character affecting routes of communication, considers that, in order to comply with the recommendation adopted by the Third General Conference on Communications and Transit, the only practical course would be to propose a new contractual undertaking of a quite general nature. This undertaking would simply lay down general rules involving, however, a more definite obligation than at present, and would ensure effective co-operation, for the re-establishment of international traffic, on the part of States bordering on the region in which traffic has been temporarily interrupted.

“ The following text gives an idea of this solution :

“ Should a serious occurrence of a general character interrupt international transit by rail over the territory of a State, those contracting States whose systems might be used in re-establishing the interrupted communications undertake, each for its part, to co-operate in re-establishing such communications.

“ Subject to the provisions of the international agreements on transport by rail, transport shall be effected over another route ; every effort shall be made, however, to reduce the length of the alternative route as far as the interests of the transported passengers or goods allow.”

“ The final text should include certain of the restrictions contained in the Convention on the Freedom of Transit, particularly provisions identical with, or similar to, those of Articles 5, 7, 8 and 9 of the Statute on the Freedom of Transit.

“ The Permanent Committee for Transport by Rail has naturally only considered questions connected with railway transport.”

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## Annex 3.

### I. DRAFT RECOMMENDATION.

The General Conference on Communications and Transit considers it desirable that, in the event of grave occurrences of a general character affecting routes of communication, all necessary steps should be taken to lessen the effects of such occurrences on international traffic.

It is of opinion that, should a grave occurrence of a general character interrupt international traffic through the territory of one or more States, those States whose lines could be of help in re-establishing the interrupted traffic should co-operate, each in its own territory, in the re-establishment of such traffic. It should be understood that, subject to the provisions of international undertakings concerning transport by rail, traffic would, as far as possible, and as far as is compatible with the interests of the passengers or goods carried, be forwarded by a new route involving the shortest possible detour.

In addition, consideration should be given to any suitable plan for using the transport services (other than railways), operated by the State, under concession or with its authority, in order to facilitate the resumption of traffic.

## II. DRAFT ADDITIONAL PROTOCOL TO THE CONVENTION ON THE INTERNATIONAL REGIME OF RAILWAYS.

The Governments of the States, contracting parties to the Convention on the International Regime of Railways, signed at Geneva on December 9th, 1923, whose representatives, being duly authorised, have appended their signatures to the present Protocol.

Being desirous of facilitating the application of Article 7 of the Statute on the International Regime of Railways and of supplementing its provisions,

Agree as follows :

### *Article 1.*

Should a grave occurrence of a general character interrupt international railway traffic through the territory of one or more contracting States, those of the contracting States whose lines can be of help in re-establishing the interrupted traffic shall co-operate, each in its own territory, in the re-establishment of such traffic.

### *Article 2.*

Subject to the provisions of international undertakings concerning transport by rail, traffic shall, as far as possible and as far as is compatible with the interests of the passengers or goods carried, be forwarded by a new route involving the shortest possible detour.

### *Article 3.*

In the cases contemplated in Article 1 above, the contracting States shall, with a view to assisting in the re-establishment of traffic, take the steps required to obtain the assistance of transport services, other than railway services, operated by the State, under concession or with its authority.

### *Article 4.*

The provisions of the present Protocol are to be construed as subject to Articles 29, 30, 32, 43 and 44 of the Statute on the International Regime of Railways.

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# Publications of the Communications and Transit Section.

## Second General Conference.

### SECOND GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT (1923).

#### Preparatory Documents :

I. RAILWAYS. (C.376.1923.) . . . . .	4/-	\$1.00
II. MARITIME PORTS. (C.377.1923.) . . . . .	9d.	\$0.20
III. ELECTRIC QUESTIONS. (C.378.1923.) . . . . .	9d.	\$0.20
OFFICIAL INSTRUMENTS APPROVED BY THE CONFERENCE . . . . .	9d.	\$0.20
Records and Texts relating to the General Discussions of the Conference. (C.27.M.13.1924.VIII.) . . . . .	1/9	\$0.40
Records and Texts relating to the Convention and Statute on the International Regime of Railways. (C.28.M.14.1924.VIII.) . . . . .	3/6	\$0.80
Records and Texts relating to the Convention and Statute on Maritime Ports. (C.29.M.15.1924.VIII.) . . . . .	3/6	\$0.80
Convention relating to the Transmission in Transit of Electric Power. Convention relating to the Development of Hydraulic Power affecting more than one State. RECORDS AND TEXTS. (C.30.M.16.1924.VIII.) . . . . .	3/6	\$0.80

## Third General Conference.

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